

PUBLIC MEETING OF THE NEBRASKA REAL PROPERTY APPRAISER BOARD
Thursday, June 16, 2022, 9:00 a.m.
Nebraska Real Property Appraiser Board Office, First Floor, Nebraska State Office Building
301 Centennial Mall South, Lincoln, Nebraska

AGENDA

A. Opening 9:00 a.m.

B. Notice of Meeting (Adopt Agenda)

The Nebraska Real Property Appraiser Board will meet in executive session for the purpose of reviewing applicants for credentialing; applicants for appraisal management company registration; investigations; pending litigation, or litigation that is imminent as evidenced by communication of a claim or threat of litigation; and employee performance evaluation. The Board will exit executive session at 9:45 a.m. If needed, the Board will re-enter executive session at the conclusion of the public agenda items discussion to complete review of the above-mentioned items. The Board will not take action on agenda items C, D, E, and F until executive session is completed.

C. Credentialing as a Nebraska Real Property Appraiser 1-14

- 1. Pending Applications
 - a. CR22004
 - b. CG22009

D. Registration as an Appraisal Management Company 1-3

- 1. Applicants for Renewal of Appraisal Management Company Registration
 - a. NE2020003

E. Consideration of Compliance Matters

F. Consideration of Other Executive Session Items 1

- 1. Personnel Matters

G. Welcome and Chair’s Remarks (Public Agenda 9:45 am)

H. Board Meeting Minutes

- 1. Approval of May 19, 2022 Meeting Minutes 1-12

I. Director’s Report

- 1. Real Property Appraiser and AMC Counts and Trends
 - a. Real Property Appraiser Report 1-4
 - b. Temporary Real Property Appraiser Report 5
 - c. Supervisory Real Property Appraiser Report 6
 - d. Appraisal Management Company Report 7
- 2. Director Approval of Applicants
 - a. Real Property Appraiser Report 8
 - b. Education Activity and Instructor(s) Report 9-14

J. Financial Report and Considerations

1. May Financial Report
 - a. Budget Status Report 1-3
 - b. MTD General Ledger Detail Report 4-9
 - c. Financial Charts 10-12
2. 23686 – NRPAB Database Supervisor/Trainee Interface Update 13
3. Per Diems
 - a. Downing – June 15, 2022 Applicant Informal Conference
 - b. Gerdes – June 15, 2022 Applicant Informal Conference

K. General Public Comments

L. Consideration of Education/Instructor Requests

M. Unfinished Business

N. New Business

O. Legislative Report and Business

1. Title 298
 - a. Title 298_June 10, 2022 Draft 1-79
2. Other Legislative Matters

P. Administrative Business

1. Guidance Documents
2. Internal Procedural Documents
3. Forms, Applications, and Procedures
 - a. Application for Approval as a Qualifying Education Activity in Nebraska 1-7
 - b. Application for Approval as a Continuing Education Activity in Nebraska 8-14
 - c. Application for Approval as a Supervisory Real Property Appraiser and Trainee Course in Nebraska 15-20
 - d. Supplemental Instructor Information for Education Activity Application in Nebraska 21-22

Q. Other Business

1. Board Meetings
2. Conferences/Education
 - a. Kohtz Spring AARO Conference Report 1-9
4. Memos from the Board
5. Quarterly Newsletter
6. Appraisal Subcommittee
 - a. ASC 2021 Annual Report 10-119
 - b. ASC Quarterly Meeting; September 14, 2022 120
 - c. CLEAR Request for Information for Data Development - Due June 24, 2022 121
 - d. ASC March 9, 2022 Meeting Minutes 122-130
7. The Appraisal Foundation
 - a. TAF June Newsletter 131-132
 - b. TAF Seeks Candidates for the AQB and ASB 133-134
 - c. AQB Public Meeting: October 20, 2022 – Virtual
 - d. Appraiser Qualifications Board Q&As Regarding PAREA Mentors 135-140
8. Association of Appraiser Regulatory Officials
 - a. AARO Quarterly Update – 6.1.2022 141-146
9. In the News

R. Adjourn

**NEBRASKA REAL PROPERTY APPRAISER BOARD
NRPAB OFFICE MEETING ROOM, FIRST FLOOR
NEBRASKA STATE OFFICE BUILDING
301 CENTENNIAL MALL SOUTH, LINCOLN, NE**

May 19, 2022 Meeting Minutes

A. OPENING

Chairperson Thomas Luhrs called to order the May 19, 2022 meeting of the Nebraska Real Property Appraiser Board at 9:04 a.m., in the Nebraska Real Property Appraiser Board meeting room located on the first floor of the Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska.

B. NOTICE OF MEETING

Chairperson Luhrs announced the notice of the meeting was duly given, posted, published, and tendered in compliance with the Open Meetings Act, and all board members received notice simultaneously by email. Publication of official notice of the meeting appeared on the State of Nebraska Public Calendar found at www.nebraska.gov on May 9, 2022. The agenda was kept current in the Nebraska Real Property Appraiser Board office and on the Board's website. In accordance with the Open Meetings Act, at least one copy of all reproducible written material for this meeting, either in paper or electronic form, was available for examination and copying by members of the public. The material in paper form was available on the table in a public folder, and the material in electronic form was available on the Board's website in Public Meeting Material (https://appraiser.ne.gov/board_meetings/). A copy of the Open Meetings Act was available for the duration of the meeting. For the record, Board Members Thomas Luhrs of Imperial, Nebraska, Wade Walkenhorst of Lincoln, Nebraska, Bonnie Downing of Dunning, Nebraska, Cody Gerdes of Lincoln, Nebraska, and Kevin Hermsen of Gretna, Nebraska were present. Also present were Director Tyler Kohtz, Business and Licensing Program Manager Allison Nesper, and Business and Education Program Manager Katja Duerig, who are all headquartered in Lincoln, Nebraska.

ADOPTION OF THE AGENDA

Chairperson Luhrs reminded those present for the meeting that the agenda cannot be altered 24 hours prior to the meeting except for emergency items according to the Open Meetings Act. Board Member Downing moved to adopt the agenda as printed. Board Member Walkenhorst seconded the motion. With no further discussion, the motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

Board Member Walkenhorst moved that the Board go into executive session for the purpose of reviewing applicants for credentialing; applicants for appraisal management company registration; investigations; pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation; and employee performance evaluation. A closed session is clearly necessary to prevent needless injury to the reputation of those involved. Board Member Downing seconded the motion. The time on the meeting clock was 9:07 a.m. The motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

Board Member Downing moved to come out of executive session at 9:49 a.m. Board Member Walkenhorst seconded the motion. The motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

Break from 9:50 a.m. to 9:57 a.m.

G. WELCOME AND CHAIR’S REMARKS

Chairperson Luhrs welcomed all to the May 19, 2022 meeting of the Nebraska Real Property Appraiser Board. Roger Morrissey was the only member of the public present.

H. NRPAB EMPLOYEE RECOGNITION AWARD

Director Kohtz brought attention to the contract employee performance recognition discussion that took place during the Board’s 2021 strategic planning meeting and reminded the Board that \$1,000.00 was included in the budget for recognition of contract employees who achieve a score of four or above with an award of up to \$500.00 through the Employee Recognition Program. The Director went on to say that Allison and Katja have represented the Board with integrity, and have performed their duties with efficiency and accuracy. In accordance with the Board’s Employee Recognition Plan, Allison and Katja are each awarded a monetary gift of \$500.00, issued through the June 1, 2022 payroll, for their excellence in service. The Board thanked Ms. Nespor and Ms. Duerig for their service.

I. BOARD MEETING MINUTES

1. APPROVAL OF APRIL 21, 2022 MEETING MINUTES

Chairperson Luhrs asked for any additions or corrections to the April 21, 2022 meeting minutes. With no discussion, Chairperson Luhrs called for a motion. Board Member Walkenhorst moved to approve the April 21, 2022 meeting minutes as presented. Board Member Downing seconded the motion. Chairperson Luhrs recognized the motion and asked for any discussion. With no discussion, Chairperson Luhrs called for a vote. The motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

J. DIRECTOR’S REPORT

1. REAL PROPERTY APPRAISER AND AMC COUNTS AND TRENDS

a. Real Property Appraiser Report

Director Kohtz presented seven charts outlining the number of real property appraisers as of May 19, 2022 to the Board for review. The Director reported that this calendar year’s numbers for certified residential and certified general real property appraisers credentialed through education, experience, and examination will surpass last year’s, and that this is the first positive trend in a long while. Director Kohtz added that this is a very good sign for the industry. The Director then asked for any questions or comments. There was no further discussion.

b. Temporary Real Property Appraiser Report

Director Kohtz presented three charts outlining the number of temporary credentials issued as of April 30, 2022 to the Board for review. The Director reported that he had no specific comments and asked for any questions or comments. There was no discussion.

c. Supervisory Real Property Appraiser Report

Director Kohtz presented two charts outlining the number of supervisory real property appraisers as of May 19, 2022 to the Board for review. The Director reported that there were no changes in trends and that he had no specific comments. Director Kohtz asked for any questions or comments. There was no further discussion.

d. Appraisal Management Company Report

Director Kohtz presented two charts outlining the number of AMCs as of May 19, 2022 to the Board for review. Director Kohtz indicated that he had no comments and asked for any questions or comments. There was no discussion.

2. DIRECTOR APPROVAL OF APPLICANTS

a. Real Property Appraiser Report

Director Kohtz presented the Real Property Appraiser Report to the Board for review showing real property appraiser applicants approved for credentialing by the Director, and the real property appraiser applicants approved to sit for exam by the Director, for the period between April 12, 2022 and May 4, 2022. The Director asked for any questions or comments. There was no further discussion.

b. Education Activity and Instructors Report

Director Kohtz presented the Education Activities and Instructors Report to the Board for review showing education activities and instructors approved by the Director for the period between April 12, 2022 and May 4, 2022. The Director asked for any questions or comments. There was no further discussion.

3. 2021-22 NRPAB GOALS AND OBJECTIVES + SWOT ANALYSIS

Director Kohtz presented the 2021-22 NRPAB Goals and Objectives and SWOT Analysis to the Board for review and provided a status update. The Director guided the Board to goals related to Public Information and reported that BLPM Nespor began exploring the addition of a solid or scrolling message screen at the top of the NRPAB website for use to disseminate relevant timely information this month. Director Kohtz stated that he had no other comments and asked for any questions or comments. There was no further discussion.

Director Kohtz closed his report by recognizing the passing of Chairperson Luhrs's mother, and presented a card to Chairperson Luhrs on behalf of the staff and Board. Chairperson Luhrs thanked everyone.

K. FINANCIAL REPORT AND CONSIDERATIONS – MAY 2022

1. APPROVAL OF APRIL RECEIPTS AND EXPENDITURES

The receipts and expenditures for April were presented to the Board for review in the Budget Status Report. Director Kohtz brought attention to the Office Supplies Expense of \$501.58. The Director reported that this expense includes the expansion microphone set for the Polycom system. Director Kohtz indicated that expenditures for the month of April totaled \$22,814.88, and the year-to-date expenditures for the fiscal year are \$275,255.52, which amounts to 65.82 percent of the budgeted expenditures for the fiscal year; 83.29 percent of the fiscal year has passed.

The Director turned the Board's attention to revenues. Director Kohtz reported that revenues for April were \$19,528.73, and that the year-to-date revenues for the fiscal year are \$352,580.61, which amounts to 99.80 percent of the projected revenues for the fiscal year. The Director asked for any questions or comments. There was no further discussion.

Director Kohtz then brought attention to the MTD General Ledger for April and informed the Board that he had no questions or comments. The Director asked for any questions or comments. There was no further discussion.

Director Kohtz presented three graphs showing expenses, revenues, and cash balance. The Director once again pointed out the expenditures and revenues for the month of April for the Real Property Appraiser Program, which includes both the Appraiser Fund and the AMC Fund. The Director then remarked that the cash balance for the AMC Fund is \$357,970.27, the Appraiser Fund is \$413,162.95 and the overall cash balance for both funds is \$771,133.22. The Director asked for any questions or comments. There was no further discussion.

Board Member Walkenhorst moved to accept and file the April 2022 financial reports for audit. Board Member Downing seconded the motion. Chairperson Luhrs recognized the motion and asked for any discussion. With no discussion, Chairperson Luhrs asked for a vote. The motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

2. FY 2021-22 BUDGET AMENDMENT

Director Kohtz presented the amended FY 2021-22 budget to the Board for consideration. The Director reported that the Legislature passed LB1011, which provides the additional allocation for the reclassification of BEPM Duerig's position. In addition, the Board has approved a few special projects during this fiscal year that necessitated a budget amendment. Director Kohtz noted that he held off on bringing any amendments to the Board until after the fate of LB1011 was known, so that to all amendments could be approved at one time. The Director then guided the Board to the proposed amended FY 2021-22 budget, and informed the Board that amendments include the LB1011 increase of personal service funds related to the reclassification of the Administrative Specialist position to Business and Education Program Manager, and the reallocation of existing funds for database and scanning projects. Director Kohtz informed the Board that the approved database projects are funded through the next fiscal year as the carryover allocation from this fiscal year will be applied to these projects during the next fiscal year. Finally, the Director commented that staff is currently using overtime for strategic planning preparation and other priority tasks. There will be an additional \$5,000.00 approximately, depending on how much overtime is utilized by staff, that will also be included in the carryover allocation for next fiscal year. Director Kohtz asked for any questions or comments. With no questions or comments, the Director requested a motion to approve the amended budget. Board Member Downing moved to approve the amended FY 2021-22 Budget as presented. Board Member Gerdes seconded the motion. Chairperson Luhrs recognized the motion and asked for any discussion. With no discussion, Chairperson Luhrs asked for a vote. The motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

3. PER DIEMS

a. Hermsen – May 9, 2022 City of Omaha – Housing Affordability Action Plan Session

Director Kohtz requested a per diem payment in the amount of \$100.00 on behalf of Board Member Hermsen for representing the Board during the City of Omaha Housing Affordability Action Plan Session on May 9, 2022.

b. Downing – May 18, 2022 Applicant Informal Conference

Director Kohtz requested a per diem payment in the amount of \$100.00 on behalf of Board Member Downing for representing the Board during an applicant informal conference on May 18, 2022.

Board Member Walkenhorst moved to approve per diem payments in the amount of \$100.00 each for Board Members Hermsen and Downing. Board Member Gerdes seconded the motion. Chairperson Luhrs recognized the motion and asked for any discussion. With no discussion, Chairperson Luhrs asked for a vote. The motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

4. APPLICANT APPRAISAL REVIEW SERVICES CONTRACTS

Director Kohtz presented a request for amendment to Applicant Appraisal Review Services Contracts #99528 and #99529 to the Board for consideration, and asked BLPM Nesper to provide an overview of the amendment requests. BLPM Nesper informed the Board that the normal applicant appraisal review services contractor procedures were followed for review of two reports, which were the purpose for, and subject of, each of the contracts. The contractor reported that both subject reports were complex, and requested the contract be amended to include the additional hours required to perform the services as specified in the contract. BLPM Nesper noted that between the time this request was made and the board meeting, the USPAP Compliance Review Reports were completed for both contracts and the Board was invoiced with the additional hours included. BLPM Nesper added that this contractor typically bills the agency less than the contract maximum and has previously completed seventeen appraisal review assignments for the Board.

a. Applicant Appraisal Review Services Contract #99528 Amendment Request

Board Member Walkenhorst moved to increase the maximum compensation in Applicant Appraisal Review Services Contract #99528 by \$500.00. Board Member Gerdes seconded the motion. Chairperson Luhrs recognized the motion and asked for any discussion. With no discussion, Chairperson Luhrs asked for a vote. The motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

b. Applicant Appraisal Review Services Contract #99529 Amendment Request

Board Member Downing moved to increase the maximum compensation in Applicant Appraisal Review Services Contract #99529 by \$500.00. Board Member Gerdes seconded the motion. Chairperson Luhrs recognized the motion and asked for any discussion. With no discussion, Chairperson Luhrs asked for a vote. The motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

L. GENERAL PUBLIC COMMENTS

Chairperson Luhrs asked for any public comments. Roger Morrissey asked where the Board stands on PAREA. Director Kohtz responded that the acceptance of PAREA is adopted into Nebraska law, however there are no PAREA programs publicly available at this time. With no further comments, Chairperson Luhrs moved on to Consideration of Education/Instructor requests.

M. CONSIDERATION OF EDUCATION/INSTRUCTOR REQUESTS: No discussion.

N. UNFINISHED BUSINESS: No discussion.

O. NEW BUSINESS: No discussion.

P. LEGISLATIVE REPORT AND BUSINESS: No discussion.

Q. ADMINISTRATIVE BUSINESS

1. GUIDANCE DOCUMENTS

a. 22-01: Education Activity Instructor Application Requirements

Director Kohtz presented Guidance Document 22-01 titled, “Education Activity Instructor Application Requirements” to the Board for consideration. The Director informed the Board that this guidance document clarifies that the Board’s interpretation of an application for instructor as specified in Section 005, Chapter 6, of Title 298 is the same as the application for the education activity. Director Kohtz reported that the ASC’s guidance on COVID-19 providing a waiver allowing for in-class education activities to be offered online without meeting the requirements for online delivery as recommended by the AQB changed the way education providers determine qualified instructors for synchronous education activities as it is not known by the education provider which instructor will be teaching a scheduled activity. This has led to a significant increase in the number of instructor applications received and reviewed by the Board, which adds to the processing time required for each education activity. Although this was thought to be a temporary issue due to the ASC Temporary Waiver, it became a permanent issue when the AQB concluded that synchronous education offerings were equivalent to traditional in-person classroom offerings, and as a result, proposed separating synchronous courses from asynchronous courses. The AQB adopted a new edition of the Criteria on August 24, 2021. The Director then stated that this guidance document brings the Board’s requirements for instructor approval closer to the AQB’s Course Approval Program, in which an instructor policy is required, but an individual instructor application is not. Instructor information will be reported on the education activity application, and the affidavit section of the application will include language stating that an instructor meets the Title 298 requirements. Director Kohtz added that the Board will retain its authority to enforce its rules for any instructor in violation of the Real Property Appraiser Act or Title 298. The Director asked for any questions or comments. With no further discussion, Chairperson Luhrs requested a motion. Board Member Downing moved to approve Guidance Document 22-01 as presented. Board Member Hermsen seconded the motion. Chairperson Luhrs recognized the motion and asked for any discussion. With no discussion, Chairperson Luhrs asked for a vote. The motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

2. INTERNAL PROCEDURAL DOCUMENTS: No discussion.

3. FORMS, APPLICATIONS, AND PROCEDURES

Director Kohtz reported that many forms and applications have been updated for consideration by the Board. The Director presented the proposed Application for Preliminary Criminal History Review: Applicant for Credentialing as a Nebraska Real Property Appraiser or More than 10% Owner of an Appraisal Management Company, Application for Nebraska Real Property Appraiser Temporary Credential, Application for Renewal of Nebraska Real Property Appraiser Temporary Credential, 2023-2024 Application for Two-Year Renewal of Nebraska Trainee Real Property Appraiser Credential, 2023-2024 Application for Renewal of Nebraska Real Property Appraiser Credential, Real Property Appraiser Credential Renewal Questions and Answers, Nebraska Real Property Appraiser Continuing Education Requirements, Real Property Appraiser Credential Renewal Application Procedures, and asked BLPM Nespor to provide an overview of the changes to each document.

a. Application for Preliminary Criminal History Review: Applicant for Credentialing as a Nebraska Real Property Appraiser or More than 10% Owner of an Appraisal Management Company.

BLPM Nespor informed the Board that statute sets the fee at no more than \$100.00, During review of the Board's last draft, the GPRO asked the Board to decrease this fee to \$50.00. This form is being updated due to the changes made in Title 298 effective on December 21, 2021.

b. Application for Nebraska Real Property Appraiser Temporary Credential

BLPM Nespor reported that the completion date requirement is removed in accordance with the LB707 changes, and the attestation form is added since a temporary credential falls under the requirements of Neb. Rev. Stat. §§ 4-108 through 4-114.

c. Application for Renewal of Nebraska Real Property Appraiser Temporary Credential

BLPM Nespor indicated that the completion date requirement is once again removed in accordance with the LB707 changes, but that the attestation form is not added since this is an extension of the original credential issued.

d. 2023-2024 Application for Two-Year Renewal of Nebraska Trainee Real Property Appraiser Credential

BLPM Nespor informed the Board that the dates are updated, and another option is added for reporting the 7-Hour USPAP Update Course for those that are not required to report during this particular year of their renewal period.

e. 2023-2024 Application for Renewal of Nebraska Real Property Appraiser Credential

BLPM Nesper indicated that the dates are updated, and the two-year education period is expanded to meeting the new definition changed in LB707. Director Kohtz added that this language does not yet meet the LB707 changes as presented. Language needs to be added to address the additional two-year education periods for those that obtain their credential through reciprocity and have held a credential in another jurisdiction as of January 1st of the year in which they are credentialed. BLPM Nesper indicated that this language will be added to match that on page two of the Real Property Appraiser Credential Renewal Questions and Answers. BLPM Nesper then brought attention to the voluntary supervisory real property appraiser contact list and directed the Board to the CIO Azure DevOps Work Item #20392 document that includes the statements. BLPM Nesper added that this document shows the first two statements as questions, but they will be statements when this goes live. BLPM Nesper indicated that work is being completed on this project, but it is unclear as to if it will be completed prior to July 1, 2022. BLPM Nesper asked if the Board wants to see this application on the agenda again if the project is completed on time, or if staff should add the statements to the application approved today. Director Kohtz added that the timing might be very tight. The Board agreed that the supervisory real property appraiser voluntary contact information list statements should be added to the application if the project is completed on time.

f. Real Property Appraiser Credential Renewal Questions and Answers

BLPM Nesper reported that the dates are updated, the two-year education period is expanded to meeting the new definition changed in LB707, and continuing education completed in another jurisdiction is better clarified to align with changes made to the Real Property Appraiser Qualifications Criteria effective on January 1, 2022.

g. Nebraska Real Property Appraiser Continuing Education Requirements

BLPM Nesper once again indicated that the dates are updated, the two-year education period is expanded to meeting the new definition changed in LB707, and continuing education completed in another jurisdiction is better clarified to align with changes made to the Real Property Appraiser Qualifications Criteria effective on January 1, 2022.

h. Real Property Appraiser Credential Renewal Application Procedures

BLPM Nesper reported that the dates are updated, employee business titles are updated, the procedures for reviewing the two-year education period and required continuing education are better clarified. In addition, the procedures for reviewing and approving continuing education completed in another jurisdiction are better clarified to align with changes made to the Real Property Appraiser Qualifications Criteria effective on January 1, 2022. Finally, BLPM Nesper indicated that the late renewal procedures were updated to better reflect current practice.

Board Member Downing moved to approve the Application for Preliminary Criminal History Review: Applicant for Credentialing as a Nebraska Real Property Appraiser or More than 10% Owner of an Appraisal Management Company as presented, Application for Nebraska Real Property Appraiser Temporary Credential as presented, Application for Renewal of Nebraska Real Property Appraiser Temporary Credential as presented, 2023-2024 Application for Two-Year Renewal of Nebraska Trainee Real Property Appraiser Credential as presented, Real Property Appraiser Credential Renewal Questions and Answers as presented, Nebraska Real Property Appraiser Continuing Education Requirements as presented, Real Property Appraiser Credential Renewal Application Procedures as presented, and the 2023-2024 Application for Renewal of Nebraska Real Property Appraiser Credential as amended to include language addressing the additional two-year education periods for those that obtain their credential through reciprocity and have held a credential in another jurisdiction as of January 1st of the year in which they are credentialed as found on page two of the Real Property Appraiser Credential Renewal Questions and Answers, and to authorize staff to add the voluntary supervisory appraiser contact list statements to the application upon the completion of Work Item #20392. Board Member Walkenhorst seconded the motion. Chairperson Luhrs recognized the motion and asked for any discussion. With no discussion, Chairperson Luhrs asked for a vote. The motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

R. OTHER BUSINESS

1. BOARD MEETINGS

a. 2022 Strategic Planning – June 15, 2022; TBD

Director Kohtz brought attention to the strategic planning meeting tentatively scheduled for June 15, 2022. The Director reported that this meeting should be relatively relaxed this year, and asked what time the Board would like to meet. Chairperson Luhrs suggested 2:00 p.m. All board members agreed. Board Member Downing moved to schedule the 2022 Strategic Planning Meeting for June 15, 2022 at 2:00 p.m. Board Member Walkenhorst seconded the motion. Chairperson Luhrs recognized the motion and asked for any discussion. With no discussion, Chairperson Luhrs asked for a vote. The motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

2. CONFERENCES/EDUCATION

a. City of Omaha – Housing Affordability Action Plan Session (Hermsen Report)

Director Kohtz reported that Board Member Hermsen represented the Board at a Housing Affordability Action Plan Session hosted by the City of Omaha on May 9, 2022. The Director invited Board Member Hermsen to report on the session. Board Member Hermsen remarked that the topic of the roundtable discussion was how to combat the lack of affordable housing in the Omaha market. Attendees included City employees and officials, and representatives from banks, the Nebraska Investment Finance Authority, and companies conducting feasibility studies for affordable housing in the Omaha area.

(Continued on page 10)

(Continued from page 9)

Board Member Hermsen noted that the Omaha housing market is not in equilibrium, and the amount of affordable housing is not adequate. Board Member Hermsen cited high costs for construction materials, labor, and land as challenges for builders. Affordable housing shortages can be addressed by social groups, but often, these groups focus on combating homelessness after it has occurred and have not been able to proactively keep people in homes. Board Member Hermsen reported that stakeholders are exploring several solutions, including TIF or other city funds for affordable housing, tax exemptions for developers, and programs to increase participation in trades such as electrical and building. The attendees also discussed an 84-unit housing complex being built by Streck Labs for its employees. Board Member Hermsen informed the Board that he relayed the challenges appraisers face related to the affordable housing shortage, specifically that cost does not equal value. Board Member Walkenhorst asked if only multi-family housing units were discussed, or if single-family homes were as well. Board Member Hermsen replied that all forms of housing were discussed, including single-family properties and student housing. Board Member Walkenhorst asked if the topic of investors purchasing homes and selling later at an inflated value, making homes less affordable for others, was discussed. Board Member Hermsen replied affirmatively and added that pre-approved financing was also mentioned as an issue because it gives fewer people a chance to make an offer. Board Member Hermsen asked for any other questions or comments. There was no further discussion. Chairperson Luhrs thanked Board Member Hermsen for his report.

3. MEMOS FROM THE BOARD: No discussion.

4. QUARTERLY NEWSLETTER: No discussion.

5. APPRAISAL SUBCOMMITTEE: No discussion.

6. THE APPRAISAL FOUNDATION

a. TAF May Newsletter

Director Kohtz presented The Appraisal Foundation's May newsletter to the Board for review. The Director informed the Board that he had no comments and asked for any questions or comments. There was no discussion.

b. TAF April State Regulator Newsletter

Director Kohtz presented The Appraisal Foundation's April state regulator newsletter to the Board for review. The Director informed the Board that he had no comments and asked for any questions or comments. There was no discussion.

c. Appraiser Qualifications Board Q&As

i. Partial PAREA Adoption and Experience Requirements

Director Kohtz presented the Appraiser Qualifications Board Q&A regarding Partial PAREA Adoption and Experience Requirements. The Director shared that the question had to do with state regulator acceptance of PAREA, specifically, if a state rules that they will only accept PAREA for 50% of the experience requirement, how does this affect the experience requirements for the remaining 50% experience? The Director stated that the AQB's answer to this was, "If a participant successful completes PAREA, the Criteria deems the experience requirements satisfied, regardless in which state the participant is seeking a license. However, for partial approval of experience credit given to PAREA participants, it is up to states to determine how the rest of the experience credit should be given." Director Kohtz asked for any questions or comments. There was no further discussion.

7. ASSOCIATION OF APPRAISER REGULATORY OFFICIALS: No discussion.

8. IN THE NEWS: No discussion.

Break from 10:58 a.m. to 11:06 a.m.

Board Member Walkenhorst moved that the Board go into executive session for the purpose of reviewing applicants for credentialing; applicants for appraisal management company registration; investigations; pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation; and employee performance evaluation. A closed session is clearly necessary to prevent needless injury to the reputation of those involved. Board Member Downing seconded the motion. The time on the meeting clock was 11:07 a.m. The motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

Board Member Downing moved to come out of executive session at 11:19 a.m. Board Member Hermsen seconded the motion. The motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

C. CREDENTIALING AS A NEBRASKA REAL PROPERTY APPRAISER

The Board reviewed CR22004, CG22009, CR22001, and CG22005. Chairperson Luhrs asked for motions on CG22009 and CG22005.

Board Member Walkenhorst moved to take the following action:

CG22009 / Provide redacted copy of USPAP Compliance Review Report, request written response to USPAP Compliance Review Report, and invite to informal conference. Assign Board Members Downing and Gerdes.

Board Member Hermsen seconded the motion. Chairperson Luhrs recognized the motion and called for a vote. Motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

Board Member Walkenhorst moved to take the following action:

CG22005 / Request that applicant complete additional agricultural-based education in 1) cost approach for general appraiser, 2) sales comparison approach for general appraiser, and 3) income approach for general appraiser offered by an education provider with an expertise in agricultural appraisal. Upon completion of the education, submit one additional agricultural focused report for a non-traditional client demonstrating all three approaches to value and market supported adjustments. Submit evidence of completed education and non-traditional report no later than May 19, 2023.

Board Member Hermsen seconded the motion. Chairperson Luhrs recognized the motion and called for a vote. Motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

D. REGISTRATION AS APPRAISAL MANAGEMENT COMPANY: No discussion.

E. CONSIDERATION OF COMPLIANCE MATTERS: No discussion.

F. CONSIDERATION OF OTHER EXECUTIVE SESSION ITEMS

1. 2022.03

The Board reviewed an appraisal report received from the Fannie Mae Loan Quality Center. The Board concluded that there were no substantial errors that lead to non-credible results. No action was taken by the Board.

2. Personnel Matters

a. Director's Performance Review Discussion

The Board discussed personnel matters. Chairperson Luhrs moved to increase the Director's salary by 4.0% as recommended by the Governor and approved by the Legislature for FY 2022-23, effective July 1, 2022. Board Member Downing seconded the motion. Motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye.

S. ADJOURNMENT

Board Member Walkenhorst moved to adjourn the meeting. Board Member Hermsen seconded the motion. Motion carried with Walkenhorst, Downing, Gerdes, Hermsen, and Luhrs voting aye. At 11:25 a.m., Chairperson Luhrs adjourned the May 19, 2022 meeting of the Real Property Appraiser Board.

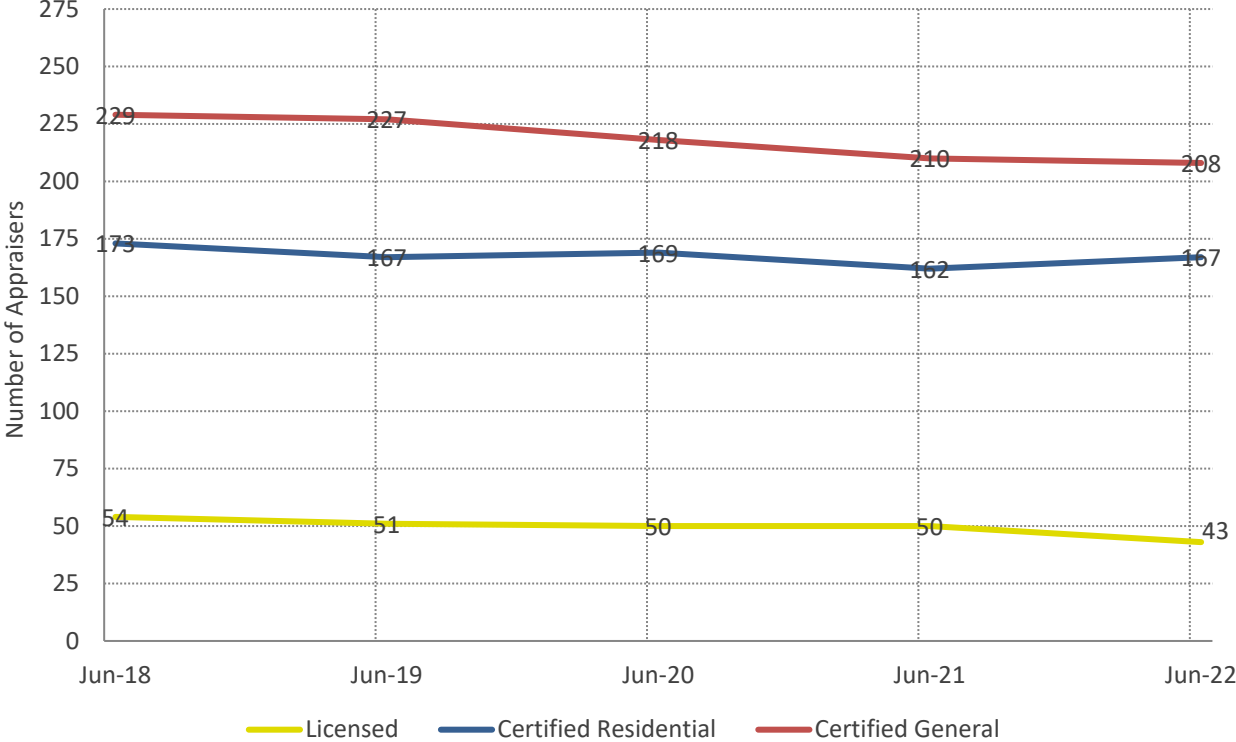
Respectfully submitted,

Tyler N. Kohtz
Director

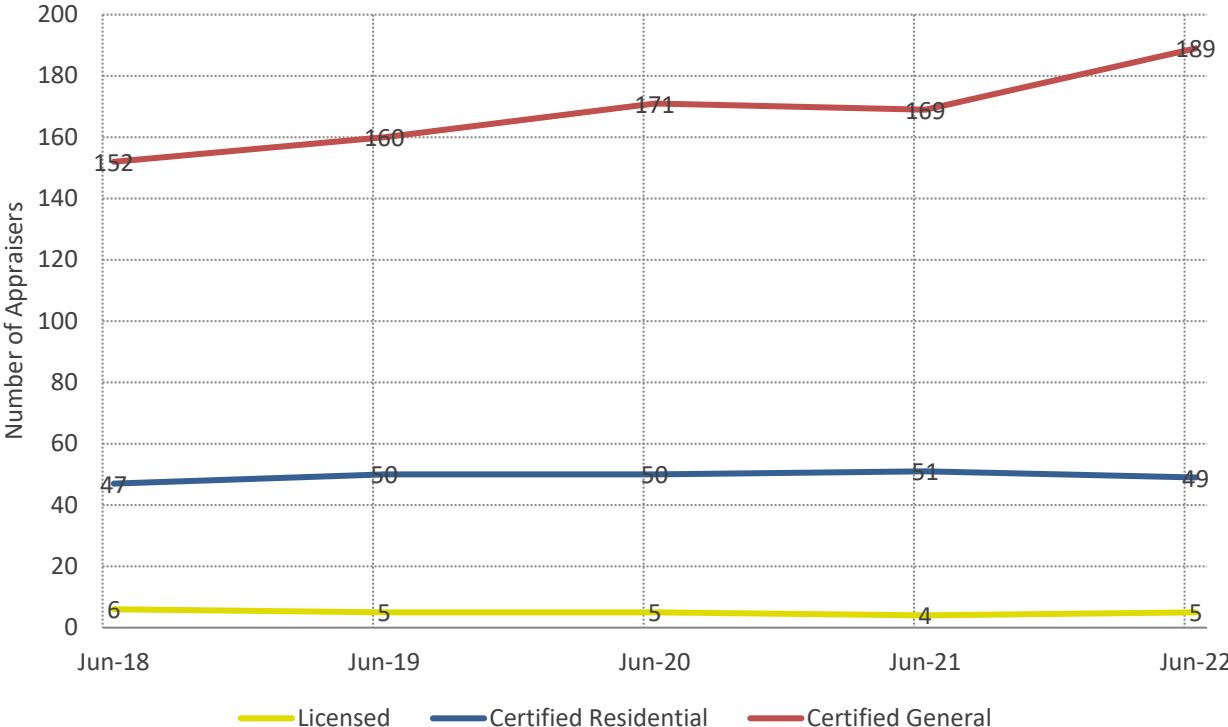
These minutes were available for public inspection on May 25, 2022, in compliance with Nebraska Revised Statute § 84-1413 (5).

Real Property Appraiser Report

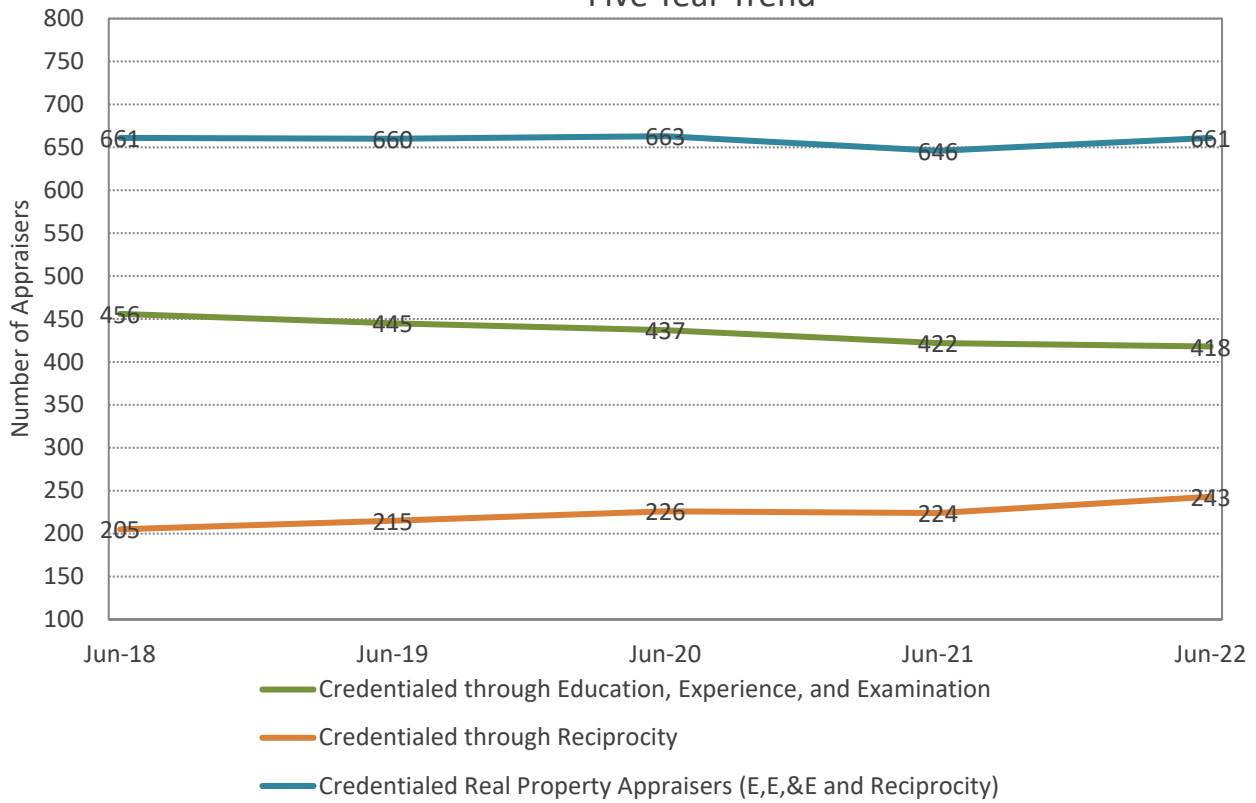
Real Property Appraisers Credentialed through Education, Experience, and Examination (not including Trainee) - Five Year Trend



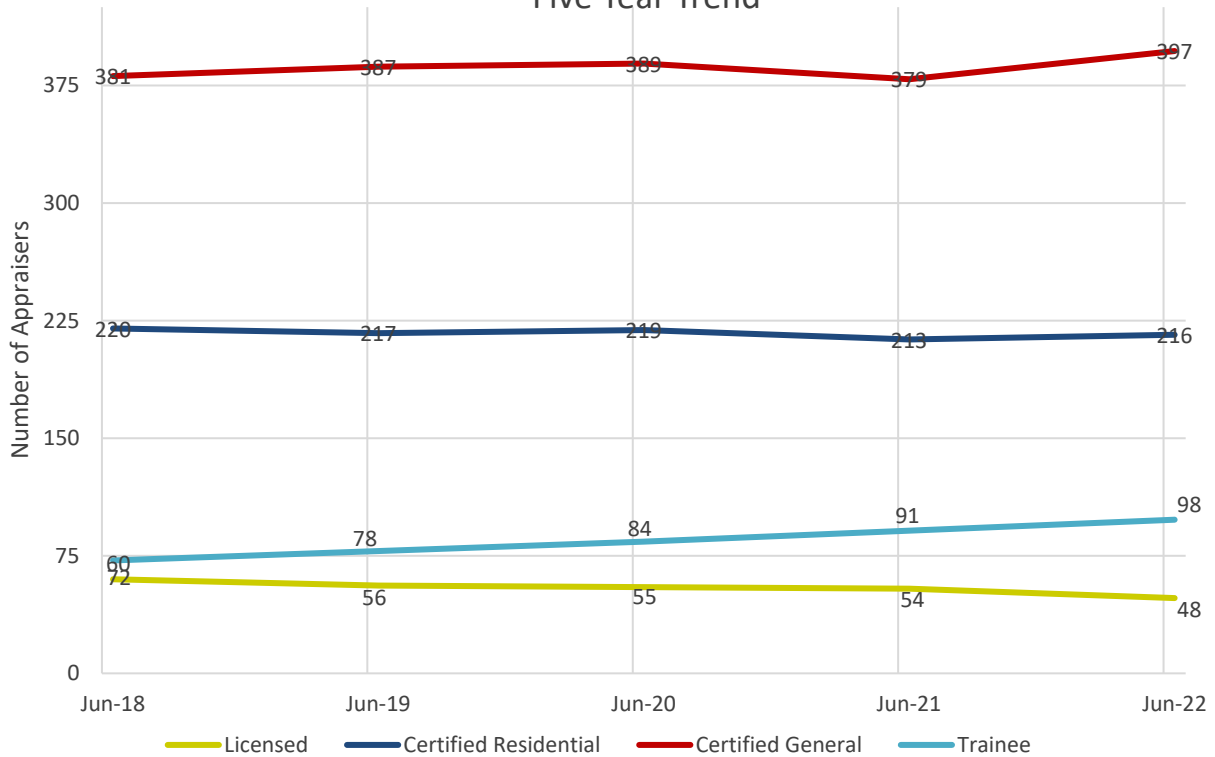
Real Property Appraisers by Classification Credentialed through Reciprocity - Five Year Trend



Total Real Property Appraisers (not including Trainee)
- Five Year Trend



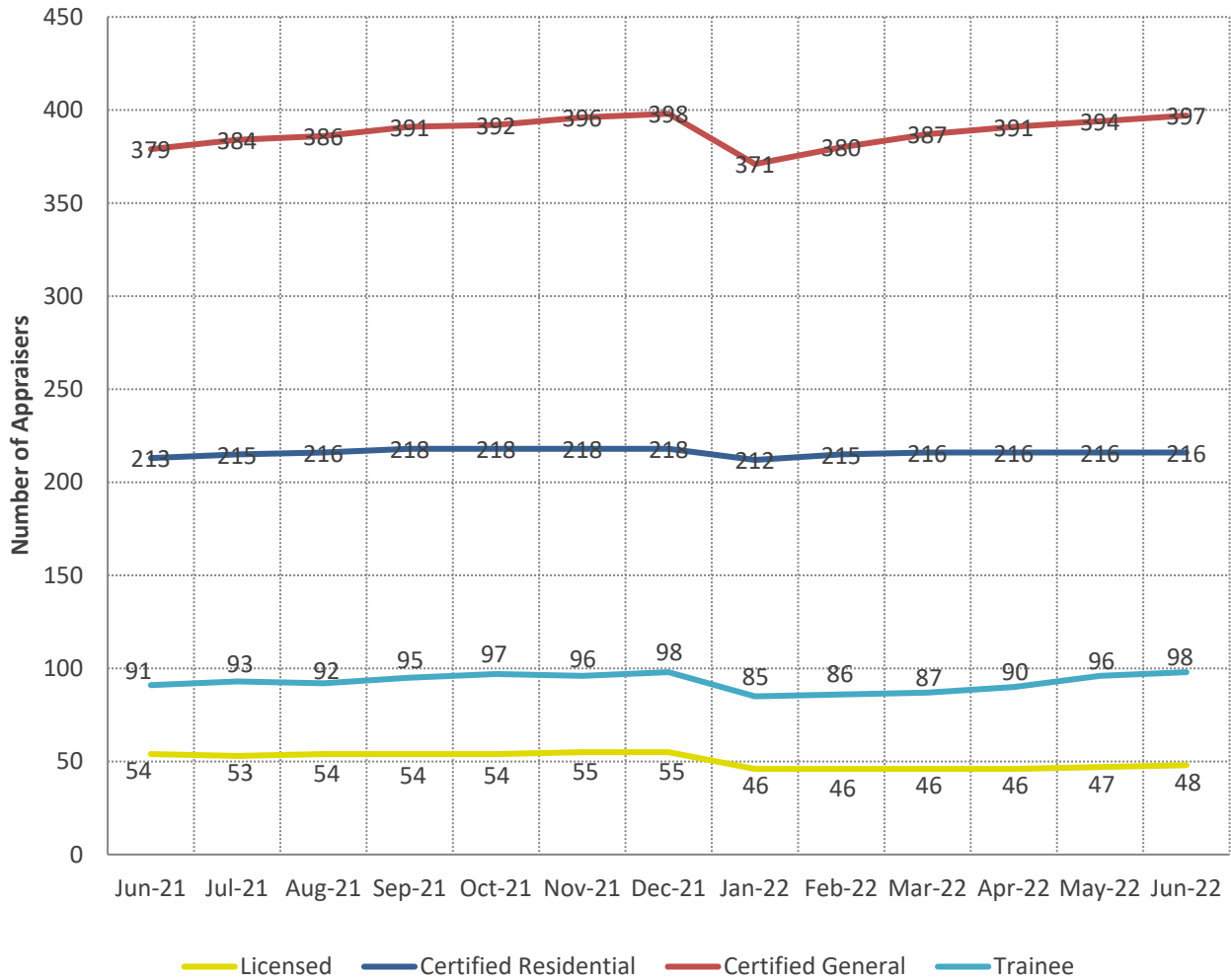
Total Real Property Appraisers by Classification -
Five Year Trend



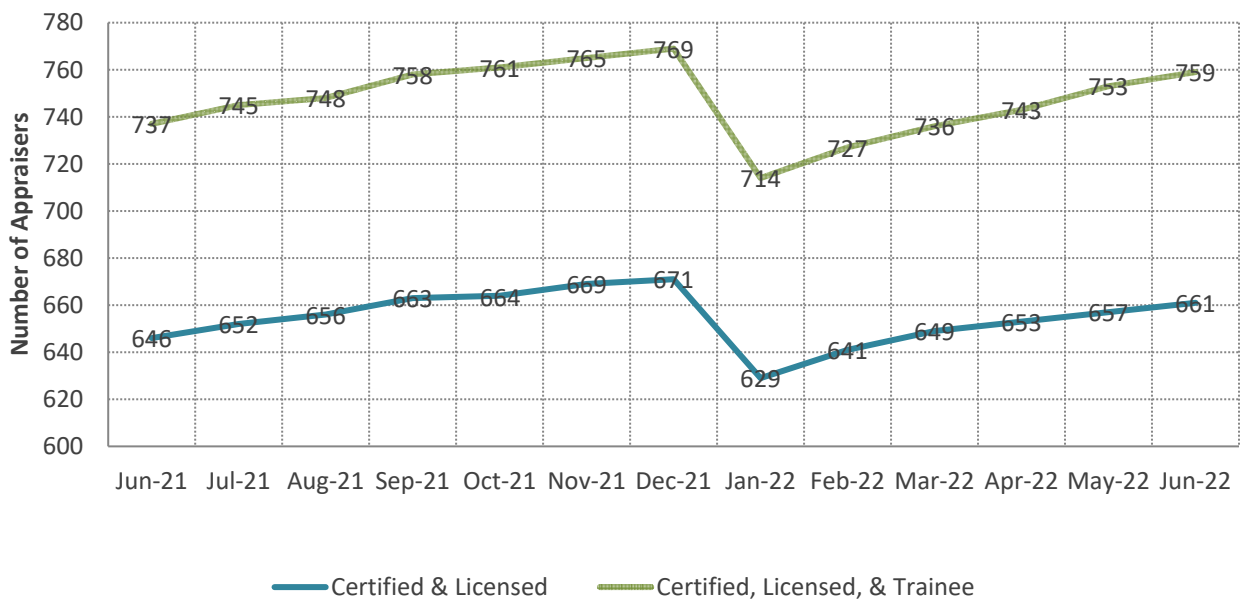
Total Real Property Appraisers - Five Year Trend



Real Property Appraisers by Classification - Thirteen Month Trend

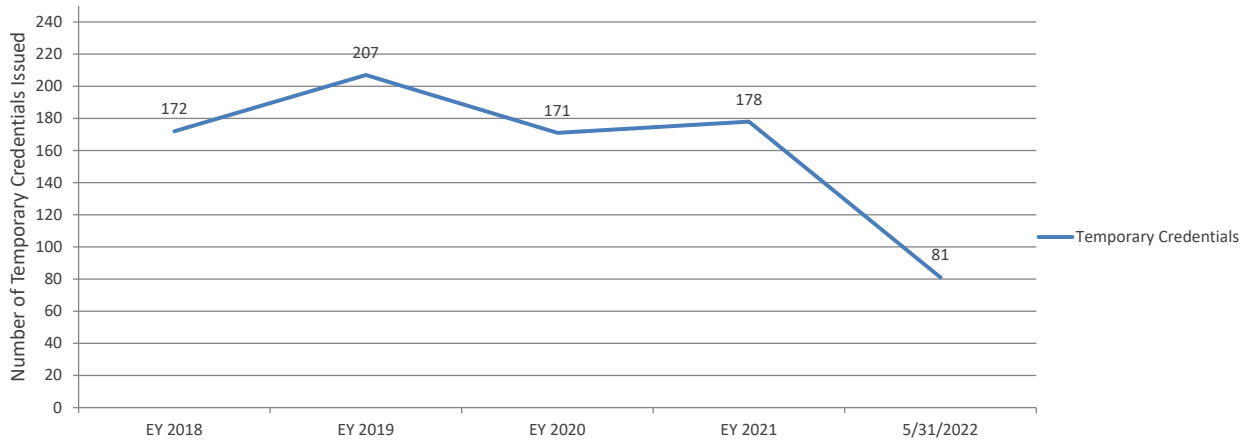


Total Real Property Appraisers - Thirteen Month Trend

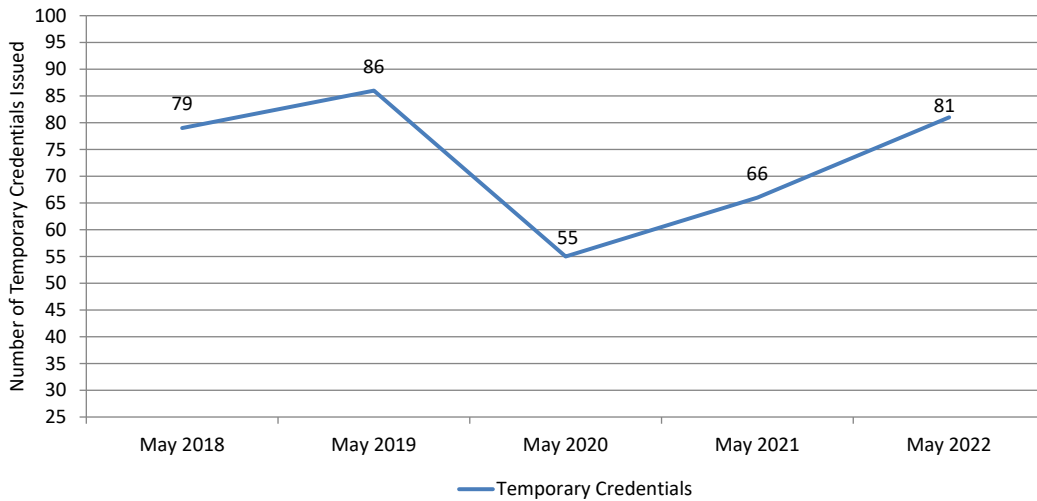


Temporary Real Property Appraiser Report

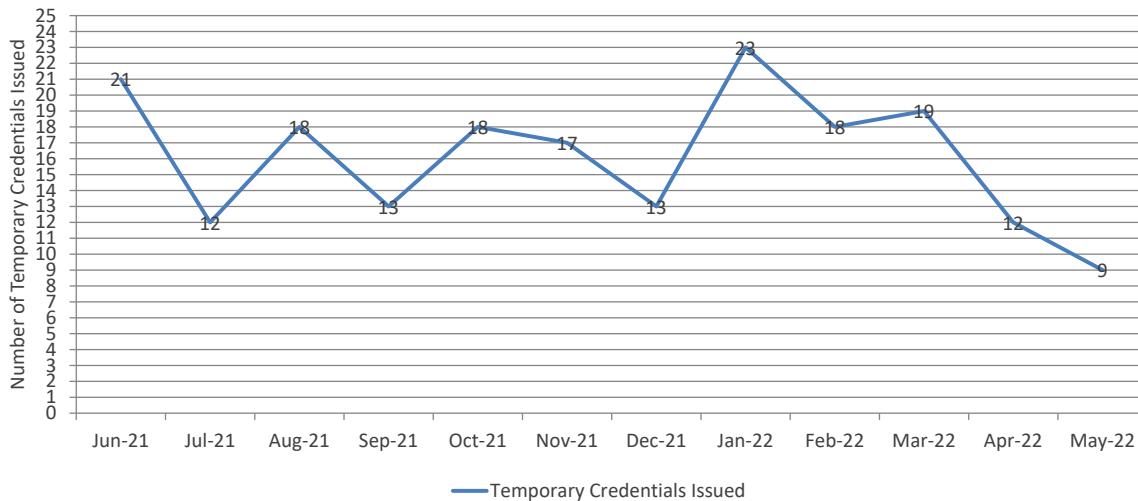
Temporary Real Property Appraiser Credentials Issued by Calendar Year - Five Year Trend



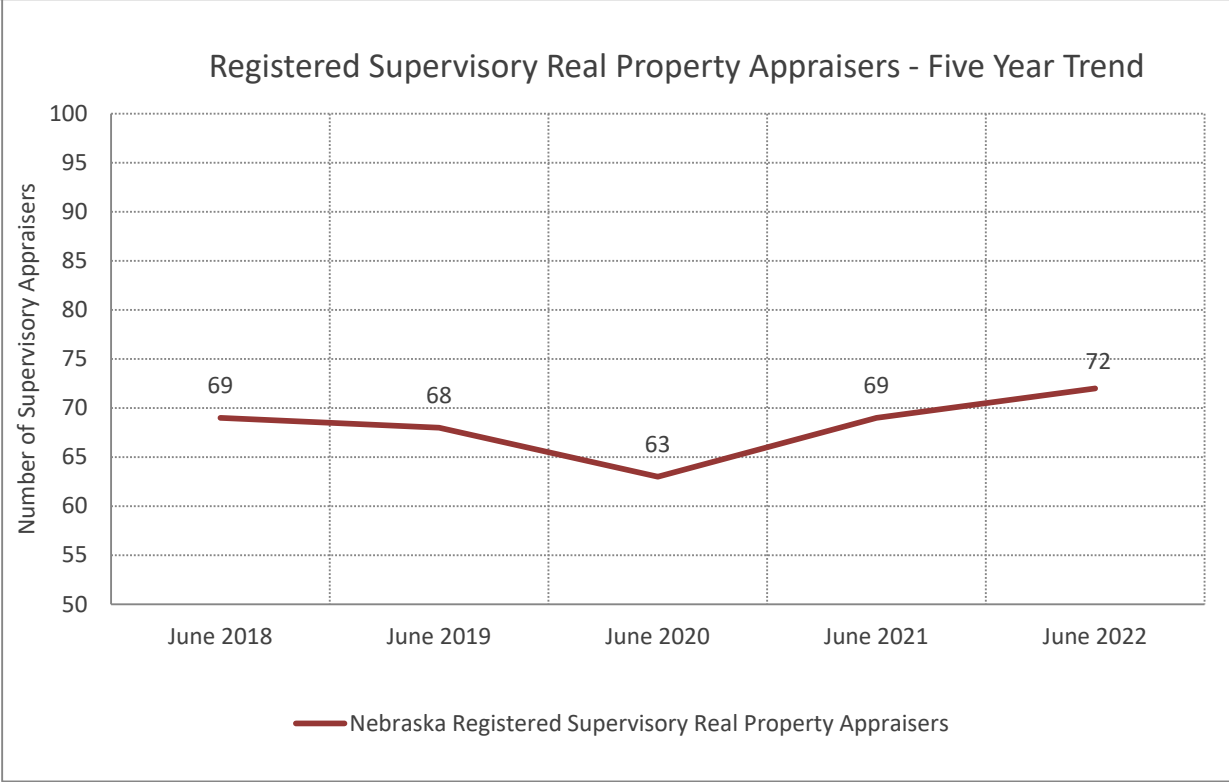
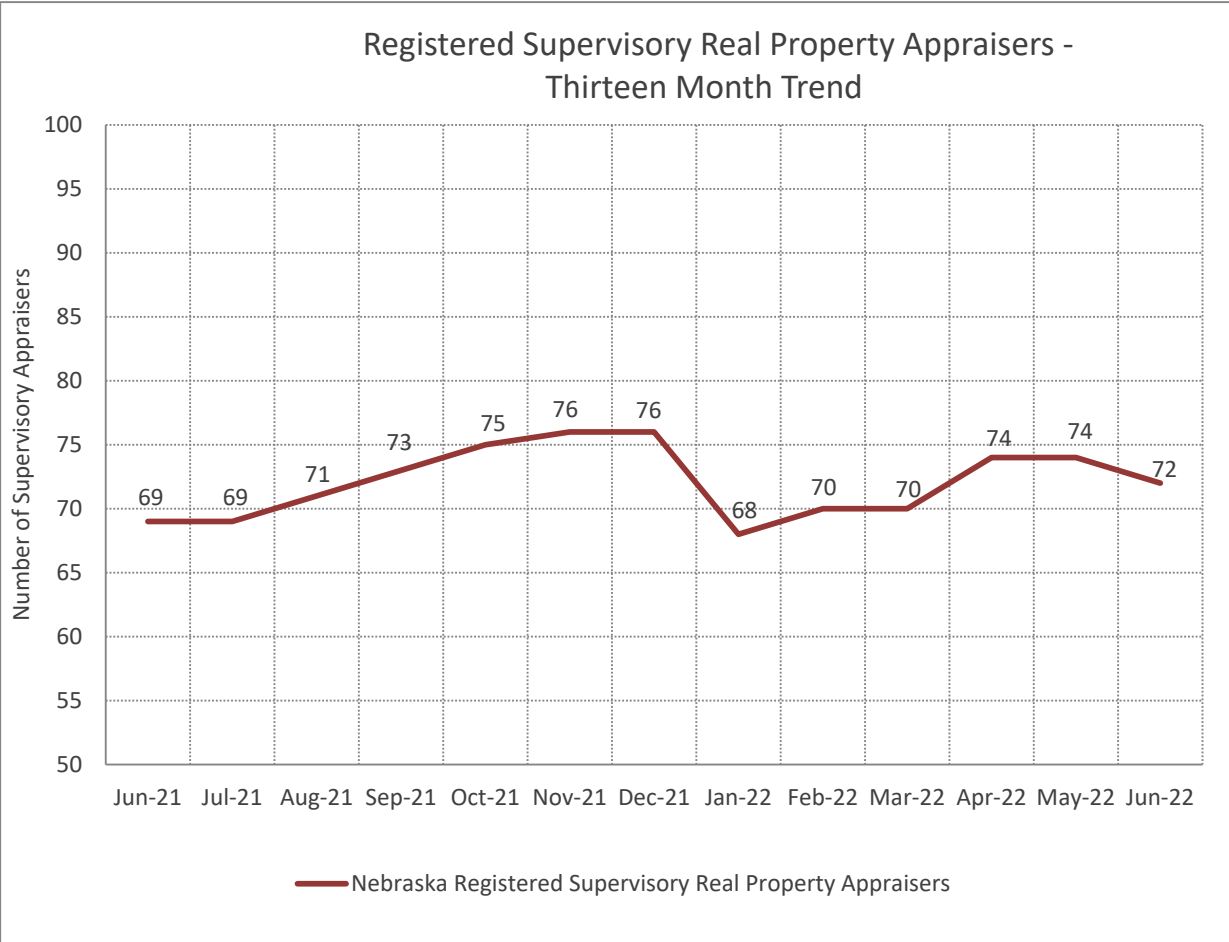
Year-to-date Temporary Real Property Appraiser Credentials Issued - Five Year Trend



Temporary Real Property Appraiser Credentials Issued by Month - Twelve Month Trend

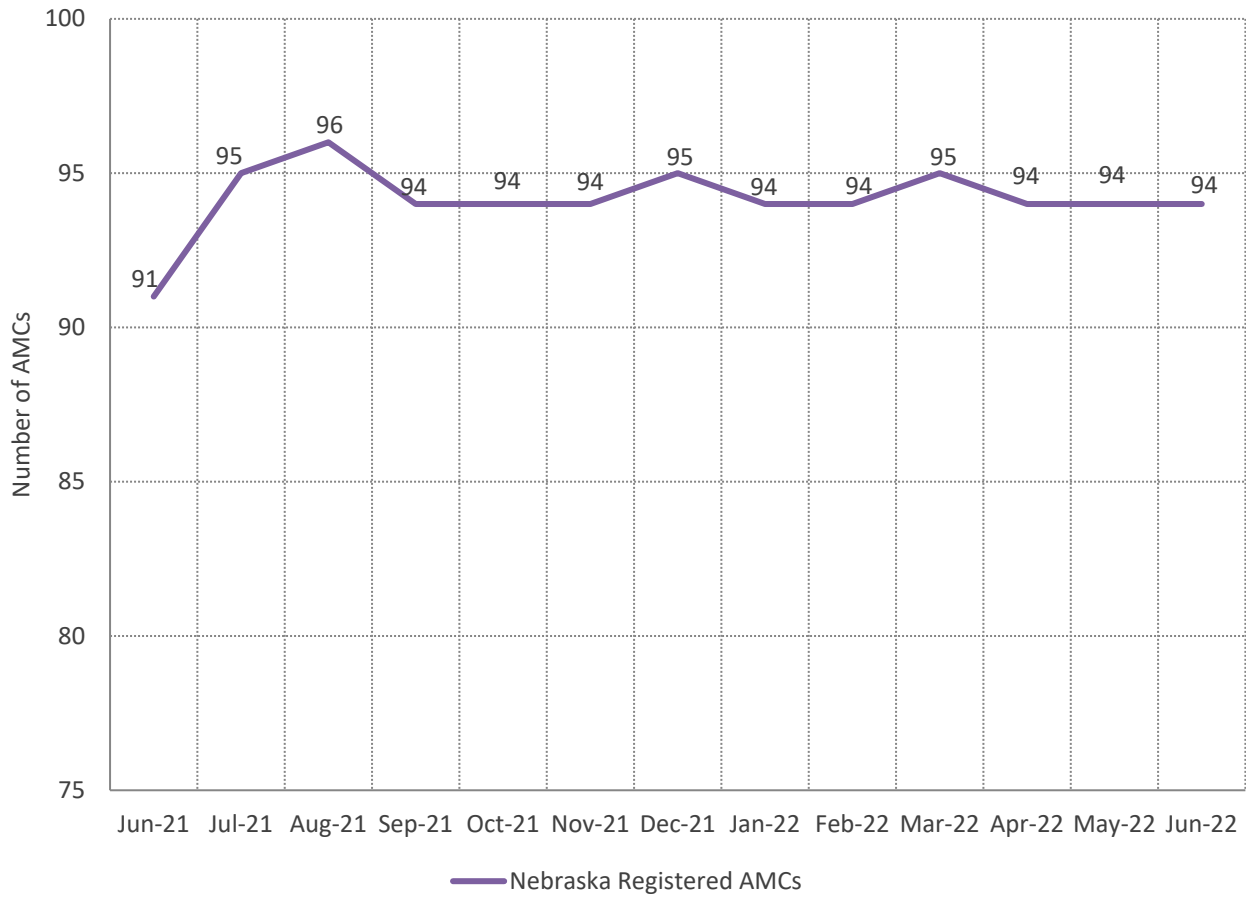


Supervisory Real Property Appraiser Report

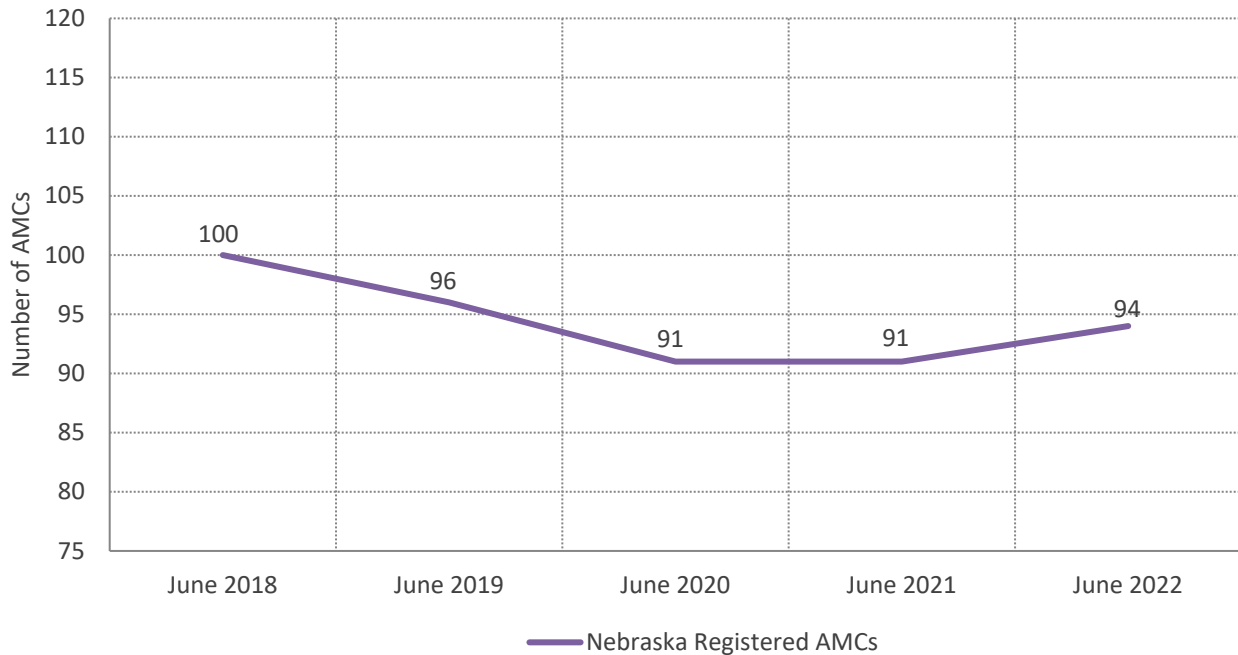


Appraisal Management Company Report

Appraisal Management Companies - Thirteen Month Trend



Appraisal Management Companies - Five Year Trend



NEBRASKA REAL PROPERTY APPRAISER BOARD

DIRECTOR APPROVAL OF REAL PROPERTY APPRAISER APPLICANTS

May 5, 2022 – June 7, 2022

<i>New Trainee Real Property Appraisers</i>		
T2022009	Gail Curry	Approved May 5, 2022 with advisory, no supervisor
T2022010	Jeffrey Curry	Approved May 5, 2022 with advisory, no supervisor
T2022011	Troy Euse	Approved May 5, 2022 with advisory, no supervisor
T2022012	David Beyer	Approved May 19, 2022 with advisory, no supervisor
T2022013	Thatcher Skolout	Approved June 1, 2022
T2022014	Jill Styskal	Approved June 1, 2022 with advisory, no supervisor
<i>New Certified Residential Real Property Appraisers through Education, Experience, and Examination</i>		
CR22003	Sarah Gerberding	Approved May 9, 2022
CR22002	Justin Zimmerman	Approved May 12, 2022
<i>New Certified General Real Property Appraisers through Reciprocity</i>		
CG2022020R	Owen Ard	Approved May 9, 2022
CG2022021R	Michael Caba	Approved May 13, 2022
CG2022022R	Jonathon Sestak	Approved May 31, 2022
CG22017R	Stephen King	Approved June 2, 2022
CG22018R	Joshua Luther	Approved June 6, 2022
<i>Renewed Real Property Appraiser Credentials</i>		
T2017016	Justin Augustyn	Approved May 25, 2022

NEBRASKA REAL PROPERTY APPRAISER BOARD
DIRECTOR APPROVAL OF EDUCATION ACTIVITY AND INSTRUCTOR(S) APPLICANTS

May 5, 2022 – June 7, 2022

Provider	Activity Number	Hours	Title	Instructor(s)	Approval Date
<i>New Continuing Education Activities and Instructors</i>					
McKissock, LLC	2223409.03	4	Live Webinar: Appraising Small Apartment Properties	Dan Bradley Robert Frazier Robert Abelson Charles Fisher Alan Hummel Philicia Lloyd Julie Molendorp	May 5, 2022
McKissock, LLC	2223410.03	4	Live Webinar: Bifurcated and Hybrid Appraisals: A Practical Approach	Robert Abelson Dan Bradley Charles Fisher Robert Frazier Charles Huntoon Philicia Lloyd Steve Maher Robert McClelland Julie Molendorp Jo Traut Josh Walitt Alexander Gilbert Alan Hummel	May 5, 2022
McKissock, LLC	2223411.03	3	Live Webinar: Diversify Your Appraisal Practice with Estate Appraisals	Robert Abelson Dan Bradley Charles Fisher Robert Frazier Charles Huntoon Philicia Lloyd Steve Maher Robert McClelland Julie Molendorp Jo Traut Josh Walitt Alexander Gilbert Alan Hummel	May 5, 2022
McKissock, LLC	2223412.03	4	Live Webinar: Diversify Your Practice with Assessment Appeals	Robert Abelson Dan Bradley Charles Fisher Robert Frazier Charles Huntoon Philicia Lloyd Steve Maher Robert McClelland Julie Molendorp Jo Traut Josh Walitt Alexander Gilbert Alan Hummel	May 5, 2022

McKissock, LLC	2223413.03	4	Live Webinar: Focus on FHA Minimum Property Requirements	Dan Bradley Robert Frazier Steve Maher Robert McClelland Robert Abelson Charles Fisher Alexander Gilbert Charles Huntoon Alan Hummel Philicia Lloyd Julie Molendorp Jo Traut Josh Walitt	May 5, 2022
McKissock, LLC	2223414.03	4	Live Webinar: Fundamentals of Expert Witness Testimony	Robert Abelson Dan Bradley Charles Fisher Robert Frazier Charles Huntoon Philicia Lloyd Steve Maher Robert McClelland Julie Molendorp Jo Traut Josh Walitt Mel Black Alexander Gilbert Alan Hummel	May 5, 2022
McKissock, LLC	2223415.03	4	Live Webinar: Issues in Appraiser Liability	Dan Bradley Robert Frazier Steve Maher Robert McClelland Josh Walitt Robert Abelson Mel Black Charles Fisher Alexander Gilbert Charles Huntoon Alan Hummel Philicia Lloyd Sam Martin Julie Molendorp Jo Traut	May 5, 2022
McKissock, LLC	2223416.03	5	Live Webinar: Land and Site Valuation	Robert Abelson Dan Bradley Charles Fisher Robert Frazier Charles Huntoon Philicia Lloyd Steve Maher Robert McClelland Julie Molendorp Jo Traut Josh Walitt Alexander Gilbert Alan Hummel Sam Martin	May 5, 2022

McKissock, LLC	2223417.03	3	Live Webinar: Learning from the Mistakes of Others: Appraisal Disciplinary Case Studies	Robert Abelson Dan Bradley Robert Frazier Charles Huntoon Phylicia Lloyd Steve Maher Robert McClelland Jo Traut Josh Walitt Mel Black Charles Fisher Alexander Gilbert Alan Hummel Sam Martin Julie Molendorp	May 5, 2022
McKissock, LLC	2223418.03	4	Live Webinar: Market Disturbances-Market Analysis in Atypical Markets and Cycles	Robert Abelson Dan Bradley Charles Fisher Robert Frazier Charles Huntoon Phylicia Lloyd Steve Maher Robert McClelland Julie Molendorp Jo Traut Josh Walitt Alexander Gilbert Alan Hummel	May 5, 2022
McKissock, LLC	2223419.03	4	Live Webinar: Measuring 1-4 Unit Residential Properties-with ANSI Z765 Standard	Robert Abelson Dan Bradley Charles Fisher Robert Frazier Charles Huntoon Phylicia Lloyd Steve Maher Robert McClelland Julie Molendorp Jo Traut Josh Walitt Alexander Gilbert Alan Hummel	May 5, 2022
McKissock, LLC	2223420.03	7	Live Webinar: Mortgage Lending Appraisal Requirements: Fannie Mae and Freddie Mac	Robert Abelson Dan Bradley Charles Fisher Robert Frazier Charles Huntoon Phylicia Lloyd Steve Maher Robert McClelland Julie Molendorp Jo Traut Josh Walitt Alexander Gilbert Alan Hummel	May 5, 2022

McKissock, LLC	2223421.03	3	Live Webinar: New Construction Essentials: Luxury Homes	Robert Abelson Dan Bradley Charles Fisher Robert Frazier Charles Huntoon Philicia Lloyd Steve Maher Robert McClelland Julie Molendorp Jo Traut Josh Walitt Alexander Gilbert Alan Hummel	May 5, 2022
McKissock, LLC	2223422.03	7	Live Webinar: Residential Property Inspections: An Appraiser's Perspective	Robert Abelson Dan Bradley Charles Fisher Robert Frazier Charles Huntoon Philicia Lloyd Steve Maher Robert McClelland Julie Molendorp Jo Traut Josh Walitt Alexander Gilbert Alan Hummel	May 5, 2022
McKissock, LLC	2223423.03	4	Live Webinar: REO Appraisal: Guidelines and Best Practices	Dan Bradley Steve Maher Robert McClelland Josh Walitt Robert Abelson Charles Fisher Alexander Gilbert Charles Huntoon Alan Hummel Philicia Lloyd Julie Molendorp Jo Traut Robert Frazier	May 5, 2022
McKissock, LLC	2223424.03	4	Live Webinar: Supporting Adjustments: The Journey from Analysis to Adjusting	Robert Abelson Dan Bradley Charles Fisher Robert Frazier Charles Huntoon Philicia Lloyd Steve Maher Robert McClelland Julie Molendorp Jo Traut Josh Walitt Alexander Gilbert Alan Hummel Sam Martin	May 5, 2022

McKissock, LLC	2223425.03	7	Live Webinar: The Appraiser's Guide to HUD Handbook 4000.1	Robert Abelson Dan Bradley Charles Fisher Robert Frazier Charles Huntoon Phylicia Lloyd Steve Maher Robert McClelland Julie Molendorp Jo Traut Josh Walitt Alexander Gilbert Alan Hummel	May 5, 2022
McKissock, LLC	2223426.03	4	Live Webinar: The Fundamentals of Appraising Luxury Homes	Robert Abelson Dan Bradley Charles Fisher Robert Frazier Charles Huntoon Phylicia Lloyd Steve Maher Robert McClelland Julie Molendorp Jo Traut Josh Walitt Alexander Gilbert Alan Hummel	May 5, 2022
McKissock, LLC	2223427.03	3	Live Webinar: Using Appraisal Report Templates Responsibly	Robert Abelson Dan Bradley Charles Fisher Robert Frazier Charles Huntoon Phylicia Lloyd Steve Maher Robert McClelland Julie Molendorp Jo Traut Josh Walitt Mel Black Alexander Gilbert Alan Hummel Sam Martin	May 5, 2022
McKissock, LLC	2223428.03	3	Live Webinar: Valuation of Residential Solar	Robert Abelson Dan Bradley Charles Fisher Robert Frazier Charles Huntoon Phylicia Lloyd Steve Maher Robert McClelland Julie Molendorp Jo Traut Josh Walitt Alexander Gilbert Alan Hummel	May 5, 2022

Calypso	2222133.10	7	2022-2023 7-Hour Equivalent USPAP Update Course	Amy McClellan	May 6, 2022
Appraisal Institute	2222134.02	7	2022-2023 7-Hour Equivalent USPAP Update Course	Craig Harrington	May 6, 2022
Appraisal Institute	2222435.02	4	Online Measure It Right! – Using the ANSI-Z765-2021 Standard for Residential Properties!	Craig Harrington	June 2, 2022

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 05/31/22

Agency 053 REAL PROPERTY APPRAISER BD
Division 000 Real Property App Bd
Program 079 APPRAISER LICENSING

Percent of Time Elapsed = 91.78

ACCOUNT CODE DESCRIPTION	BUDGETED AMOUNT	CURRENT MONTH ACTIVITY	YEAR-TO-DATE ACTUALS	PERCENT OF BUDGET	ENCUMBERANCES	VARIANCE
BUDGETED FUND TYPES - EXPENDITURES						
510000 PERSONAL SERVICES						
511100 PERMANENT SALARIES-WAGES	147,874.03	11,265.67	127,665.11	86.33		20,208.92
511300 OVERTIME PAYMENTS	1,503.00		3,984.77	265.12		2,481.77-
511600 PER DIEM PAYMENTS	9,100.00	500.00	4,900.00	53.85		4,200.00
511700 EMPLOYEE BONUSES	1,000.00					1,000.00
511800 COMP TIME PAYMENT	1,502.00					1,502.00
512100 VACATION LEAVE EXPENSE	11,489.14	802.08	10,739.92	93.48		749.22
512200 SICK LEAVE EXPENSE	3,136.00	39.20	639.53	20.39		2,496.47
512300 HOLIDAY LEAVE EXPENSE	8,154.00	637.20	6,999.28	85.84		1,154.72
Personal Services Subtotal	183,758.17	13,244.15	154,928.61	84.31	0.00	28,829.56
515100 RETIREMENT PLANS EXPENSE	13,098.72	954.26	11,233.95	85.76		1,864.77
515200 FICA EXPENSE	14,012.64	923.82	10,924.81	77.96		3,087.83
515500 HEALTH INSURANCE EXPENSE	30,903.00	2,741.90	30,160.90	97.60		742.10
516300 EMPLOYEE ASSISTANCE PRO	37.08		37.08	100.00		
516500 WORKERS COMP PREMIUMS	1,528.00		1,528.00	100.00		
Major Account 510000 Total	243,337.61	17,864.13	208,813.35	85.81	0.00	34,524.26
520000 OPERATING EXPENSES						
521100 POSTAGE EXPENSE	2,988.99	70.31	2,190.92	73.30		798.07
521300 FREIGHT	200.00					200.00
521400 DATA PROCESSING EXPENSE	92,715.74	5,922.04	28,639.10	30.89		64,076.64
521500 PUBLICATION & PRINT EXPENSE	9,266.40	4,046.30	6,282.98	67.80		2,983.42
521900 AWARDS EXPENSE	150.00		28.00	18.67		122.00
522100 DUES & SUBSCRIPTION EXPENSE	350.00		698.66	199.62		348.66-
522200 CONFERENCE REGISTRATION	1,080.00		1,065.00	98.61		15.00
524600 RENT EXPENSE-BUILDINGS	11,351.42	973.60	10,791.71	95.07		559.71
524900 RENT EXP-DUPR SURCHARGE	3,859.00	321.59	3,537.49	91.67		321.51
531100 OFFICE SUPPLIES EXPENSE	3,414.40		3,055.16	89.48		359.24
532100 NON CAPITALIZED EQUIP PU	75.00					75.00
532280 VIDEO EQUIP	425.00		408.30	96.07		16.70
533100 HOUSEHOLD & INSTIT EXP	235.00		68.00	28.94		167.00
534900 MISCELLANEOUS SUPPLIES EXPENSE	50.00					50.00
541100 ACCTG & AUDITING SERVICES	1,037.00		1,037.00	100.00		

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 05/31/22

Agency 053 REAL PROPERTY APPRAISER BD
Division 000 Real Property App Bd
Program 079 APPRAISER LICENSING

Percent of Time Elapsed = 91.78

ACCOUNT CODE DESCRIPTION	BUDGETED AMOUNT	CURRENT MONTH ACTIVITY	YEAR-TO-DATE ACTUALS	PERCENT OF BUDGET	ENCUMBERANCES	VARIANCE
541200 PURCHASING ASSESSMENT	90.00		83.00	92.22		7.00
541500 LEGAL SERVICES EXPENSE	5,000.00	880.00	3,160.00	63.20		1,840.00
541700 LEGAL RELATED EXPENSE	100.00		13.50	13.50		86.50
542100 SOS TEMP SERV-PERSONNEL	4,500.00		4,440.16	98.67		59.84
547100 EDUCATIONAL SERVICES	132.50		38.00	28.68		94.50
554900 OTHER CONTRACTUAL SERVICE	26,855.25	3,445.50	25,984.25	96.76		871.00
556100 INSURANCE EXPENSE	21.00		47.76	227.43		26.76-
556300 SURETY & NOTARY BONDS	26.00					26.00
559100 OTHER OPERATING EXP			120.00			120.00-
Major Account 520000 Total	163,922.70	15,659.34	91,688.99	55.93	0.00	72,233.71
570000 TRAVEL EXPENSES						
571100 BOARD & LODGING	4,288.00	288.00	3,001.44	70.00		1,286.56
571600 MEALS-NOT TRAVEL STATUS	100.00					100.00
571800 TAXABLE TRAVEL EXPENSES	1,467.26	61.96	964.37	65.73		502.89
573100 STATE-OWNED TRANSPORT	200.00					200.00
574500 PERSONAL VEHICLE MILEAGE	7,116.76	334.64	4,796.94	67.40		2,319.82
575100 MISC TRAVEL EXPENSES	352.25	16.75	215.25	61.11		137.00
Major Account 570000 Total	13,524.27	701.35	8,978.00	66.38	0.00	4,546.27
BUDGETED EXPENDITURES TOTAL	420,784.58	34,224.82	309,480.34	73.55	0.00	111,304.24

SUMMARY BY FUND TYPE - EXPENDITURES

2 CASH FUNDS	420,784.58	34,224.82	309,480.34	73.55		111,304.24
BUDGETED EXPENDITURES TOTAL	420,784.58	34,224.82	309,480.34	73.55	0.00	111,304.24

BUDGETED FUND TYPES - REVENUES

470000 REVENUE - SALES AND CHARGES

471100 SALE OF SERVICES	350.00-	75.00-	350.00-	100.00		
471120 QUALIFYING ED COURSE FEES	750.00-		700.00-	93.33		50.00-
471121 CONTINUING ED NEW FEES	1,250.00-	50.00-	1,550.00-	124.00		300.00
471122 CONTINUING ED RENEWAL FEES	100.00-	30.00-	150.00-	150.00		50.00
475150 CERTIFIED GENERAL NEW FEES	7,500.00-	1,500.00-	11,100.00-	148.00		3,600.00
475151 LICENSED NEW FEES	300.00-	600.00-	1,800.00-	600.00		1,500.00

STATE OF NEBRASKA
Department of Administrative Services
Accounting Division
Budget Status Report
As of 05/31/22

Agency 053 REAL PROPERTY APPRAISER BD
Division 000 Real Property App Bd
Program 079 APPRAISER LICENSING

Percent of Time Elapsed = 91.78

<u>ACCOUNT CODE DESCRIPTION</u>		<u>BUDGETED</u>	<u>CURRENT MONTH</u>	<u>YEAR-TO-DATE</u>	<u>PERCENT OF</u>	<u>ENCUMBERANCES</u>	<u>VARIANCE</u>
		<u>AMOUNT</u>	<u>ACTIVITY</u>	<u>ACTUALS</u>	<u>BUDGET</u>		
475152	FINGERPRINT FEES	2,580.00-	271.50-	3,755.75-	145.57		1,175.75
475153	CERTIFIED RESIDENTIAL NEW	2,400.00-		2,100.00-	87.50		300.00-
475154	CERTIFIED GENERAL RENEWAL	80,025.00-		87,450.00-	109.28		7,425.00
475155	LICENSED RENEWAL	11,000.00-	275.00-	10,450.00-	95.00		550.00-
475156	FINGERPRINT AUDIT PROGRAM FEES	2,900.00-	15.00-	3,065.00-	105.69		165.00
475157	CERTIFIED RESIDENTIAL RENEWAL	50,875.00-		54,175.00-	106.49		3,300.00
475161	TEMPORARY CERTIFIED GENERAL	9,000.00-	350.00-	8,450.00-	93.89		550.00-
475163	AMC REGISTERED NEW FEES	12,000.00-		12,000.00-	100.00		
475164	AMC APPLICATION FEES	2,100.00-		2,100.00-	100.00		
475165	AMC REGISTERED RENEWAL	126,000.00-	7,500.00-	123,000.00-	97.62		3,000.00-
475167	CERTIFIED RESIDENTIAL INACTIVE	300.00-					300.00-
475168	CERTIFIED GENERAL INACTIVE	300.00-					300.00-
475234	APPLICATION FEES	26,550.00-	1,600.00-	29,900.00-	112.62		3,350.00
476101	LATE PROCESSING FEES	5,000.00-	350.00-	3,675.00-	73.50		1,325.00-
Major Account 470000 Total		341,280.00-	12,616.50-	355,770.75-	104.25	0.00	14,490.75
480000 REVENUE - MISCELLANEOUS							
481100	INVESTMENT INCOME	6,250.00-	844.89-	9,964.33-	159.43		3,714.33
481101	AMC INVESTMENT INCOME	5,750.00-					5,750.00-
484500	REIMB NON-GOVT SOURCES			431.92-			431.92
486500	MISCELLANEOUS ADJUSTMENT			125.00			125.00-
Major Account 480000 Total		12,000.00-	844.89-	10,271.25-	85.59	0.00	1,728.75-
BUDGETED REVENUE TOTAL		353,280.00-	13,461.39-	366,042.00-	103.61	0.00	12,762.00
SUMMARY BY FUND TYPE - REVENUE							
2	CASH FUNDS	353,280.00-	13,461.39-	366,042.00-	103.61		12,762.00
BUDGETED REVENUE TOTAL		353,280.00-	13,461.39-	366,042.00-	103.61	0.00	12,762.00

Fund	Program	Sub-Program	Account Number	Sub-ledger	Doc Number	Tran Date	Tran Type	Batch Type	Payee/Explanation	Batch Number	Posted Code	Month to Date
25310	079	000	53105018.471100.		443258	05/02/22	RC	RB	NRPAB DEPOSIT 220502	6686890		25.00-
25310	079	000	53105018.471100.		443596	05/04/22	RC	RB	NRPAB DEPOSIT 220504	6689912		25.00-
25310	079	000	53105018.471100.		443950	05/05/22	RC	RB	NRPAB DEPOSIT 220505	6691551		25.00-
Total for Object			471100 SALE OF SERVICES									75.00-
25310	079	000	53105018.471121.		443596	05/04/22	RC	RB	NRPAB DEPOSIT 220504	6689912		25.00-
25310	079	000	53105018.471121.		446345	05/20/22	RC	RB	NRPAB DEPOSIT 220520	6707790		25.00-
Total for Object			471121 CONTINUING ED NEW FEES									50.00-
25310	079	000	53105018.471122.		443258	05/02/22	RC	RB	NRPAB DEPOSIT 220502	6686890		10.00-
25310	079	000	53105018.471122.		446345	05/20/22	RC	RB	NRPAB DEPOSIT 220520	6707790		20.00-
Total for Object			471122 CONTINUING ED RENEWAL FEES									30.00-
25310	079	000	53105018.475150.		443596	05/04/22	RC	RB	NRPAB DEPOSIT 220504	6689912		600.00-
25310	079	000	53105018.475150.		444717	05/11/22	RC	RB	NRPAB DEPOSIT 220511	6697476		300.00-
25310	079	000	53105018.475150.		445518	05/17/22	RC	RB	NRPAB DEPOSIT 220517	6703148		300.00-
25310	079	000	53105018.475150.		446992	05/24/22	RC	RB	NRPAB DEPOSIT 220524	6710915		300.00-
Total for Object			475150 CERTIFIED GENERAL NEW FEES									1,500.00-
25310	079	000	53105018.475151.		444717	05/11/22	RC	RB	NRPAB DEPOSIT 220511	6697476		300.00-
25310	079	000	53105018.475151.		445117	05/13/22	RC	RB	NRPAB DEPOSIT 220513	6700483		300.00-
Total for Object			475151 LICENSED NEW FEES									600.00-
25310	079	000	53105018.475152.		443950	05/05/22	RC	RB	NRPAB DEPOSIT 220505	6691551		45.25-
25310	079	000	53105018.475152.		444717	05/11/22	RC	RB	NRPAB DEPOSIT 220511	6697476		45.25-
25310	079	000	53105018.475152.		445518	05/17/22	RC	RB	NRPAB DEPOSIT 220517	6703148		45.25-
25310	079	000	53105018.475152.		446992	05/24/22	RC	RB	NRPAB DEPOSIT 220524	6710915		135.75-
Total for Object			475152 FINGERPRINT FEES									271.50-
25310	079	000	53105018.475155.		443595	05/04/22	RC	RB	NRPAB RENEWALS DEPOSIT 220504	6689929		275.00-
Total for Object			475155 LICENSED RENEWAL									275.00-
25310	079	000	53105018.475156.		443595	05/04/22	RC	RB	NRPAB RENEWALS DEPOSIT 220504	6689929		5.00-
25310	079	000	53105018.475156.		447301	05/26/22	RC	RB	NRPAB DEPOSIT 220526	6713930		10.00-
Total for Object			475156 FINGERPRINT AUDIT PROGRAM FEES									15.00-
25310	079	000	53105018.475161.		443258	05/02/22	RC	RB	NRPAB DEPOSIT 220502	6686890		100.00-
25310	079	000	53105018.475161.		443596	05/04/22	RC	RB	NRPAB DEPOSIT 220504	6689912		50.00-
25310	079	000	53105018.475161.		443950	05/05/22	RC	RB	NRPAB DEPOSIT 220505	6691551		50.00-

Fund	Program	Sub-Program	Account Number	Sub-ledger	Doc Number	Tran Date	Tran Type	Batch Type	Payee/Explanation	Batch Number	Posted Code	Month to Date
25310	079	000	53105018.475161.		445518	05/17/22	RC	RB	NRPAB DEPOSIT 220517	6703148		100.00-
25310	079	000	53105018.475161.		446992	05/24/22	RC	RB	NRPAB DEPOSIT 220524	6710915		50.00-
Total for Object			475161	TEMPORARY CERTIFIED GENERAL								350.00-
25310	079	000	53105018.475234.		443258	05/02/22	RC	RB	NRPAB DEPOSIT 220502	6686890		200.00-
25310	079	000	53105018.475234.		443596	05/04/22	RC	RB	NRPAB DEPOSIT 220504	6689912		100.00-
25310	079	000	53105018.475234.		443950	05/05/22	RC	RB	NRPAB DEPOSIT 220505	6691551		250.00-
25310	079	000	53105018.475234.		444717	05/11/22	RC	RB	NRPAB DEPOSIT 220511	6697476		150.00-
25310	079	000	53105018.475234.		445518	05/17/22	RC	RB	NRPAB DEPOSIT 220517	6703148		350.00-
25310	079	000	53105018.475234.		446992	05/24/22	RC	RB	NRPAB DEPOSIT 220524	6710915		550.00-
Total for Object			475234	APPLICATION FEES								1,600.00-
25310	079	000	53105018.476101.		443595	05/04/22	RC	RB	NRPAB RENEWALS DEPOSIT 220504	6689929		150.00-
25310	079	000	53105018.476101.		447301	05/26/22	RC	RB	NRPAB DEPOSIT 220526	6713930		150.00-
Total for Object			476101	LATE PROCESSING FEES								300.00-
25310	079	000	53105018.481100.		18015253	05/25/22	JE	G	OIP April 2022 1.33419%	6714333		456.76-
Total for Object			481100	INVESTMENT INCOME								456.76-
25310	079	000	53105018.511100.		3164776	05/04/22	T2	7	PAYROLL LABOR DISTRIBUTION	6683417		3,691.13
25310	079	000	53105018.511100.		3164847	05/18/22	T2	7	PAYROLL LABOR DISTRIBUTION	6696639		3,631.67
Total for Object			511100	PERMANENT SALARIES-WAGES								7,322.80
25310	079	000	53105018.511600.		3164776	05/04/22	T2	7	PAYROLL LABOR DISTRIBUTION	6683417		325.00
Total for Object			511600	PER DIEM PAYMENTS								325.00
25310	079	000	53105018.512100.		3164776	05/04/22	T2	7	PAYROLL LABOR DISTRIBUTION	6683417		425.46
25310	079	000	53105018.512100.		3164847	05/18/22	T2	7	PAYROLL LABOR DISTRIBUTION	6696639		96.00
Total for Object			512100	VACATION LEAVE EXPENSE								521.46
25310	079	000	53105018.512200.		3164776	05/04/22	T2	7	PAYROLL LABOR DISTRIBUTION	6683417		25.26
Total for Object			512200	SICK LEAVE EXPENSE								25.26
25310	079	000	53105018.512300.		3164847	05/18/22	T2	7	PAYROLL LABOR DISTRIBUTION	6696639		414.18
Total for Object			512300	HOLIDAY LEAVE EXPENSE								414.18
25310	079	000	53105018.515100.		3164777	05/04/22	T3	7	ACTUAL BURDEN JOURNAL ENTRIES	6683417		310.16
25310	079	000	53105018.515100.		3164848	05/18/22	T3	7	ACTUAL BURDEN JOURNAL ENTRIES	6696639		310.14
Total for Object			515100	RETIREMENT PLANS EXPENSE								620.30

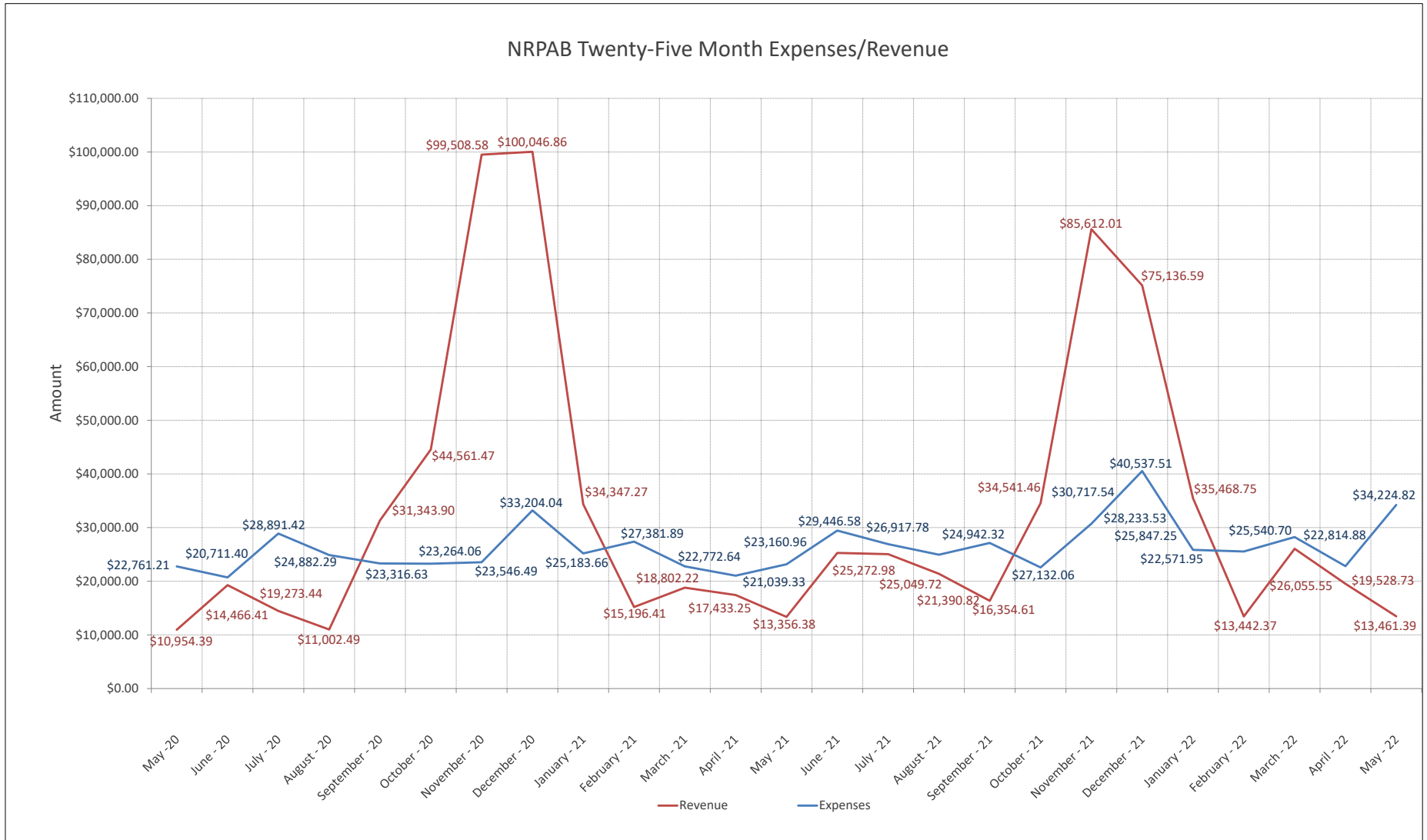
Fund	Program	Sub-Program	Account Number	Sub-ledger	Doc Number	Tran Date	Tran Type	Batch Type	Payee/Explanation	Batch Number	Posted Code	Month to Date
25310	079	000	53105018.515200.		3164777	05/04/22	T3	7	ACTUAL BURDEN JOURNAL ENTRIES	6683417		312.67
25310	079	000	53105018.515200.		3164848	05/18/22	T3	7	ACTUAL BURDEN JOURNAL ENTRIES	6696639		287.84
Total for Object			515200 FICA EXPENSE									600.51
25310	079	000	53105018.515500.		3164777	05/04/22	T3	7	ACTUAL BURDEN JOURNAL ENTRIES	6683417		891.13
25310	079	000	53105018.515500.		3164848	05/18/22	T3	7	ACTUAL BURDEN JOURNAL ENTRIES	6696639		891.11
Total for Object			515500 HEALTH INSURANCE EXPENSE									1,782.24
25310	079	000	53105018.521100.		17895375	05/10/22	JE	G	Postage 20220401 - 20220430	6697955		.46
25310	079	000	53105018.521100.		17948390	05/17/22	JE	G	POSTAGE DUE APR 2022	6703847		69.85
25310	079	000	53105018.521100.		17987239	05/19/22	JE	G	NRPAB POSTAGE APR 2022	6708245		24.61-
Total for Object			521100 POSTAGE EXPENSE									45.70
25310	079	000	53105018.521400.		49649617	05/01/22	PV	V	AS - OCIO - COMMUNICATIONS	6683373		130.83
25310	079	000	53105018.521400.		49793851	05/19/22	PV	V	AS - OCIO - IMSERVICES	6708236		1,680.76
Total for Object			521400 CIO CHARGES									1,811.59
25310	079	000	53105018.521500.		17711916	05/09/22	JE	G	COPY SERVICES JAN-MAR 2022	6667167		566.03
25310	079	000	53105018.521500.		49793849	05/19/22	PV	V	SECRETARY OF STATE	6708228		3,480.27
Total for Object			521500 PUBLICATION & PRINT EXP									4,046.30
25310	079	000	53105018.524600.		17843064	05/06/22	JE	G	RENT & LB530 MAY 2022 - OTHER	6686851		939.94
25310	079	000	53105018.524600.		49793849	05/19/22	PV	V	SECRETARY OF STATE	6708228		21.88
Total for Object			524600 RENT EXPENSE-BUILDINGS									961.82
25310	079	000	53105018.524900.		17843064	05/06/22	JE	G	RENT & LB530 MAY 2022 - OTHER	6686851		321.59
Total for Object			524900 RENT EXP-DEPR SURCHARGE									321.59
25310	079	000	53105018.539500.		49698248	05/03/22	PC	V	Purchase Card Offset	6689168		288.00
25310	079	000	53105018.539500.		17851704	05/03/22	J1	G	PURCHASE CARD TRANSACTION	6689248		288.00-
Total for Object			539500 PURCHASING CARD SUSPENSE									
25310	079	000	53105018.541500.		49611172	05/01/22	PV	V	BLAKE LAW	6681882		880.00
Total for Object			541500 LEGAL SERVICES EXPENSE									880.00
25310	079	000	53105018.554900.		49672547	05/01/22	PV	V	AGRIPLEX REAL ESTATE & APPRAIS	6685326		875.00
25310	079	000	53105018.554900.		49682791	05/01/22	PV	V	PATROL, NEBRASKA STATE	6687051		543.00
25310	079	000	53105018.554900.		49705339	05/04/22	PV	V	BAUERMEISTER APPRAISAL SERVICE	6691041		250.00

Fund	Program	Sub-Program	Account Number	Sub-ledger	Doc Number	Tran Date	Tran Type	Batch Type	Payee/Explanation	Batch Number	Posted Code	Month to Date	
25310	079	000	53105018.554900.		49705355	05/04/22	PV	V	BAUERMEISTER APPRAISAL SERVICE	6691072		375.00	
25310	079	000	53105018.554900.		49705420	05/04/22	PV	V	BAUERMEISTER APPRAISAL SERVICE	6691170		250.00	
25310	079	000	53105018.554900.		49705433	05/04/22	PV	V	BAUERMEISTER APPRAISAL SERVICE	6691180		375.00	
25310	079	000	53105018.554900.		49793868	05/19/22	PV	V	DATASHIELD CORPORATION	6708266		8.25	
25310	079	000	53105018.554900.		17987404	05/19/22	JE	G	NRPAB DATASHIELD SOS SHRED	6708270		2.89-	
Total for Object			554900	OTHER CONTRACTUAL SERVICES									2,673.36
25310	079	000	53105018.571100.		17851704	05/03/22	J1	G	PURCHASE CARD TRANSACTION	6689248		187.20	
Total for Object			571100	LODGING									187.20
25310	079	000	53105018.571800.		49673936	05/01/22	PV	V	DOWNING, BONNIE M	6686120		40.27	
Total for Object			571800	MEALS - TRAVEL STATUS									40.27
25310	079	000	53105018.574500.		49673922	05/01/22	PV	V	WALKENHORST, WADE	6686114		4.56	
25310	079	000	53105018.574500.		49673936	05/01/22	PV	V	DOWNING, BONNIE M	6686120		178.72	
25310	079	000	53105018.574500.		49673965	05/01/22	PV	V	HERMSEN, KEVIN P	6686125		34.23	
Total for Object			574500	PERSONAL VEHICLE MILEAGE									217.51
25310	079	000	53105018.575100.		49673922	05/01/22	PV	V	WALKENHORST, WADE	6686114		1.62	
25310	079	000	53105018.575100.		49673936	05/01/22	PV	V	DOWNING, BONNIE M	6686120		7.31	
25310	079	000	53105018.575100.		49673965	05/01/22	PV	V	HERMSEN, KEVIN P	6686125		1.95	
Total for Object			575100	MISC TRAVEL EXPENSE									10.88
Total for Business Unit		53105018	NE REAL PROPERTY APPRAISER										17,284.71
25320	079	000	53105200.475165.		444718	05/11/22	RC	RB	NRPAB AMC DEPOSIT 220511	6697460		4,500.00-	
25320	079	000	53105200.475165.		445118	05/13/22	RC	RB	NRPAB AMC DEPOSIT 220513	6700491		1,500.00-	
25320	079	000	53105200.475165.		445519	05/17/22	RC	RB	NRPAB AMC DEPOSIT 220517	6703121		1,500.00-	
Total for Object			475165	AMC REGISTERED RENEWAL									7,500.00-
25320	079	000	53105200.476101.		445118	05/13/22	RC	RB	NRPAB AMC DEPOSIT 220513	6700491		50.00-	
Total for Object			476101	LATE PROCESSING FEES									50.00-
25320	079	000	53105200.481100.		18015253	05/25/22	JE	G	OIP April 2022 1.33419%	6714333		388.13-	
Total for Object			481100	INVESTMENT INCOME									388.13-
25320	079	000	53105200.511100.		3164776	05/04/22	T2	7	PAYROLL LABOR DISTRIBUTION	6683417		1,987.36	
25320	079	000	53105200.511100.		3164847	05/18/22	T2	7	PAYROLL LABOR DISTRIBUTION	6696639		1,955.51	
Total for Object			511100	PERMANENT SALARIES-WAGES									3,942.87

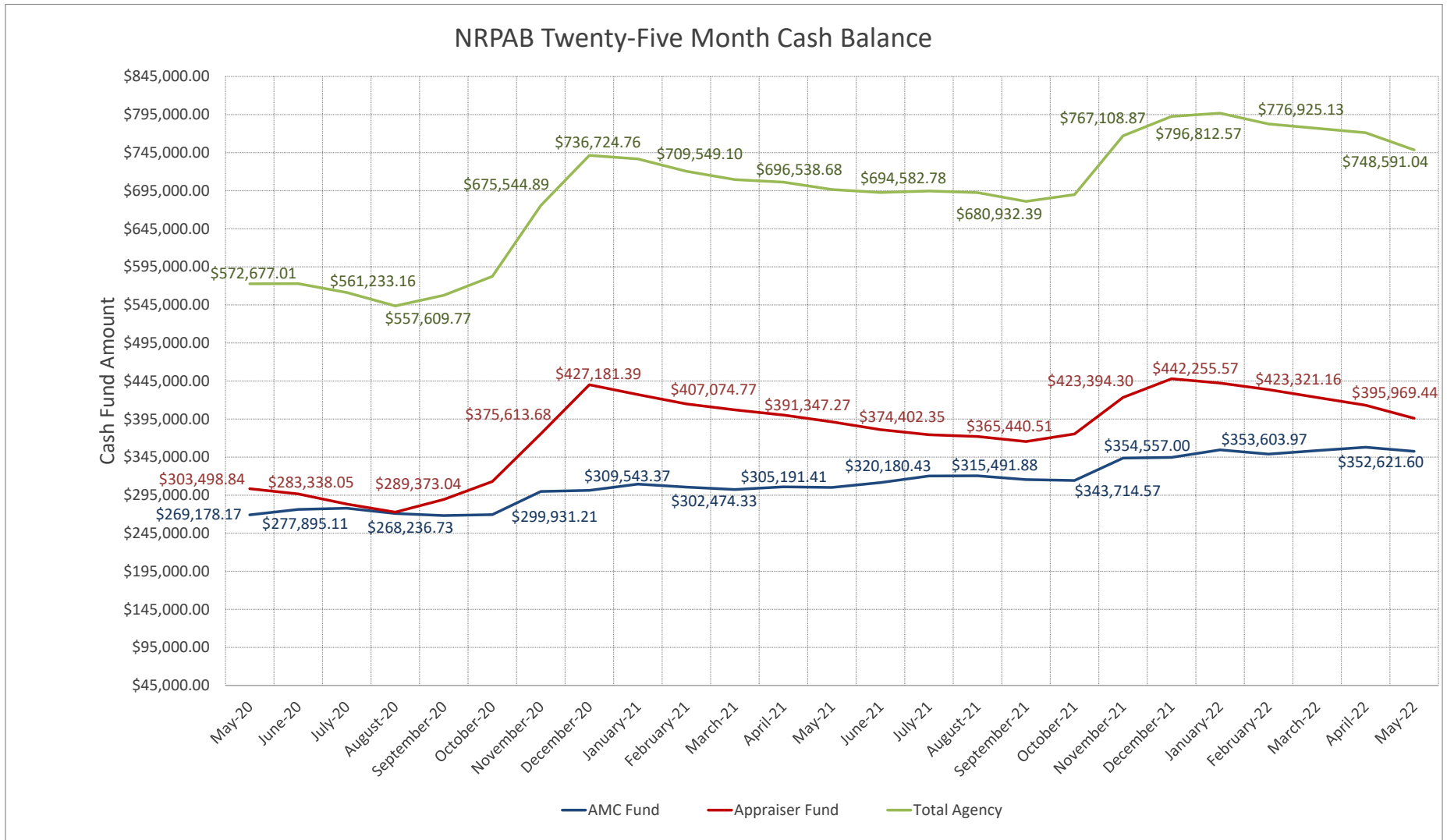
Fund	Program	Sub-Program	Account Number	Sub-ledger	Doc Number	Tran Date	Tran Type	Batch Type	Payee/Explanation	Batch Number	Posted Code	Month to Date
25320	079	000	53105200.511600.		3164776	05/04/22	T2	7	PAYROLL LABOR DISTRIBUTION	6683417		175.00
Total for Object			511600 PER DIEM PAYMENTS									175.00
25320	079	000	53105200.512100.		3164776	05/04/22	T2	7	PAYROLL LABOR DISTRIBUTION	6683417		228.93
25320	079	000	53105200.512100.		3164847	05/18/22	T2	7	PAYROLL LABOR DISTRIBUTION	6696639		51.69
Total for Object			512100 VACATION LEAVE EXPENSE									280.62
25320	079	000	53105200.512200.		3164776	05/04/22	T2	7	PAYROLL LABOR DISTRIBUTION	6683417		13.94
Total for Object			512200 SICK LEAVE EXPENSE									13.94
25320	079	000	53105200.512300.		3164847	05/18/22	T2	7	PAYROLL LABOR DISTRIBUTION	6696639		223.02
Total for Object			512300 HOLIDAY LEAVE EXPENSE									223.02
25320	079	000	53105200.515100.		3164777	05/04/22	T3	7	ACTUAL BURDEN JOURNAL ENTRIES	6683417		166.97
25320	079	000	53105200.515100.		3164848	05/18/22	T3	7	ACTUAL BURDEN JOURNAL ENTRIES	6696639		166.99
Total for Object			515100 RETIREMENT PLANS EXPENSE									333.96
25320	079	000	53105200.515200.		3164777	05/04/22	T3	7	ACTUAL BURDEN JOURNAL ENTRIES	6683417		168.36
25320	079	000	53105200.515200.		3164848	05/18/22	T3	7	ACTUAL BURDEN JOURNAL ENTRIES	6696639		154.95
Total for Object			515200 FICA EXPENSE									323.31
25320	079	000	53105200.515500.		3164777	05/04/22	T3	7	ACTUAL BURDEN JOURNAL ENTRIES	6683417		479.82
25320	079	000	53105200.515500.		3164848	05/18/22	T3	7	ACTUAL BURDEN JOURNAL ENTRIES	6696639		479.84
Total for Object			515500 HEALTH INSURANCE EXPENSE									959.66
25320	079	000	53105200.521100.		17987239	05/19/22	JE	G	NRPAB POSTAGE APR 2022	6708245		24.61
Total for Object			521100 POSTAGE EXPENSE									24.61
25320	079	000	53105200.521400.		49649617	05/01/22	PV	V	AS - OCIO - COMMUNICATIONS	6683373		70.44
25320	079	000	53105200.521400.		49793851	05/19/22	PV	V	AS - OCIO - IMSERVICES	6708236		4,040.01
Total for Object			521400 CIO CHARGES									4,110.45
25320	079	000	53105200.524600.		49793849	05/19/22	PV	V	SECRETARY OF STATE	6708228		11.78
Total for Object			524600 RENT EXPENSE-BUILDINGS									11.78
25320	079	000	53105200.554900.		49682791	05/01/22	PV	V	PATROL, NEBRASKA STATE	6687051		769.25
25320	079	000	53105200.554900.		17987404	05/19/22	JE	G	NRPAB DATASHIELD SOS SHRED	6708270		2.89
Total for Object			554900 OTHER CONTRACTUAL SERVICES									772.14

Fund	Program	Sub-Program	Account Number	Sub-ledger	Doc Number	Tran Date	Tran Type	Batch Type	Payee/Explanation	Batch Number	Posted Code	Month to Date
25320	079	000	53105200.571100.		17851704	05/03/22	J1	G	PURCHASE CARD TRANSACTION	6689248		100.80
Total for Object												100.80
25320	079	000	571100 LODGING									
25320	079	000	53105200.571800.		49673936	05/01/22	PV	V	DOWNING, BONNIE M	6686120		21.69
Total for Object												21.69
25320	079	000	571800 MEALS - TRAVEL STATUS									
25320	079	000	53105200.574500.		49673922	05/01/22	PV	V	WALKENHORST, WADE	6686114		2.46
25320	079	000	53105200.574500.		49673936	05/01/22	PV	V	DOWNING, BONNIE M	6686120		96.24
25320	079	000	53105200.574500.		49673965	05/01/22	PV	V	HERMSEN, KEVIN P	6686125		18.43
Total for Object												117.13
25320	079	000	574500 PERSONAL VEHICLE MILEAGE									
25320	079	000	53105200.575100.		49673922	05/01/22	PV	V	WALKENHORST, WADE	6686114		.88
25320	079	000	53105200.575100.		49673936	05/01/22	PV	V	DOWNING, BONNIE M	6686120		3.94
25320	079	000	53105200.575100.		49673965	05/01/22	PV	V	HERMSEN, KEVIN P	6686125		1.05
Total for Object												5.87
25320	079	000	575100 MISC TRAVEL EXPENSE									
Total for Business Unit											3,478.72	
Total for Division		000										20,763.43
Total for Agency		053	REAL PROPERTY APPRAISER BD									20,763.43

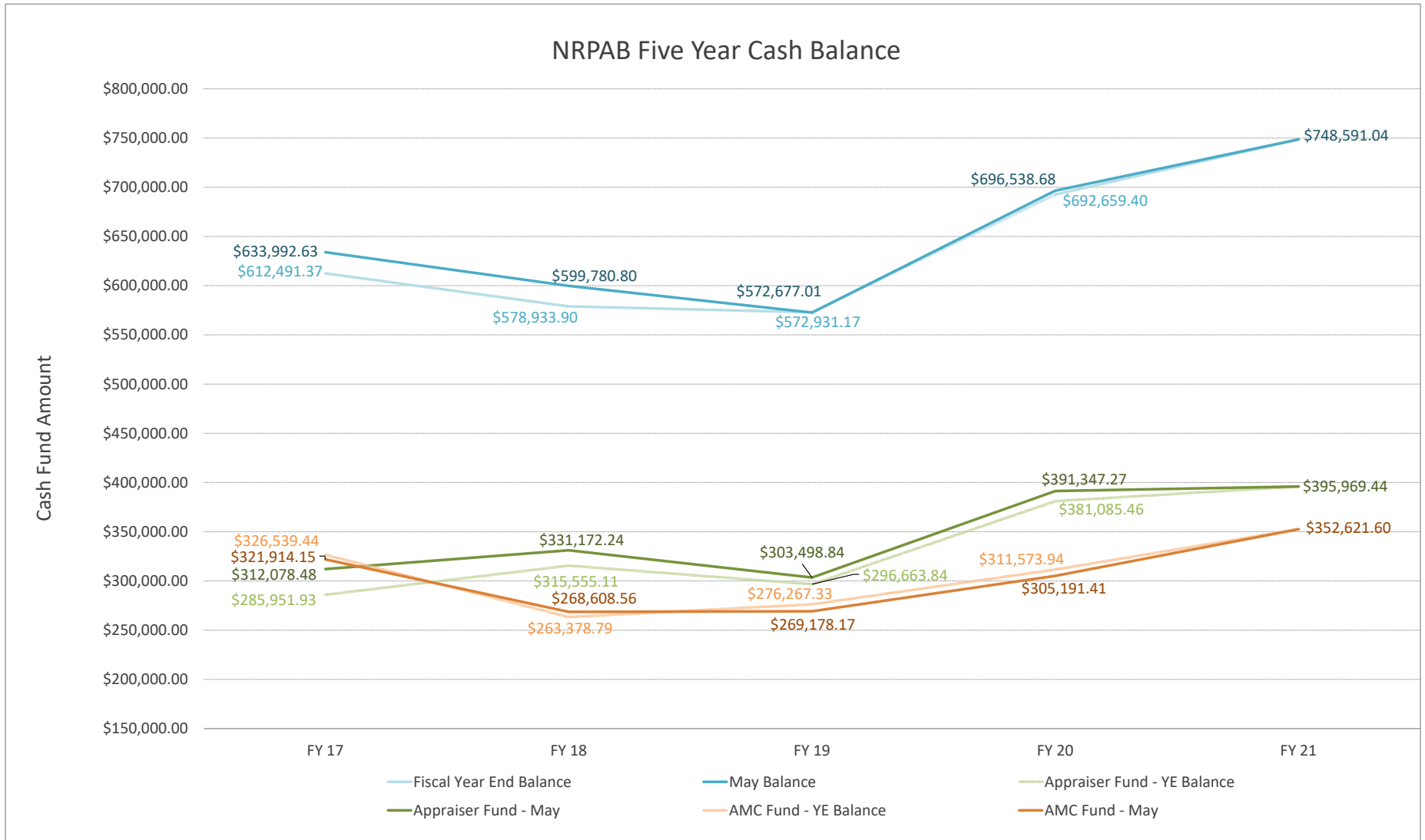
Financial Report and Considerations - Financial Charts



Financial Report and Considerations - Financial Charts



Financial Report and Considerations - Financial Charts



User Story 23686 - Supervisor/Trainee Tab Updates

Assigned To: Andrew Feely

State: New

Created Date: 05/24/2022 9:21 AM

Description:

The Supervisor and Trainee tabs are causing confusion regarding the use between a trainee real property appraiser and a supervisory real property appraiser. Please complete the following:

- Please combine "Supervisor" and "Trainee" into one tab titled "Supervisory & Trainee."
- Combine "Search Supervisor" and "Search Trainee" into one bar titled "Assign Supervisory Real Property Appraiser or Trainee Real Property Appraiser"
 - Under this bar each of the existing "Search Supervisor" (rename "Assign Supervisory Real Property Appraiser") and "Search Trainee" (rename "Assign Trainee Real Property Appraisers") bars should exist. These searches and how they link to supervisors/trainees will remain the same. Please set these bars to closed that need to be opened up manually if needed to be used.
 - Both the "Supervisors Assigned to: "Name" (change "Supervisors" to "Supervisory Real Property Appraisers" and Trainees Assigned to: "Name" (change "Trainees" to Trainee Real Property Appraisers") will appear on this page as the look now. Please make these tabs closable with criteria: If Credential=T then Trainees Assigned tab is closed and Supervisory Appraisers Assigned tab is open; If Credential=CG, CR, LR then Supervisory Appraisers Assigned tab is closed and Trainees Assigned tab is open.
- There will be one log on the main "Supervisory & Trainee" tab. Please name this bar "Supervisory Real Property Appraiser Communication and Documentation Log."
 - If Credential=T then log will be inactive. If Credential=CG, CR, LR then log will be active.
 - As the existing logs under "Supervisor" and "Trainees" are populated, please include these both below the active log as inactive (all information viewable, but no new information can be added) under a closed bar titled "Historic Communication and Documentation Log"
- The function discussed in #20392 will be included on this screen with a bar titled "Supervisory Real Property Appraiser Contact List."

History

05/24/2022 9:21 AM Tyler Kohtz:

@Tammy Loga @Laxmi Yanamadala @Jurgens, Juli @Allison Nespor @Katja Duerig Juli, Please provide estimate to have the Supervisor and Trainee tab changes made.

05/24/2022 3:22 PM Scott Gates:

@Tyler Kohtz @Jurgens, Juli @Tammy Loga @Laxmi Yanamadala

(Average Rate \$105.00/Hr)		
Assign Supervisory Real Property Appraiser or Trainee Real Property Appraiser	16	\$1,680.00
"Supervisors Assigned to: "Name" and Trainees Assigned to: "Name"	22	\$2,310.00
Supervisory Real Property Appraiser Communication and Documentation Log.	22	\$2,310.00
Supervisory Real Property Appraiser Contact List.	4	\$420.00
Grand Total	64	\$6,720.00

05/24/2022 4:22 PM Tyler Kohtz:

@Scott Gates @Jurgens, Juli @Tammy Loga @Laxmi Yanamadala Thank you. I will discuss it with the Board at its June meeting.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

CHAPTER 1 GENERAL PROVISIONS

- 001** Definitions of terms used in this Title, unless the context otherwise requires, are stated in the Real Property Appraiser Act, NEB. REV. STAT. § 76-2201 et. seq. (hereinafter referred to as “the Act”), the Appraisal Management Company Registration Act, NEB. REV. STAT. § 76-3201 et. seq. (hereinafter referred to as “the AMC Act”), and/or the Uniform Standards of Professional Appraisal Practice, and the definitions as follows:
- 001.01** Activity means any real property appraiser related education offering.
- 001.02** Automated Valuation Model means any computer software program that analyzes data using an automated process. The program may use regression, adaptive estimation, neural networking, expert reasoning, and/or artificial intelligence.
- 001.02A** An automated valuation model is a tool that delivers an estimation or calculation, and is not in itself an appraisal under NEB. REV. STAT. § 76-2204, or by itself a report under NEB. REV. STAT. § 76-2216.02. If the output from an automated valuation model is communicated as an analysis, conclusion, or opinion of value concerning identified real estate or identified real property that implies the exercise of judgment to the client, intended user, or the public by any person not exempt under NEB. REV. STAT. § 76-2221, the analysis, conclusion, or opinion of value is an appraisal under NEB. REV. STAT. § 76-2204 and communication of the analysis, conclusion, or opinion of value is a report under NEB. REV. STAT. § 76-2216.02.
- 001.03** Broker’s price opinion means an analysis, opinion, or conclusion prepared by a person licensed under the Nebraska Real Estate License Act in the ordinary course of his or her business relating to the price of specified interests in or aspects of identified real estate or identified real property for the purpose of (a) listing, purchase, or sale; (b) originating, extending, renewing, or modifying a loan in a transaction other than a federally related transaction; or (c) real property tax appeals.
- 001.04** Classroom education means any activity delivered in a setting where there is no geographical separation between the instructor(s) and studentattendee(s).
- 001.05** Conference means a formal or informal scheduled gathering in which many people discuss problems or ideas related to a particular topic.
- 001.06** Continuing education means any real property appraisal practice related activity creditable towards the renewal of a credential issued under the Act.
- ~~**001.07** Core curriculum means those qualifying education courses, except for appraisal subject matter~~
~~**001.07** electives, adopted in the Real Property Appraiser Qualification Criteria by the Appraiser Qualifications Board of The Appraisal Foundation as required core curriculum for credentialing as a real property appraiser. Core curriculum does not include appraisal subject matter electives.~~
- ~~**001.08** Correspondence education means (1) any activity delivered by technology, including but not limited to, the internet, satellite, or other telecommunications device, that requires a person to be engaged at a specific time, simultaneously tied to a live, active, verbal presentation by an instructor; or (2) any activity in which a person receives lessons and/or homework by mail, email, or the internet, and completes and returns the homework in order to receive a grade.~~

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

~~001.09~~001.08 Course means a qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee activity that includes student material, instructor material, learning objectives, a timed outline, a matrix if applicable, and a final exam if applicable.

001.09 Distance education means any activity based on the geographical separation of student and instructor. Components of distance education include synchronous, asynchronous, and hybrid.

~~001.01~~ —

~~Online education means any activity delivered over the internet that does not require a person to be engaged at a specific time.~~

001.09A Synchronous means the instructor and students interact simultaneously online, similar to a phone call, video chat or live webinar, or web-based meeting.

001.09B Asynchronous means the instructor and student interaction is non-simultaneous; the student progresses at his or her own pace and follows a structured content and quiz/exam schedule.

001.09C Hybrid means the learning environment allows for classroom, synchronous, and/or asynchronous interaction.

~~001.11~~001.10 Qualifying education means any real property appraisal practice related education activity creditable towards obtaining a credential as a real property appraiser.

~~001.12~~001.11 Secondary provider means any education provider that purchases rights to, or otherwise lawfully acquires from another education provider, activity materials to deliver.

001.12 Real property appraiser-in-charge means the real property appraiser engaged in real property appraisal practice within the scope of practice for his or her classification, responsible for the significant real property appraisal practice assistance provided by an applicant in the case of a licensed residential real property appraiser or certified residential real property appraiser obtaining real property appraisal practice experience outside of the scope of practice of their current classification.

001.13 True copy of report and workfile means any report and/or workfile submitted to the Board is an exact duplicate of the report submitted to the client, as well as the exact duplicate of the workfile associated with such report, including the quality and clarity of the print, charts, graphs, examples, photos, and any information referenced by this Title, and including organization and presentation of materials.

002 This Title applies to all persons engaged in real property appraisal practice in the State of Nebraska, and all persons conducting business as an appraisal management company in the State of Nebraska.

003 The current edition of the Uniform Standards of Professional Appraisal Practice is adopted as the minimum standards governing real property appraisal practice in the State of Nebraska. A copy of such standards will be supplied with the issuance of each new real property appraiser credential, and with renewal of each real

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

property appraiser credential. A copy of the Uniform Standards of Professional Appraisal Practice is on file and available for public inspection in the office of the Real Property Appraiser Board and may be examined in the office of the Secretary of State.

- 004** Each credential holder is required to notify the Board in writing within ten (10) days of any change of his or her place of business, which includes business name, address, phone number, and electronic mail address.
- 005** No advertisement by a credential holder in the State of Nebraska may use a name of a credential holder, classification of credentialing, or credential holder identification number, other than as stated on the real property appraiser's credentialing card issued by the Board; and any advertisement stating an address is required to state the principal place of business as provided by the real property appraiser to the Board.
- 006** A certified real property appraiser who is approved by the Board as a supervisory real property appraiser, and is currently acting in a supervisory capacity for one or more trainee real property appraiser(s), may advertise him or herself as a supervisory real property appraiser, and may include the name of any trainee real property appraiser(s) that he or she is overseeing in a supervisory capacity, as long as the advertisement clearly identifies such person as a trainee real property appraiser. Trainee real property appraisers may not otherwise advertise.
- 007** Specialized knowledge means an advanced level of expertise obtained through education and experience with respect to a specific subject matter that includes an advanced understanding of the principles, practices, procedures and methods applicable to the subject matter, as well as the ability to apply such expertise to a problem requiring an expertise that a real property appraiser could only obtain through equivalent education and experience.
- 008** Salaried employee means any individual who is employed to perform services on behalf of an employer and whose compensation for the services is in the form of salary, or its equivalent, paid by the employer. Employee does not include an independent contractor.
- 009** Each appraisal management company shall maintain a detailed record of appraisal management services provided under its registration. The detailed record includes, at minimum, the following information as applicable:
- (1) Copy of contract or agreement, which includes date of agreement with AMC appraiser to provide valuation services,
 - (2) Name of client and intended user(s),
 - (3) Name and credential number of AMC appraiser,
 - (4) Documentation verifying AMC appraiser's standing at the time of agreement,
 - (5) Address of the property(ies) that is/are the subject of the appraisal management services,
 - (6) Fees paid to the AMC appraiser,
 - (7) Date of service completion,
 - (8) Date payment-in-full was made to the AMC appraiser,
 - (9) Copy of all communication between AMC appraiser and appraisal management company,
 - (10) Proof that appraisal management company requires AMC appraiser to comply with USPAP,
 - (11) AMC appraiser's signed consent to any subsequent, specified report modifications made by the appraisal management company,
 - (12) Record of quality control or USPAP compliance, and
 - (13) All original or revised copies of subject report as submitted.
- 010** Any person who alleges damage by a violation of the AMC Act may file a claim against a surety bond held by an appraisal management company registered in Nebraska. Such request will be in writing, and address the following items:
- (1) Name and contact information of requester,
 - (2) Name, contact information, and Nebraska registration number of appraisal management company,

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

- (3) Address of property subject of request,
- (4) Date real property appraisal practice assignment was offered,
- (5) Date report was submitted,
- (6) Amount owed for valuation services rendered, and
- (7) Description of attempts to rectify the matter.

Any documentation in support of the request may be submitted along with the written request.

- 011** Each appraisal management company shall furnish to the board, at the time of making application, a surety bond in the amount of twenty-five thousand dollars. The surety bond is required to be maintained until one year after the date that the appraisal management company ceases operation in this state, which is the date on which the registration expires or the date on which the appraisal management company's request to surrender its registration is formally accepted.

012 ADMINISTRATIVE FEES

- 012.01** The fee for a Certificate of Registration required under the Nebraska Professional Corporation Act is \$25.00.

013 APPLICATION FOR PRELIMINARY CRIMINAL HISTORY REVIEW

- 013.01** Pursuant to NEB. REV. STAT. § 84-947, a preliminary criminal history review will be performed by the Board to determine whether an individual's criminal conviction(s) would disqualify the individual from obtaining a credential as a Nebraska Real Property Appraiser, or from being a more than 10% owner of an Appraisal Management Company (AMC).

- 013.02** Any applicant for the preliminary criminal history review must submit:

013.02.A An application on a form approved by the Board;

013.02.B A written statement that details information regarding individual's current circumstances, including the time since the offense, completion of the criminal sentence, rehabilitation efforts, employment history, and employment aspirations;

013.02.C Any documentation in support of individual's written statement, including court records, communication and documentation related to the completion of the criminal sentence, evidence of rehabilitation, and testimonials; and

013.02.D A non-refundable application fee of \$50.00.

- 013.03** Only the information provided by the applicant will be reviewed by the Board. The preliminary

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

criminal history review is not a criminal history record check, or an application for credentialing as a real property appraiser or for registration as an AMC.

013.04 A determination will be issued by the Board in writing within ninety days after receiving an application for preliminary criminal history review. If the Board determines that the individual's criminal conviction(s) would disqualify the individual, the Board may advise the individual of any action the individual may take to remedy the disqualification.

013.05 If the Board finds that the individual has been convicted of one or more subsequent criminal convictions, the Board may rescind a determination upon finding that the subsequent criminal conviction(s) would be disqualifying.

CHAPTER 2 REAL PROPERTY APPRAISER CREDENTIAL

001 EDUCATION

To qualify for a credential as a trainee real property appraiser, licensed residential real property appraiser, certified residential real property appraiser, or certified general real property appraiser, an applicant must complete post-secondary education and qualifying education requirements established for each classification.

001.01 Trainee real property appraiser/supervisory real property appraiser

001.01A Pursuant to NEB. REV. STAT. § 76-2228.01 (1) (c), an applicant for the trainee real property appraiser credential must:

001.01A.1 Successfully complete a minimum of 75 hours in **b**Board approved courses of study, which includes at least:

- (1) The 15-hour National Uniform Standards of Professional Appraisal Practice Course,
- (2) 30 hours of basic appraisal principles, and
- (3) 30 hours of basic appraisal procedures; or

001.01A.2 Hold a degree in real estate from an accredited degree-awarding college or university that has had all or part of its

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

curriculum approved by the Appraiser Qualifications Board as meeting qualifying education requirements, or the equivalent as determined by the Appraiser Qualifications Board. If said degree or equivalent does not satisfy all required qualifying education for credentialing, the remaining hours shall be completed in board-approved qualifying education.

001.01B An applicant for the trainee real property appraiser credential must provide a completion document evidencing that a board-approved supervisory real property appraiser and trainee course has been successfully completed within one year immediately preceding the date of application.

001.01C An applicant for approval as a supervisory real property appraiser must provide a completion document evidencing that a board-approved supervisory real property appraiser and trainee course has been successfully completed at the time the applicant was a certified real property appraiser. A certified real property appraiser disciplined by the Board or any other appraiser regulatory agency in another jurisdiction, which may or may not have limited the real property appraiser's legal eligibility to engage in real property appraisal practice, is required to provide a completion document evidencing that a board-approved supervisory real property appraiser and trainee course was successfully completed after the successful completion of the most recent disciplinary action. The board-approved supervisory real property appraiser and trainee course may be completed as a student or as an instructor.

001.01D Supervisory Real Property Appraiser and Trainee Course Completed in Another Jurisdiction

001.01D.1 ~~Except for an online or correspondence activity,~~ the Board may accept a classroom education supervisory real property appraiser and trainee course completed in another jurisdiction if, at the time that the supervisory real property appraiser and trainee course was completed, the course:

001.01D.1a ~~The course was~~ Is approved as a supervisory real property appraiser and trainee course by the jurisdiction in which it was completed ~~at the time the course was completed;~~ and

001.01D.1b ~~The supervisory real property appraiser and trainee course m~~ Meets or exceeds the requirements for approval as a supervisory real property appraiser and trainee course as established in the Real Property Appraiser Qualifications Criteria adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation outlined in Chapter 6 of this Title.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

001.01D.2 The Board may accept a ~~distance educationn online or correspondence~~ supervisory real property appraiser and trainee course completed in another jurisdiction if, at the time the supervisory real property appraiser and trainee course was completed, the course:

001.01D.2a ~~The activity was-Is~~ approved as a supervisory real property appraiser and trainee course by the jurisdiction in which the applicant ~~or credential holder was-is~~ a legal resident ~~at the time the course was completed,~~ or is approved as a supervisory real property appraiser and trainee course by a jurisdiction in which the applicant is credentialed as verified through the Appraiser Registry of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council; and

001.01D.2b ~~The supervisory real property appraiser and trainee course m~~Meets or exceeds the requirements for approval as a supervisory real property appraiser and trainee course as established in the Real Property Appraiser Qualifications Criteria adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation. outlined in Chapter 6 of this Title.

001.01E If a trainee real property appraiser applicant, or a supervisory real property appraiser applicant, submits a supervisory real property appraiser and trainee course completed in another jurisdiction for consideration of acceptance by the Board, the applicant is required to meet the requirements specified in Section 001.01B or 001.01C of this Chapter.

001.02 Licensed Residential Real Property Appraiser

001.02A Pursuant to NEB. REV. STAT. § 76-2230 (1) (c), an applicant for the licensed residential real property appraiser credential must:

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

001.02A.1 Successfully complete a minimum of 150 hours in board-approved courses of study, which includes at least:

- (1) The 15-hour National Uniform Standards of Professional Appraisal Practice Course,
- (2) 30 hours of basic appraisal principles,
- (3) 30 hours of basic appraisal procedures,
- (4) 15 hours of market analysis and highest and best use,
- (5) 15 hours of appraiser site valuation and cost approach,
- (6) 30 hours of sales comparison and income approaches, and
- (7) 15 hours of report writing and case studies; or

001.02A.2 Hold a degree in real estate from an accredited degree-awarding college or university that has had all or part of its curriculum approved by the Appraiser Qualifications Board as meeting qualifying education requirements, or the equivalent as determined by the Appraiser Qualifications Board. If said degree or equivalent does not satisfy all required qualifying education for credentialing, the remaining hours shall be completed in board-approved qualifying education.

001.02B A real property appraiser may upgrade to the licensed residential real property appraiser credential by satisfying the appropriate qualifying education for the classification below:

001.02B.1 Pursuant to NEB. REV. STAT. § 76-2228.01 (4) (a), a trainee real property appraiser must successfully complete a minimum of 75 hours in the following board-approved courses of study, or hold a degree in real estate from an accredited degree-awarding college or university that has had all or part of its curriculum approved as meeting qualifying education requirements or the equivalent as determined by the Appraiser Qualifications Board. If said degree or equivalent does not satisfy all required qualifying education for credentialing, the remaining hours shall be completed in board-approved qualifying education:

- (1) 15 hours of market analysis and highest and best use,
- (2) 15 hours of appraiser site valuation and cost approach,
- (3) 30 hours of sales comparison and income approaches, and
- (4) 15 hours of report writing and case studies.

001.03 Certified Residential Real Property Appraiser

001.03A Pursuant to NEB. REV. STAT. § 76-2231.01 (1) (d), an applicant for the certified residential real property appraiser credential must:

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

- 001.03A.1** Successfully complete a minimum of 200 hours in board-approved courses of study, which includes at least:
- (1) The 15-hour National Uniform Standards of Professional Appraisal Practice Course,
 - (2) 30 hours of basic appraisal principles,
 - (3) 30 hours of basic appraisal procedures,
 - (4) 15 hours of market analysis and highest and best use,
 - (5) 15 hours of appraiser site valuation and cost approach,
 - (6) 30 hours of sales comparison and income approaches,
 - (7) 15 hours of report writing and case studies,
 - (8) 15 hours of statistics, modeling, and finance,
 - (9) 15 hours of advanced applications and case studies, and
 - (10) 20 hours of appraisal subject matter electives; or

001.03A.2 Hold a degree in real estate from an accredited degree-awarding college or university that has had all or part of its curriculum approved as meeting qualifying education requirements or the equivalent as determined by the Appraiser Qualifications Board. If said degree or equivalent does not satisfy all required qualifying education for credentialing, the remaining hours shall be completed in board-approved qualifying education.

001.03B One quarter hour credit is equivalent to .67 semester credit hours for college-level courses taken in a quarterly system versus a semester system.

001.03C Pursuant to NEB. REV. STAT. § 76-2231.01 (1) (b), in order to assist the Board with its evaluation of the applicant's college-level courses, the applicant may be required to submit copies of course related materials.

001.03D A trainee real property appraiser may upgrade to the certified residential real property appraiser credential by:

001.03D.1 Satisfying the post-secondary education requirements in NEB. REV. STAT. § 76-2231.01 (1) (b), or (1) (b) and (c) if applicable; and

001.03D.2 Pursuant to NEB. REV. STAT. § 76-2228.01 (5) (b), successfully completing a minimum of 125 hours in the following board-approved courses of study, or holding a degree in real estate from an accredited degree-awarding college or university that has had all or part of its curriculum approved as meeting qualifying education requirements or the

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

equivalent as determined by the Appraiser Qualifications Board. If said degree or equivalent does not satisfy all required qualifying education for credentialing, the remaining hours shall be completed in board-approved qualifying education:

- (1) 15 hours of market analysis and highest and best use,
- (2) 15 hours of appraiser site valuation and cost approach,
- (3) 30 hours of sales comparison and income approaches,
- (4) 15 hours of report writing and case studies,
- (5) 15 hours of statistics, modeling, and finance,
- (6) 15 hours of advanced applications and case studies, and
- (7) 20 hours of appraisal subject matter electives.

001.03E A licensed real property appraiser may upgrade to the certified residential real property appraiser credential by:

001.03E.1 Satisfying one of the following:

001.03E.1a Having held a credential as a licensed real property appraiser for a minimum of five years, and having not been subject to a nonappealable disciplinary action by the Board or any other jurisdiction as specified in NEB. REV. STAT. § 76-2230 (3) (a) (ii) (B); or

001.03E.1b The post-secondary education requirements in NEB. REV. STAT. § 76-2231.01 (1) (b), or (1) (b) and (c) if applicable; and

001.03E.2 Pursuant to NEB. REV. STAT. § 76-2230 (3) (b), successfully completing a minimum of 50 hours in the following board-approved courses of study, or holding a degree in real estate from an accredited degree-awarding college or university that has had all or part of its curriculum approved as meeting qualifying education requirements or the equivalent as determined by the Appraiser Qualifications Board. If said degree or equivalent does not satisfy all required qualifying education for credentialing, the remaining hours shall be completed in board-approved qualifying education:

- (1) 15 hours of statistics, modeling, and finance;
- (2) 15 hours of advanced applications and case studies; and
- (3) 20 hours of appraisal subject matter electives.

001.04 Certified General Real Property Appraiser

001.04A Pursuant to NEB. REV. STAT. § 76-2232 (1) (d), an applicant for the certified general real property appraiser credential must:

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

001.04A.1 Successfully complete a minimum of 300 hours in board-approved courses of study, which includes at least:

- (1) The 15-hour National Uniform Standards of Professional Appraisal Practice Course,
- (2) 30 hours of basic appraisal principles,
- (3) 30 hours of basic appraisal procedures,
- (4) 30 hours of general appraiser market analysis and highest and best use,
- (5) 30 hours of general appraiser site valuation and cost approach,
- (6) 30 hours of general appraiser sales comparison approach,
- (7) 60 hours of general appraiser income approach,
- (8) 30 hours of general appraiser report writing and case studies,
- (9) 15 hours of statistics, modeling, and finance, and
- (10) 30 hours of appraisal subject matter electives; or

001.04A.2 Hold a degree in real estate from an accredited degree-awarding college or university that has had all or part of its curriculum approved by the Appraiser Qualifications Board as meeting qualifying education requirements, or the equivalent as determined by the Appraiser Qualifications Board. If said degree or equivalent does not satisfy all required qualifying education for credentialing, the remaining hours shall be completed in board-approved qualifying education.

001.04B A real property appraiser may upgrade to the certified general real property appraiser credential by satisfying the post-secondary education requirements in NEB. REV. STAT. § 76-2232 (1) (b), or (1) (b) and (c) if applicable, and the appropriate qualifying education for the classification below:

001.04B.1 Pursuant to NEB. REV. STAT. § 76-2228.01 (6) (b), a trainee real property appraiser must successfully complete a minimum of 225 hours in the following board-approved courses of study, or hold a degree in real estate from an accredited degree-awarding college or university that has had all or part of its curriculum approved as meeting qualifying education requirements or the equivalent as determined by the Appraiser Qualifications Board. If said degree or equivalent does not satisfy all required qualifying education for credentialing, the remaining hours shall be completed in board-approved qualifying education:

- (1) 30 hours of general appraiser market analysis and highest and best use,
- (2) 30 hours of general appraiser site valuation and cost approach,
- (3) 30 hours of general appraiser sales comparison approach,
- (4) 60 hours of general appraiser income approach,
- (5) 30 hours of general appraiser report writing and case studies,
- (6) 15 hours of statistics, modeling, and finance, and
- (7) 30 hours of appraisal subject matter electives.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

001.04B.2 Pursuant to NEB. REV. STAT. § 76-2230 (4) (b), a licensed residential real property appraiser must successfully complete a minimum of 150 hours in the following board-approved courses of study, or hold a degree in real estate from an accredited degree-awarding college or university that has had all or part of its curriculum approved as meeting qualifying education requirements or the equivalent as determined by the Appraiser Qualifications Board. If said degree or equivalent does not satisfy all required qualifying education for credentialing, the remaining hours shall be completed in board-approved qualifying education:

- (1) 15 hours of general appraiser market analysis and highest and best use,
- (2) 15 hours of general appraiser site valuation and cost approach,
- (3) 15 hours of general appraiser sales comparison approach,
- (4) 45 hours of general appraiser income approach,
- (5) 15 hours of general appraiser report writing and case studies,
- (6) 15 hours of statistics, modeling, and finance, and
- (7) 30 hours of appraisal subject matter electives.

001.04B.3 Pursuant to NEB. REV. STAT. § 76-2231.01 (3) (b), a certified residential real property appraiser must successfully complete a minimum of 100 hours in the following board-approved courses of study, or hold a degree in real estate from an accredited degree-awarding college or university that has had all or part of its curriculum approved as meeting qualifying education requirements or the equivalent as determined by the Appraiser Qualifications Board. If said degree or equivalent does not satisfy all required qualifying education for credentialing, the remaining hours shall be completed in board-approved qualifying education:

- (1) 15 hours of general appraiser market analysis and highest and best use,
- (2) 15 hours of general appraiser site valuation and cost approach,
- (3) 15 hours of general appraiser sales comparison approach,
- (4) 45 hours of general appraiser income approach, and
- (5) 10 hours of general appraiser report writing and case studies.

001.05 An applicant for the trainee, licensed residential, certified residential, or certified general real property appraiser credential must provide evidence that the required qualifying education has been successfully completed. Each applicant will be required to furnish:

001.05A A document of completion for each qualifying education course; and/or

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

001.05B An official transcript from the university or college at which the applicant obtained a degree in real estate that has had all or part of its curriculum approved by the Appraiser Qualifications Board as meeting qualifying education requirements, or the equivalent as determined by the Appraiser Qualifications Board. Transcripts may be submitted in paper, or electronically through a secure site if the transcript is marked as official and the Board is provided access directions directly from the school.

001.06 Qualifying Education Completed in Another Jurisdiction

~~001.06A~~ ~~Except for an online or correspondence activity, t~~The Board may accept a classroom education qualifying education activity completed in another

001.06A jurisdiction if, at the time the activity was completed, the qualifying education activity:

~~001.06A.1~~ ~~Is The activity was~~ approved as qualifying education by the 001.06A.1 jurisdiction in which it was completed ~~at the time the activity was completed~~; and

~~001.06A.2~~ ~~MThe qualifying education activity meets or exceeds the~~ 001.06A.2 requirements for approval as a qualifying education activity as established in the Real Property Appraiser Qualifications Criteria adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation outlined in Chapter 6 of this Title.

001.06B The Board may accept ~~an online or correspondence~~ distance education qualifying education activity completed in another jurisdiction if, at the time the activity was completed, the qualifying education activity:

001.06B.1 ~~IThe activity swas~~ approved as qualifying education by the jurisdiction in which the applicant/credentialed holder is was a legal resident ~~at the time the activity was completed, or is~~ approved as qualifying education by a jurisdiction in which the applicant is credentialed as verified through the Appraiser Registry of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council; and

~~001.06B.2~~ ~~MThe qualifying education activity meets or exceeds the~~ 001.06B.2 requirements for approval as qualifying education activity as established in the Real Property Appraiser Qualifications Criteria adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation outlined in Chapter 6 of this Title.

001.06C If the applicant submits a qualifying education activity completed in another jurisdiction for consideration of acceptance by the Board, the applicant will furnish a document of completion for the activity.

001.07 An applicant for the certified residential or certified general real property appraiser credential shall furnish an official transcript from the university, college, or community college as proof that the

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

post-secondary education requirements have been met. Transcripts may be submitted in paper, or electronically through a secure site if the transcript is marked as official and the Board is provided access directions directly from the school.

002 EXPERIENCE

002.01 After January 1, 2014, real property appraisal practice experience obtained within the State of Nebraska, or as a resident of the State of Nebraska, for credentialing as a licensed residential, certified residential, or certified general real property appraiser must be acquired as a trainee real property appraiser, registered real property appraiser, licensed residential real property appraiser, ~~or certified residential real property appraiser, or certified general real property appraiser.~~ This Section does not apply to participation in a PAREA program.

002.02 At the Board's discretion, up to 50% of the real property appraisal practice experience required for credentialing as a licensed residential, certified residential, or certified general real property appraiser may be obtained in another jurisdiction. This real property appraisal practice experience may be accepted by the Board if the real property appraisal practice experience is compliant with the laws of the jurisdiction in which it was obtained.

002.03 An applicant's hours of real property appraisal practice experience submitted to the Board for review and determination of acceptability ~~by the Board~~ shall:

002.03A Demonstrate the applicant's progressive responsibility in the development and reporting of assignment results, which includes analyzing factors that affect value, defining the problem, gathering and analyzing data, applying the appropriate analysis and methodology, arriving at an opinion, and correctly reporting the opinion; and

002.03B Be completed in compliance with the Uniform Standards of Professional Appraisal Practice.

002.04 An applicant must provide significant real property appraisal practice assistance for real property appraisal practice experience credit to be awarded ~~by the Board~~. An applicant may apply his or her signature, along with the signature of the supervisory real property appraiser in the case that the applicant is a trainee real property appraiser's signature if applicable, or the real property appraiser-in-charge in the case that the applicant is a licensed residential real property appraiser or a certified residential real property appraiser if applicable, to the appraisal certification; or the applicant must be given attribution in the assignment results report, which includes a description of the applicant's significant real property appraisal practice assistance.

002.05 Real property appraisal practice experience hours obtained in any manner considered exempt from the Real Property Appraiser Act per NEB. REV. STAT. § 76-2221 will not be credited to the applicant, unless the applicant and ~~the~~ ~~or~~ supervisory real property appraiser in the case that the applicant is a trainee real property appraiser, or the real property appraiser-in-charge in the case that the applicant is a licensed residential real property appraiser or a certified residential real property appraiser if applicable, verifies that said real property appraisal practice experience is compliant with the Uniform Standards of Professional Appraisal Practice.

002.06 There need not be a client in a traditional sense (i.e., a client hiring a real property appraiser for a business purpose) in order for an assignment results report to qualify for real property appraisal

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

~~practice experience, but real property appraisal practice experience gained for work without a traditional client cannot exceed 50% of the total real property appraisal practice experience requirement. A practicum course approved by The Appraisal Foundation's Appraiser Qualifications Board's Course Approval Program may satisfy the non-traditional client real property appraisal practice experience requirement. Experience credit shall be granted for the actual classroom hours of instruction and hours of documented research and analysis as awarded from the practicum course approval process.~~

002.07 Real property appraisal practice experience submitted to the Board for review and determination of acceptability ~~by the Board~~ may include no more than an aggregate maximum of 25% of the total number of real property appraisal practice experience hours in the following areas or a combination from the following areas:

- (1) mass appraisal,
- ~~(2) highest and best use analysis,~~
- ~~(3) ad valorem tax appraisal,~~
- ~~(4) feasibility analysis or study,~~
- ~~(5)(2)~~ appraisal review,
- ~~(6) practicum courses of study adhering to AQB guidelines,~~
- ~~(7)(3)~~ appraisal consulting analysis, or
- ~~(8)(4)~~ restricted appraisal reports.

~~**002.08** Real property appraisal practice experience hours obtained in the areas specified above are considered to be work without a traditional client, and are applied to the 50% real property appraisal practice experience allocation in Section 002.06 of this Chapter. With the exception of Section 002.06 and Section 002.07 of this Chapter, the Board may accept areas of experience upon demonstration by the applicant that such experience directly relates to training and improvement of skills used in real property appraisal practice.~~

002.08 Pursuant to NEB. REV. STAT. §§ 76-2230 (1)(d), 76-2231.01 (1)(e), and 76-2232 (1)(e), an applicant for the licensed residential, certified residential, or certified general real property appraiser credential may provide a document of completion evidencing the successful completion of a PAREA program.

002.08A A document evidencing the successful completion of a PAREA program must include the name of PAREA program provider, evidence that PAREA program is approved by the Appraiser Qualifications Board, indicate that the type of PAREA program completed is either the licensed residential or the certified residential program, the name of the applicant, and a statement that the applicant successfully completed the PAREA program.

002.08B Except for hours of experience required to be in nonresidential appraisal work in NEB. REV. STAT. § 76-2232 (1)(e)(i), the following real property appraisal practice experience credit will be awarded for the successful completion of a PAREA program:

002.08B.1 For a licensed residential PAREA program, 100% of hours of experience required in NEB. REV. STAT. § 76-2230 (1)(d)(i); 67% of the hours of experience required in NEB. REV. STAT. § 76-2231.01 (1)(e)(i); and 33% of the hours of experience required in NEB. REV. STAT. § 76-2232 (1)(e)(i).

002.08B.2 For a certified residential PAREA program, 100% of hours of experience required in NEB. REV. STAT. § 76-2230 (1)(d)(i);

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

100% of the hours of experience required in NEB. REV. STAT. § 76-2231.01 (1)(e)(i); and 50% of the hours of experience required in NEB. REV. STAT. § 76-2232 (1)(e)(i).

002.09 Each applicant for the licensed residential, certified residential, or certified general real property appraiser credential will furnish a log of his or her most recent real property appraisal practice experience claimed on a form approved by the Board.

002.09002.09A The real property appraisal practice experience must be in chronological order on the log, and include an applicant signature, and the signature of the supervisory real property appraiser in the case that the applicant is a trainee real property appraiser, or the signature of the real property appraiser-in-charge in the case that the applicant is a licensed residential real property appraiser or certified residential real property appraiser~~the supervisory real property appraiser signature~~ if applicable, on each page. At a minimum, the real property appraisal practice experience log shall identify the following:

- (1) The date the assignment results report was signed,
- (2) Name of client and property identification, which includes a legal description or address,
- (3) Description of real property appraisal practice as performed by the applicant,
- (4) Scope of supervisory real property appraiser review if applicable, in the case that the applicant is a trainee real property appraiser, or the scope of review of the real property appraiser-in-charge in the case that the applicant is a licensed residential real property appraiser or certified residential real property appraiser if applicable,
- (5) Type of property,
- (6) Type of report,
- (7) Approaches to value utilized,
- (8) Verification that assignment results are compliant with the Uniform Standards of Professional Appraisal Practice,
- (9) Verification that the assignment results report was for a traditional client or non-traditional client, and
- (10) Number of hours worked by the applicant, and supervisory real property appraiser or real property appraiser-in-charge if applicable.

002.10002.09B The real property appraisal practice experience log format in effect at the time application is made to the Board will be accepted, as well as any previously approved experience log formats in effect at the time the real property appraisal practice experience was obtained and recorded. All real property appraisal practice experience requirements in place at the time application is made to the Board are applicable regardless of the real property appraisal practice experience log format submitted.

002.09A002.09C A separate real property appraisal practice log shall be maintained by a trainee real property appraiser for each of his/her board-designated supervisory real property appraisers. It is the responsibility of both the supervisory real property appraiser and the trainee real property appraiser to ensure the log is accurate, current, and complies with the requirements of the Act and this Title. When the trainee real property appraiser is under the direct supervision of more than one supervisory real property appraiser while engaged in real property appraisal practice for an assignment, each log shall reflect the specific number of hours and description of work performed in that real property appraisal practice assignment with each supervisory real property appraiser.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

~~002.11~~002.10 A trainee real property appraiser is entitled to obtain copies of reports he or she has prepared and workfiles for those reports. The supervisory real property appraiser shall keep copies of reports for a period of five years, or at least two years after the final disposition of any judicial proceedings in which the real property appraiser provided testimony related to the real property appraisal practice assignment, whichever period expires last.

~~002.12~~002.11 Pursuant to NEB. REV. STAT. §§ 76-2230 (1)(d)(i), 76-2231.01 (1)(e)(i), and 76-2232 (1)(e)(i), ~~the Board will consider~~ the aggregate number of real property appraisal practice experience hours considered for evaluation includes those hours reported on each real property appraisal practice experience log submitted by the applicant beginning ~~at~~ on the log entry indicating the earliest date on which real property appraisal practice experience was obtained and ending on the date the application for credentialing as a licensed residential, certified residential, or certified general real property appraiser was signed by the applicant.

~~002.12~~ If the real property appraisal practice experience log submitted by the applicant is accepted, ~~A~~ representative sampling of real property appraisal practice experience submitted by the applicant on his or her real property appraisal practice experience log will be evaluated to determine if the real property appraisal practice experience meets the requirements of the Act and this Chapter. ~~If the real property appraisal practice experience log submitted by the applicant is accepted, the Board's staff will select~~

~~002.13~~002.12A A minimum of three reports will be selected from the real property appraisal practice experience log for ~~the Board's~~ review to qualify the real property appraisal practice experience. The following additional criteria are applied to the report selection for each level of credential:

~~002.15A~~002.12A.1 To qualify the real property appraisal practice experience of an applicant for the licensed residential real property appraiser credential, a minimum of three reports related to residential property will be selected.

~~002.11A~~002.12A.2 To qualify the real property appraisal practice experience of an applicant for the certified residential real property appraiser credential, a minimum of one report related to a two-to-four unit residential property, one report related to a residential property 0 to 20 years old, and one report related to a residential property 20 years or older will be selected ~~by the Board's staff~~. Two selected reports will include at least two approaches to value.

~~002.11A~~002.12A.3 To qualify the real property appraisal practice experience of an applicant for the certified general real property appraiser credential, a minimum of three reports related to income producing properties will be selected ~~by the Board's staff~~. Two selected reports will include all three approaches to value.

~~002.14~~002.12B The applicant will be notified of the selected reports in writing, and will have 10 business days from the date of receipt of the notification to submit a true and accurate copy of each report to the Board's office.

~~002.15~~002.12C ~~To assist the Board with its evaluation of the applicant's real property appraisal practice experience, a~~ At least one of the three requested reports will be, at a minimum, reviewed for conformity with the Uniform Standards of Professional Appraisal Practice. The Board may enter into a contract with a

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

qualified disinterested third party certified real property appraiser for completion of an appraisal review assignment on any of the requested reports at no cost to the applicant. ~~The Board may require the applicant to submit additional details or to submit additional reports or file memoranda prepared by the applicant.~~

002.13 ~~Upon the receipt of appraisal review assignment results provided by one or more third party certified real property appraisers under contact with the Board, and the findings of the appraisal review assignment results are found to be null or insignificant by the director, an applicant's real property appraisal practice experience will be reviewed by a subcommittee consisting of two board members established by the director for determination as to whether the applicant's real property appraisal practice experience is acceptable in accordance with the Act and this Chapter.~~

002.13A ~~If the subcommittee finds that the applicant's real property appraisal practice experience meets the requirements of the Act and this Chapter, the subcommittee will notify the director of its decision. The subcommittee may authorize the director to notify the applicant of any appraisal review assignment results and issue a written advisory regarding any appraisal review assignment results.~~

002.13B ~~If the subcommittee finds that the applicant may not meet one or more of the requirements of the Act or this Chapter, the application shall be placed before the Board for consideration.~~

~~002.16 Verification of the applicant's real property appraisal practice experience may be obtained from other persons as needed~~

~~002.17~~**002.14** ~~If the Board determines an applicant may not meet the applicable real property appraisal practice experience requirements, it will notify the applicant will be notified in writing. The Board may, at its discretion, request a written response from the applicant to the Board's findings as to the applicant's real property appraisal practice experience and/or invite the applicant to meet to discuss any deficiencies found in the report(s). Upon conclusion of the meeting, the Board may re-evaluate the applicant's real property appraisal practice experience.~~

~~002.18A~~**002.14A** ~~If the applicant's real property appraisal practice experience is not acceptable to the Board, the Board may, at its own discretion, require the applicant to obtain additional education, and/or submit one or more supplemental real property appraisal practice experience logs with additional hours of real property appraisal practice experience, and/or submit one or more additional reports.~~

~~002.18A.1~~**002.14A.1** ~~If the Board requires the completion of additional education, the applicant will be notified of the conditions for the additional education in writing.~~

~~002.18A.2~~**002.14A.2** ~~If the Board requires the submission of one or more supplemental real property appraisal practice experience logs, the applicant will be notified of the conditions for the supplemental log(s) in writing. The Board may select a representative sampling of one or more additional report(s) for review from any supplemental log requested by the Board to qualify the real property appraisal practice experience. If the Board selects any additional report(s) from a supplemental log:~~

~~002.18A.2a~~**002.14A.2a** ~~The applicant will be notified of the Board selected report(s) in~~

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

writing, and will have 10 business days from the date of receipt of the notification to submit a true copy of each report to the Board's office. The Board may require the applicant to submit additional details or to submit additional reports or file memoranda prepared by the applicant.

~~002.18A.2b~~002.14A.2b Each additional report requested by the Board will be, at a minimum, reviewed for conformity with the Uniform Standards of Professional Appraisal Practice. At the Board's discretion, the Board may enter into a contract with a qualified disinterested third party certified real property appraiser for completion of an appraisal review assignment on any of the requested reports to assist the Board with its review. The applicant is responsible for any costs incurred by the Board for such review.

~~002.18A.1~~002.14A.3 If the Board requires submission of one or more additional reports, the applicant will be notified of the conditions for the additional report(s) in writing:

~~002.18A.3a~~002.14A.3a Upon receipt of the requested report(s), the Board may require the applicant to submit additional details or to submit additional reports or file memoranda prepared by the applicant.

~~002.18A.3b~~002.14A.3b Each additional report requested by the Board will be, at a minimum, reviewed for conformity with the Uniform Standards of Professional Appraisal Practice. At the Board's discretion, the Board may enter into a contract with a qualified disinterested third party certified real property appraiser for completion of an appraisal review assignment on any of the requested reports to assist the Board with its review. The applicant is responsible for any costs incurred by the Board for such review.

~~002.18B~~002.14B If the applicant's real property appraisal practice experience is not acceptable upon review of the additional education, supplemental real property appraisal practice experience log(s), and/or additional report(s), the Board may deny the application.

002.15 Verification of the applicant's real property appraisal practice experience may be obtained from other persons as needed, and the applicant may be required to submit additional details, reports or file memoranda.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

002.19002.16 When making a determination that an applicant may or may not meet the applicable real property appraisal practice experience requirements, ~~the Board will consider~~ all information received will be considered, including but not limited to real property appraisal practice experience logs, appraisal review reports, reports submitted by the applicant, any written responses received, any other details or file memoranda, any subsequent education requested by the Board to be completed by the applicant, and any information obtained during an informal meeting between the Board or its representative(s) and the applicant. An appraisal review report completed to assist the Board with its evaluation of the applicant's experience is not the sole factor in the Board's decision, but a tool utilized by the Board to assist with its decision.

003 EXAMINATION

Each applicant for the licensed residential, certified residential, or certified general real property appraiser credential shall pass the National Uniform Licensing and Certification Examination, as developed and approved by the Appraiser Qualifications Board of The Appraisal Foundation, prior to being issued a credential by the Board.

003.01 The Board may enter into contract with one or more Appraiser Qualifications Board-approved administrators for the National Uniform Licensing and Certification Examination. The format, content, method of administration of examinations, and passing standards, are determined by the Board. The date, time, and location for examinations are established by the test administrators.

003.02 Any applicant for the licensed residential, certified residential, or certified general real property appraiser credential may sit for the National Uniform Licensing and Certification Examination, as developed and approved by the Appraiser Qualifications Board of The Appraisal Foundation, in another jurisdiction if the applicant is approved by the Board to sit for examination, the examination is administered by a test administrator approved by the Appraiser Qualifications Board of The Appraisal Foundation, and the examination is administered and scored in accordance with the laws of that jurisdiction.

003.03 Upon approval of a processed application for credentialing as a licensed residential, certified residential, or certified general real property appraiser; approval of qualifying education; and approval and qualification of real property appraisal practice experience, an applicant may be approved ~~by the Board~~ to sit for examination. The applicant will be notified in writing or by electronic communication of the procedure for enrolling for the examination and examination site. The applicant will submit the required examination fee to the test administrator.

003.04 An applicant may have up to three attempts to successfully pass the National Uniform Licensing and Certification Examination within twelve months from the date the applicant was approved by the Board to sit for examination. If an applicant fails to pass the examination on the first or second attempt, he or she may notify the Board for approval to retake the examination. An applicant who does not pass the examination may submit any required fees to the test administrator for retesting.

003.05 An applicant who has successfully passed the National Uniform Licensing and Certification Examination may provide an official copy of the test results to the Board's office within twelve months from the date the applicant was approved ~~by the Board~~ to sit for examination.

003.06 Each applicant shall follow the rules imposed by the administrator of the examination. No applicant may receive or give any assistance during an examination. Violation of these rules may be reason for denial of a credential.

003.07 In compliance with the Americans with Disabilities Act, reasonable accommodation will be provided to all applicants; and the Board may authorize an examination to be administered to an individual orally or by other technique.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

004 APPLICATION

004.01 Trainee Real Property Appraiser and Supervisory Real Property Appraiser Requirements

004.01A Any applicant for the trainee real property appraiser credential must:

004.01A.1 Submit an application and required documentation on forms approved by the Board showing compliance by the applicant with all credentialing requirements established by the Act or by this Title;

004.01A.2 Pay a non-refundable application fee of \$150.00; and

004.01A.3 Pay a non-refundable criminal history record check fee of \$45.25.

004.01B Any application received at the Board's office considered to be incomplete will not be processed, and may be returned to the applicant as incomplete. Any application not considered to be incomplete will be processed.

004.01C If the Board's director finds that the applicant meets the general and education requirements in the Act and this Title, the application will be considered a completed application and a credential may be issued to the applicant. If the Board's director finds that the applicant may not meet one or more of the requirements in the Act and this Title, the application shall be placed before the Board for consideration. If the Board finds that the applicant meets the general and education requirements in the Act and this Title, the application will be considered a completed application and a credential may be issued to the applicant.

004.01D Upon the approval as a trainee real property appraiser, the applicant will be issued:

- (1) A letter notifying him or her of his or her status as a Nebraska trainee real property appraiser,
- (2) A wall certificate on a form approved by the Board, and
- (3) Instructions to access his or her credentialing card.

004.01E The Board may deny an application at any time during the process if the Board finds that the applicant fails to meet the requirements in the Act and/or this Title that pertain to credentialing. Before submitting a new application, the Applicant may be required by the Board to:

004.01E.1 Complete additional education; and/or

004.01E.2 Not reapply for the trainee real property appraiser classification for an amount of time to be determined by the Board.

004.01F If the Board denies an application for any reason excluding the national criminal history record check, the applicant may file a new application, and if so, meet the requirements in place at the time a new application is submitted to the

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

Board.

- 004.01G** If the fingerprint-based national criminal history record check result is the basis for denial, the applicant is entitled to a copy of his or her national criminal history record, and an opportunity to dispute the result.
- 004.01G.1** In order to receive a copy of such record, the applicant shall:
- 004.01G.1a** In person, complete a form approved by the Board that relieves the Board from any liability related to the release of the national criminal history record; and
 - 004.01G.1b** Present a passport, driver's license, or other government-issued identification card with a photograph to be copied by the Board.
- 004.01G.2** If the applicant provides evidence acceptable to the Board that the fingerprint-based national criminal history record check result that was the basis for denial is incorrect, the Board may reconsider the application.
- 004.01H** A trainee real property appraiser may request approval for a supervisory real property appraiser at any time after he or she is issued a credential as a trainee real property appraiser by the Board provided the credential is current and active. The trainee real property appraiser is not required to submit an additional application for approval as a trainee real property appraiser, or pay any additional fees. Each request made by a trainee real property appraiser for approval of a supervisory real property appraiser will be submitted to the Board on a form approved by the Board.
- 004.01I** Any applicant for approval as a supervisory real property appraiser must apply his or her signature on the application submitted by a trainee real property appraiser showing compliance by the applicant with all supervisory real property appraiser requirements established by the Act or by this Title. Along with the application, the trainee real property appraiser must submit any documentation required for supervisory real property appraiser approval.
- 004.01J** Any application for approval as a supervisory real property appraiser received at the Board's office considered to be incomplete will not be processed, and may be returned to the trainee real property appraiser as incomplete. Any application for approval as a supervisory real property appraiser not considered to be incomplete will be processed.
- 004.01K** If the Board's director finds that the applicant meets the requirements in the Act and this Title, and the certified real property appraiser is in good standing, the application will be considered a completed application and the applicant may be approved as a supervisory real property appraiser. If the Board's director finds that the applicant may not meet one or more of the requirements in the Act and this Title, the application shall be placed before the Board for consideration. If the Board finds that the applicant meets the requirements in the Act and this Title, and the certified real property appraiser is in good standing, the application will be considered a completed application and the applicant may be

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

approved as a supervisory real property appraiser.

004.01L Upon approval of a supervisory real property appraiser, the supervisory real property appraiser and the trainee real property appraiser will each be issued a letter notifying them of the supervisory real property appraiser's approval.

004.01M The Board may deny an application for approval as a supervisory real property appraiser at any time during the process if the Board finds that the supervisory real property appraiser applicant, or the trainee real property appraiser, fails to meet the requirements in the Act and/or this Title that pertain to approval as a trainee real property appraiser and/or approval as a supervisory real property appraiser. Before submitting a new application, the supervisory real property appraiser applicant and/or the trainee real property appraiser may be required by the Board to:

004.01M.1 Complete additional education; and/or

004.01M.2 Not reapply for the trainee real property appraiser classification, and/or approval as a supervisory real property appraiser, for an amount of time to be determined by the Board.

004.01N If the Board denies an application for approval as a supervisory real property appraiser, the trainee real property appraiser may file a new application for the supervisory real property appraiser applicant. The supervisory real property appraiser applicant must meet the requirements pertaining to approval as a supervisory real property appraiser in place at the time a new application is submitted to the Board.

004.01O If disciplinary action is taken against a supervisory real property appraiser by the Board, or any other appraiser regulatory agency in any other jurisdiction, the supervisory real property appraiser's approval will be revoked as of the date of action by the Board or other jurisdiction.

004.01P Any certified real property appraiser that has been approved by the Board as a supervisory real property appraiser, and is currently acting in a supervisory capacity for one or more trainee real property appraisers, may use the title supervisory real property appraiser or designation "S.A." in conjunction with his or her name.

004.02 Licensed Residential, Certified Residential, and Certified General Real Property Appraiser Credentialing

004.02A Any applicant for the licensed residential, certified residential, or certified general real property appraiser credential must:

004.02A.1 Submit an application and required documentation for the appropriate classification on forms approved by the Board showing compliance by the applicant with all credentialing

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

requirements established by the Act or by this Title;

004.02A.2 Pay a non-refundable application fee of \$150.00; and

004.02A.3 Pay a non-refundable criminal history record check fee of \$45.25.

004.02B Any application received at the Board's office considered to be incomplete will not be processed, and may be returned to the applicant as incomplete. Any application not considered to be incomplete will be processed.

004.02C If the Board's ~~director~~ finds that the applicant meets the general, education, and experience requirements in the Act and this Title, the ~~applicant may be Board~~ ~~may approve~~ ~~the applicant~~ to sit for ~~the National Uniform Licensing and Certification Examination~~ ~~examination~~. ~~If the Board's director finds that the applicant may not meet one or more of the requirements in the Act and this Title, the application shall be placed before the Board for consideration. If the Board finds that the applicant meets the requirements in the Act and this Title, the applicant may be approved to sit for the National Uniform Licensing and Certification Examination.~~

004.02D If an official copy of the test results is provided within twelve months from the date the applicant was approved ~~by the Board to~~ sit for examination showing that he or she has successfully passed the National Uniform Licensing and Certification Examination, the application will be considered a completed application and ~~the applicant is approved for issuance of a~~ ~~credential as a licensed residential, certified residential, or certified general real property appraiser~~ ~~may be issued to the applicant.~~

004.02E Within thirty days of approval ~~by the Board~~ that the applicant may be issued a credential as a licensed residential, certified residential, or certified general real property appraiser, an applicant shall pay a non-refundable credentialing fee of \$300.00 before the applicant is authorized to act as a real property appraiser within the applied for classification in this State.

004.02F Within thirty days of approval ~~by the Board~~ that the applicant may be issued a credential as a licensed residential, certified residential, or certified general real property appraiser, an applicant that does not hold a current licensed residential, certified residential, or certified general real property appraiser credential issued by the Board shall pay an annual ~~National Appraiser~~ Registry fee of \$40.00 before the applicant is authorized to act as a real property appraiser in this State.

004.02G If an applicant fails to provide the required fees as specified in Section 004.02E and Section 004.02F of this Chapter, the application will be placed before the Board for reconsideration.

004.02H Upon receipt of the required fees at the Board's office, the applicant will be

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

issued:

- (1) A letter notifying him or her of his or her status as a Nebraska real property appraiser, and that his or her credential will be entered into the Appraisal Subcommittee's ~~National~~Appraiser Registry,
- (2) A wall certificate on a form approved by the Board, and
- (3) Instructions to access his or her credentialing card.

004.02I The Board may deny an application at any time during the process if the applicant fails to meet the requirements in the Act and/or this Title that pertain to credentialing. Before submitting a new application, the applicant may be required by the Board to:

004.02I.1 Complete additional education;

004.02I.2 Obtain additional real property appraisal practice experience; and/or

004.02I.3 Not reapply for the same classification of credentialing for an amount of time to be determined by the Board.

004.02J If the Board denies an application for any reason excluding the national criminal history record check, the applicant may file a new application, and if so, meet the requirements in place at the time a new application is submitted to the Board. If a new application for credentialing in the same classification is received within one year of the Board's denial of a previous application by the applicant, and one or more reports were reviewed for conformity with the Uniform Standards of Professional Appraisal Practice by a qualified disinterested third party certified real property appraiser to assist the Board with evaluation of the applicant's experience for that previous application, the applicant shall pay any cost(s) associated with any report(s) reviewed in accordance with Section 002 of this Chapter.

004.02K If the fingerprint-based national criminal history record check result is the basis for denial, the applicant is entitled to a copy of his or her national criminal history record, and an opportunity to dispute the result.

004.02K.1 In order to receive a copy of such record, the applicant shall:

004.02K.1a In person, complete a form approved by the Board that relieves the Board from any liability related to the release of the national criminal history record; and

004.02K.1b Present a passport, driver's license, or other government-issued identification card with a photograph to be copied by the Board.

004.02K.2 If the applicant provides evidence acceptable to the Board that the fingerprint-based national criminal history record check result that was the basis for denial is incorrect, the Board may reconsider the application.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

CHAPTER 3 RECIPROCITY AND TEMPORARY REAL PROPERTY APPRAISER CREDENTIAL

001 RECIPROCITY

This Section applies to individuals currently credentialed in another jurisdiction who wish to obtain a non-temporary Nebraska credential. To qualify for a credential as a licensed residential real property appraiser, a certified residential real property appraiser, or a certified general real property appraiser through reciprocity, an applicant must be currently credentialed to appraise real estate and real property under the laws of another jurisdiction, and must comply with all of the provisions of the Real Property Appraiser Act and this Title relating to the appropriate classification of credentialing.

001.01 Any applicant for the licensed residential, certified residential, or certified general real property appraiser credential through reciprocity must:

001.01A Submit an application and required documentation for the appropriate classification on forms approved by the Board showing compliance by the applicant with all credentialing requirements established by the Act or by this Title;

001.01B Pay a non-refundable application fee of \$150.00; and

001.01C Pay a non-refundable criminal history record check fee of \$45.25.

001.02 Any application received at the Board's office considered to be incomplete will not be processed, and may be returned to the applicant as incomplete. Any application not considered to be incomplete will be processed.

001.03 The application will be considered a completed application and a credential may be issued to the applicant, if the Board's director finds that the applicant:

001.03A Meets the requirements in the Act and this Title;

001.03B The requirements of the applicant's jurisdiction of practice meet or exceed the minimum requirements of the Real Property Appraiser Qualification Criteria adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation; and

001.03C The regulatory program of the applicant's jurisdiction of practice specified in an application for credentialing is determined to be effective in accordance with Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 by the Appraisal Subcommittee of the Federal Financial Institutions Examination Council. An Appraisal Subcommittee finding of poor does not satisfy the requirement that the applicant's jurisdiction of practice is effective in accordance with Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

001.04 If the Board's director finds that the applicant may not meet one or more of the requirements specified in Section 001.03A, 001.03B, or 001.03C of this Chapter, the application shall be placed before the Board for consideration. If the Board finds that the applicant meets the requirements specified in Section 001.03A, 001.03B, ~~and~~ 001.03C of this Chapter, the application will be considered a completed application and a credential may be issued to the applicant.

001.05 Within thirty days of approval that the applicant may be issued a credential as a licensed

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

residential, certified residential, or certified general real property appraiser, an applicant shall pay a non-refundable credentialing fee of \$300.00 before the applicant is authorized to act as a real property appraiser within the applied for classification in this State.

001.06 Within thirty days of approval that the applicant may be issued a credential as a licensed residential, certified residential, or certified general real property appraiser, an applicant that does not hold a current licensed residential, certified residential, or certified general real property appraiser credential issued by the Board shall pay an annual National Appraiser Registry fee of \$40.00 before the applicant is authorized to act as a real property appraiser in this State.

001.07 If an applicant fails to provide the required fees as specified in Section 001.05 and Section 001.06 of this Chapter, the application will be placed before the Board for reconsideration.

001.08 Upon receipt of the required fees at the Board's office, the applicant will be issued:

- (1) A letter notifying him or her of his or her status as a Nebraska real property appraiser, and that his or her credential will be entered into the Appraisal Subcommittee's National Appraiser Registry,
- (2) A wall certificate on a form approved by the Board, and
- (3) Instructions to access his or her credentialing card.

001.09 The Board may deny an application at any time during the process if the applicant fails to meet the requirements in the Act and/or this Title that pertain to credentialing. Before submitting a new application, the applicant may be required by the Board to:

001.09A Complete additional education;

001.09B Obtain additional real property appraisal practice experience; and/or

001.09C Not reapply for the same classification of credentialing for an amount of time to be determined by the Board.

001.10 If the Board denies an application for any reason excluding the national criminal history record check, the applicant may file a new application, and if so, meet the requirements in place at the time a new application is submitted to the Board.

001.11 If the fingerprint-based national criminal history record check result is the basis for denial, the applicant is entitled to a copy of his or her national criminal history record, and an opportunity to dispute the result.

001.11A In order to receive a copy of such record, the applicant shall:

001.11A.1 In person, complete a form approved by the Board that relieves the Board from any liability related to the release of the national criminal history record; and

001.11A.2 Present a passport, driver's license, or other government-issued identification card with a photograph to be copied by the Board.

001.11B If the applicant provides evidence acceptable to the Board that the fingerprint-

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

based national criminal history record check result that was the basis for denial is incorrect, the Board may reconsider the application.

002 TEMPORARY CREDENTIAL

For a nonresident to qualify for a temporary credential as a licensed residential real property appraiser, a certified residential real property appraiser, or a certified general real property appraiser, an applicant must be currently credentialed to engage in real property appraisal practice under the laws of another jurisdiction, and must comply with all of the provisions of the Act and this Title relating to temporary credentialing.

002.01 Any applicant for a temporary licensed residential, certified residential, or certified general real property appraiser credential must:

002.01A Submit an application and required documentation for the appropriate classification on forms approved by the Board showing compliance by the applicant with all temporary credentialing requirements established by the Act or by this Title;

002.01B Submit a letter of engagement or contract indicating the location(s) and property types of the real property appraisal practice assignment ~~and completion date~~;

002.01C Pay a non-refundable temporary credential application fee of \$100.00; and

002.01D Pay a non-refundable temporary credentialing fee of \$50.00.

002.02 Any application received at the Board's office considered to be incomplete will not be processed, and may be returned to the applicant as incomplete. Any application not considered to be incomplete will be processed.

002.03 If the applicant meets the requirements in the Act and this Title, the application will be considered a completed application and a temporary credential may be issued to the applicant by Board staff. If the Board's director finds that the applicant may not meet one or more of the requirements in the Act and this Title, the application shall be placed before the Board for consideration. If the Board finds that the applicant meets the requirements in the Act and this Title, the application will be considered a completed application and a temporary credential may be issued to the applicant.

002.04 Upon approval of the application, the applicant will be issued:

002.04A A letter notifying him or her of his or her approval as a temporary credential holder, along with the terms of the temporary credential;

002.04B A credentialing card in a form approved by the Board; and

002.04C Instructions to access his or her credentialing card if needed.

002.05 An application may be denied at any time during the process if the applicant is found to not meet the requirements in the Act and this Title that pertain to temporary credentialing.

002.06 Any request for one additional six-month approval of a temporary credential shall be made to the Board on forms approved by the Board. The request will be denied if the reason for the request of the additional six-month approval is not directly related to the initial approval granted by the Board. Notice of the decision will be provided to the requestor in writing.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

CHAPTER 4 RENEWAL OF REAL PROPERTY APPRAISER CREDENTIAL

001 CONTINUING EDUCATION

Every credential holder other than a temporary credential holder must satisfactorily complete no fewer than twenty-eight hours of approved continuing education activities in each two-year continuing education period. The basic requirements for continuing education are found in NEB._REV._STAT. § 76-2236. Except for the seven-hour National Uniform Standards of Professional Appraisal Practice Update course, hours may be completed at any time during the two-year continuing education period.

001.01 The seven-hour National Uniform Standards of Professional Appraisal Practice Update course or the seven-hour Instructor Recertification course must be completed at least once every two calendar years. The two-year period for this course begins one day after the course was last completed, or one day after a new credential is issued by the Board. A document certifying completion of the seven-hour National Uniform Standards of Professional Appraisal Practice Update course, or evidence of instructor certification by the Appraiser Qualifications Board, shall be submitted ~~by prior to~~ December 31 of the year in which the course is required.

001.02 Except for the seven-hour National Uniform Standards of Professional Appraisal Practice Update course, evidence of continuing education completion may be submitted to the Board's office at any time during credential holder's two-year continuing education period.

001.03 Except for the seven-hour National Uniform Standards of Professional Appraisal Practice Update course, and any activity approved by the Board on an annual basis in which the content changes on an annual basis, any education activity of the same content, or in the opinion of the Board indistinguishable in content, cannot be used toward meeting the continuing education requirements within the same two-year continuing education period.

001.04 Evidence of participation as a student in each board-approved education activity submitted for continuing education credit includes a document of completion from the education provider that affirms successful completion of each activity.

001.05 Evidence of attendance at an education activity sponsored or conducted by the Board submitted for continuing education credit includes a document of completion from the Board that affirms attendance of such activity. The document is required to include the name of credential holder, name of activity, location of activity, activity attendance date(s), number of hours completed, and signature of the Board's director.

001.06 Evidence of participation, other than as a student, in real property appraisal practice education processes and programs includes a written description of the process or program and the credential holder's participation, along with any documents supporting the credential holder's participation. Evidence may include, but is not limited to, documentation showing hours of instruction and evidence of activity offering, program documents developed by the credential holder with evidence supporting credential holder's participation, and/or credit awarded for authorship or participation in publication.

001.07 Any education activity successfully completed to make up a deficiency of the continuing education requirements in a two-year continuing education period may not be used toward the continuing education requirements in the subsequent continuing education period.

001.08 Any education activity successfully completed as a result of disciplinary action taken by the Board may not be used toward the continuing education requirements.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

001.09 Individual Program of Continuing Education

001.09A The Board may adopt an individual program of continuing education for a credential holder, that is compliant with Appraiser Qualifications Board criteria for continuing education, upon receipt of a written request from the credential holder explaining:

- (1) The circumstances resulting in the request,
- (2) Why an exception should be made,
- (3) How an individual program of continuing education would benefit the credential holder, and
- (4) The requested duration of such individual program of continuing education.

001.09B If an individual program of continuing education is adopted by the Board, the credential holder will be notified of the individual program adopted for him or her in writing. The written notice will contain all details, requirements, expectations, and the duration for which the individual program is in effect.

001.09C If an individual program of continuing education is denied by the Board, the credential holder will be notified of the decision in writing.

001.10 Continuing Education Completed in Another Jurisdiction

001.10A The Board may accept a classroom education continuing education activity completed in another jurisdiction if, at the time the activity was completed, the continuing education activity:

001.10A.1 ~~Is The activity was~~ approved as classroom continuing education by the jurisdiction in which it was completed ~~at the time the activity was completed~~; and

~~**001.10A.2** — MThe continuing education activity meets or exceeds the~~
001.10A.2 requirements for approval as a continuing education activity as established in the Real Property Appraiser Qualifications Criteria adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation outlined in Chapter 6 of this Title.

~~**001.10B** —~~ The Board may accept a distance education ~~online or correspondence~~ continuing education activity completed in another

~~**001.10B** —~~ jurisdiction if, at the time the activity was completed, the continuing education activity:

001.10B.1 ~~Is The activity was~~ approved as distance education for continuing education by the jurisdiction in which the credential holder ~~is was~~ a legal resident, or is approved as continuing education by a jurisdiction in which the real property appraiser is credentialed as verified through the Appraiser Registry of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council ~~at the time the activity was completed~~; and

~~**001.10B.2** — MThe continuing education activity meets or exceeds the~~

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

001.10B.2 requirements for approval as continuing education activity as established in the Real Property Appraiser Qualifications Criteria adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation outlined in Chapter 6 of this Title.

001.10C If the real property appraiser applicant submits a continuing education activity completed in another jurisdiction for consideration of acceptance by the Board, the real property appraiser applicant will furnish a document of completion for the course that affirms successful completion of the activity.

001.11 Supervisory Real Property Appraiser Status

001.11A The supervisory real property appraiser status for any credential holder that fails to meet the requirements for renewal by December 31 of his or her designated year is immediately revoked as the credential holder no longer meets the requirements as a supervisory real property appraiser. Any trainee real property appraiser under the supervisory real property appraiser's supervision will be notified in writing that the supervisory real property appraiser is no longer eligible to engage in real property appraisal practice.

001.11B If the credential holder successfully completes the requirements for renewal prior to July 1, his or her supervisory real property appraiser status is reinstated. Both the supervisory real property appraiser and the trainee real property appraiser will be notified in writing of the reinstatement and of the period of time in which the trainee real property appraiser's experience is not acceptable for experience credit for credentialing as a real property appraiser.

001.11C If the credential holder fails to successfully complete the requirements for renewal prior to July 1, the trainee real property appraiser may submit a new application for the approval of the credential holder if he or she obtains a credential as a real property appraiser issued under the Real Property Appraiser Act after July 1.

002 CRIMINAL HISTORY RECORD CHECK

002.01 Any credential holder randomly selected to submit, along with the application for renewal, two copies of legible ink-rolled fingerprint cards or equivalent electronic fingerprint submissions to the Board will be notified by certified mail no later than ~~June~~August 30 of the year in which the credential holder was selected for the criminal history record check.

003 APPLICATION

A credential issued under the Real Property Appraiser Act other than a temporary credential remains in effect until December 31 of the designated year unless surrendered, revoked, suspended, or canceled prior to such date. A credential, other than a trainee real property appraiser credential, may be renewed for one or two years; the trainee real property appraiser credential remains in effect until December 31 of the second year of the two-year continuing education period. The entire two-year continuing education period must be satisfactorily completed prior to renewing a credential for a two-year period.

003.01 Any applicant for renewal of a trainee real property appraiser credential must:

003.01A Submit an application and required documentation on forms approved by the

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

Board showing compliance by the applicant with all renewal and continuing education requirements established by the Act and by this Title; and

003.01B Pay a non-refundable criminal history record check fee of \$5.00 for each year of renewal for maintenance of the random fingerprint audit program.

003.02 Except for the trainee real property appraiser credential and temporary credential, any applicant for renewal of a credential issued by the Board must:

003.02A Submit an application and required documentation for the appropriate classification on forms approved by the Board showing compliance by the applicant with all renewal and continuing education requirements established by the Act and by this Title;

003.02B Pay a non-refundable credentialing fee of \$275.00 for each year of renewal;

003.02C Pay an annual ~~National Appraiser~~ Registry fee of \$40.00 for each year of renewal; and

003.02D Pay a non-refundable criminal history record check fee of \$5.00 for each year of renewal for maintenance of the random fingerprint audit program.

003.03 Any application received at the Board's office considered to be incomplete will not be processed and may be returned to the applicant as incomplete. Any application not considered to be incomplete will be processed.

003.04 Any renewal application post-marked before November 30 will be reviewed by the Board's staff. If a credential holder meets all renewal requirements in the Act and this Title, the application will be considered a completed application and the applicant's credential may be renewed. If the Board's director finds that the applicant may not meet one or more of the renewal requirements in the Act and this Title, or the application is post-marked after November 30, the application shall be placed before the Board for consideration. If the Board finds that the applicant meets the renewal requirements in the Act and this Title, the application will be considered a completed application and the applicant's credential may be renewed.

003.05 If a criminal history record check report has not been returned to the Board's office by the State Patrol prior to December 31, and all other requirements for renewal in the Act and this Title are met prior to November 30, a credential may be renewed contingent upon the results of the criminal history record check report.

003.06 Upon renewal the credential holder will be issued:

- (1) A notification informing him or her of his or her status as a Nebraska real property appraiser, and
- (2) Instructions to access his or her credentialing card.

003.07 The renewal application may be denied at any time during the process if the applicant fails to meet the requirements in the Act and this Title that pertain to renewal of a credential. If a renewal application is denied for any reason excluding the national criminal history record check, the applicant may file a new application for credentialing, and if so, meet the credentialing requirements in place at the time the new application is submitted to the Board.

003.08 If the fingerprint-based national criminal history record check result is the basis for denial, the credential holder is entitled to a copy of his or her national criminal history record, and an

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

opportunity to dispute the result.

003.08A In order to receive a copy of such record, the credential holder shall:

003.08A.1 In person, complete a form approved by the Board that relieves the Board from any liability related to the release of the national criminal history record; and

003.08A.2 Present a passport, driver's license, or other government-issued identification card with a photograph to be copied by the Board.

003.08B If the credential holder provides evidence acceptable to the Board that the fingerprint-based national criminal history record check result that was the basis for denial is incorrect, the Board may reconsider the application.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

CHAPTER 5 REAL PROPERTY APPRAISER INACTIVE STATUS

001 Every credential holder other than a holder of a temporary credential may request that his or her credential be placed on inactive status for a period not to exceed two years. If granted, the inactive status period begins on the date application was ~~approved~~*made to the Board*. If the credential holder's credential expires during the inactive period, and the credential holder fails to reinstate his or her credential prior to the completion of the two year period, the credential holder may reapply for credentialing, and if so, meet the current requirements in place at the time of application.

002 INACTIVE STATUS APPLICATION

002.01 Any credential holder making a request for a credential to be placed on inactive status must:

002.01A Submit an application on a form approved by the Board showing compliance by the applicant with all inactive status requirements established by the Act and by this Title;

002.01B Pay a non-refundable inactive credential application fee of \$100.00; and

002.01C Pay a non-refundable inactive credentialing fee of \$300.00.

002.02 Any application received at the Board's office considered to be incomplete will not be processed and may be returned to the applicant as incomplete. Any application not considered to be incomplete will be processed.

002.03 If the applicant meets the requirements in the Act and this Title for inactive status, his or her credential may be placed on inactive status.

002.04 Upon being placed on inactive status, the credential holder will be issued a letter notifying him or her of the inactive status, along with the requirements and instructions for reinstatement of his or her credential.

002.05 An application for inactive status may be denied at any time during the process if the applicant fails to meet the requirements in the Act and/or this Title that pertain to the placement of a credential on inactive status.

003 REINSTATEMENT APPLICATION

003.01 Any credential holder making a request for a credential to be reinstated to active status must:

003.01A Submit an application on a form approved by the Board and documentation showing compliance by the applicant with all reinstatement requirements established by the Act and by this Title; and

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

003.01B Pay a non-refundable inactive credential application fee of \$100.00.

003.02 Any application received at the Board's office considered to be incomplete will not be processed and may be returned to the applicant as incomplete. Any application not considered to be incomplete will be processed.

~~**003.03**~~ If the applicant meets the requirements in the Act and this Title for reinstatement of his or her credential, his or her credential may be removed from inactive status.

003.03

003.04 Upon credential being reinstated to active status, the credential holder will be issued a letter notifying him or her of reinstatement.

003.05 An application for reinstatement of a credential to active status may be denied at any time during the process if the applicant fails to meet the requirements in the Act and/or this Title that pertains to reinstatement of a credential to active status.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

CHAPTER 6 EDUCATION PROVIDER ACTIVITY REQUIREMENTS

001 GENERAL

- 001.01** The Board may at any time conduct an audit of any approved education activity to verify that the activity is being conducted in accordance with the Act and this Title as approved.
- 001.02** The Board may at any time review activity and instructor materials approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program to verify that the activity and/or instructor(s) meet the requirements of the Act and this Title as approved.
- 001.03** Approval of activities does not transfer from one education provider to another, unless one education provider obtains the legal rights to all activities of another education provider. The expiration date of any continuing education activity will remain the same as approved under the previous education provider.
- 001.04** Education providers and instructors will comply with the Nebraska Private Postsecondary Career Schools Act, NEB. REV. STAT § 85-1601, et seq. as applicable.
- 001.05** Nothing in this Chapter may be construed to preclude education activities sponsored or conducted by the Board from being accepted as qualifying education or continuing education.
- 001.06** The Board maintains a schedule of education activities on its website as a tool to notify future applicants and current credential holders of upcoming education activities. Although education providers may provide notice to the Board of upcoming qualifying education activities, continuing education activities, and supervisory real property appraiser and trainee courses for inclusion on the schedule, the education provider is responsible for scheduling and notifying future applicants and current credential holders of upcoming education activities offered by the education provider.
- 001.07** All activities shall contain current material, theory, methodologies, and Uniform Standards of Professional Appraisal Practice requirements. Activities that include Uniform Standards of Professional Appraisal Practice citations and references must be updated as necessary to reflect changes in the Uniform Standards of Professional Appraisal Practice.
- 001.08** All activities shall be conducted in conformance with the materials, presentation methodologies, and policies as approved.
- 001.09** Fifty minutes engaged in instruction equals one hour for a qualifying education all activities. The prescribed number of activity hours includes time for examinations.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

001.10 Except for qualifying education included as curriculum in a degree program of an accredited college or university that has had all or part of its curriculum approved by the Appraiser Qualifications Board of The Appraisal Foundation, one semester credit hour received from an accredited college or university equals fifteen classroom hours of instruction.

001.11 A document certifying completion will be issued to each attendee upon completion of any activity. The document may be transmitted to the attendee in person, by mail, by email, or by any other electronic means that are secure. The document is required to include the name of education provider, signature of education provider and/or instructor, name of activity as approved, location at which activity was conducted or presentation method, date(s) activity was conducted, number of hours, pass or fail statement, and name of attendee, or be an official transcript from a university or college that includes the name of activity as approved, the number of credit hours awarded, and the name of the attendee.

001.12 Education providers shall maintain a record of attendance for each activity for a period of at least five years.

001.13 Secondary providers shall obtain written evidence that the rights to an activity have been purchased or lawfully acquired from the education provider that owns rights to activity materials.

~~**001.06-**~~

001.07001.14 ~~Distance Education Online and Correspondence~~ Activities

001.14A A distance education activity approved as qualifying education must include a written, closed-book final examination. The examination must be proctored in person or remotely proctored by an official approved by the education provider. Bio-metric proctoring is acceptable. The examination may be written on paper or administered electronically on a computer workstation or other device. Oral exams are not acceptable.

001.14B An asynchronous distance education activity, or a hybrid distance education activity in which the learning environment includes asynchronous interaction, approved as continuing education, must include at least one of the following:

001.14B.1 A written examination proctored by an official approved by the education provider. Remote proctoring, including bio-metric procedures, is acceptable. The examination may be written on paper, or administered electronically on a computer workstation or other device. Oral exams are not acceptable; or

001.14B.2 Successful completion of prescribed activity mechanisms required to demonstrate knowledge of the subject matter.

001.14C During evaluation, and at any time a distance education activity is offered to the public, electronic access is required to be provided to the Board at the Board's request. The electronic access must provide administrative rights that allow for access to the activity, quizzes, and examinations without having to take the distance education activity in sequential order and without having to take quizzes or examinations to proceed with the activity.

001.14D All website links must be valid and active for a distance education activity at the time such activity is offered to the public.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

001.14E At the Board's request, a transcript of the distance education activity must be provided to the Board.

001.14F Sections 001.14G through 001.07I of this Chapter are not applicable to a synchronous distance education activity, or a hybrid distance education activity in which the learning environment includes synchronous interaction but not asynchronous interaction, as these distance education activities provide for instruction and interaction substantially the same as classroom education.

001.14G Delivery mechanism approval must be obtained from one of the following sources for each an asynchronous distance education online education and correspondence education activity or a hybrid distance education activity in which the learning environment includes asynchronous interaction:

001.14G.1 The Appraiser Qualifications Board of The Appraisal Foundation;

001.14G.2 An organization approved by the Appraiser Qualifications Board of The Appraisal Foundation that provides approval of activity design and delivery; or

001.14G.3 shall be certified by the International Distance Education Certification Center, or conducted by an accredited degree-awarding community college, community college, or university that:

001.14G.3a Offers distance education programs and is approved or accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education, that awards academic credit for the distance education courses; or-

~~001.07A~~001.14G.3b Maintains an education delivery program that approves activity design and delivery that incorporate interactivity.

~~001.07B~~ Each online education and correspondence education activity shall have an appropriate mechanism to ensure that the applicant or credential holder demonstrates knowledge of subject matter.

~~001.14H~~ Each asynchronous online education and correspondence education distance education activity, or hybrid distance education activity in which the learning environment includes asynchronous interaction, must provide interaction in a reciprocal environment where the student has verbal or written communication with the instructor.

001.14H

~~001.07C~~ Electronic access is required to be provided to the Board for any online education activity, or for any correspondence education activity offered by electronic means, during evaluation and at any time the activity is offered to the public for completion, without having to complete the activity in sequential order, or without having to complete quizzes or examinations to proceed with the activity.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

~~001.07D~~ All website links will be valid and active for online education and correspondence education activities at the time such activity is offered to the public for completion.

~~001.14I~~ At the Board's request, a transcript of the online or correspondence activity shall be provided to the Board. For an asynchronous distance education activity or a hybrid distance education activity in which the learning environment includes asynchronous interaction, an education provider must provide documentation evidencing delivery mechanism approval by the Appraiser Qualifications Board of The Appraisal Foundation; an organization approved by the Appraiser Qualifications Board of The Appraisal Foundation that provides approval of activity design and delivery; or an accredited degree-awarding community college, college, or university. Acceptable documentation includes the official standard documentation issued to the education provider by the entity that approves the delivery mechanism, or in the case of a an accredited degree-awarding community college, college, or university that offers distance education programs and awards academic credit for the distance education courses, a written description evidencing that the delivery mechanism provides interaction in a reciprocal environment where the student has verbal or written communication with the instructor.

002 QUALIFYING EDUCATION

002.01 Requirements

002.01A All core curriculum courses shall be approved as qualifying education by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program, or be included as curriculum in a degree program of an accredited college or university that has had all or part of its curriculum approved by the Appraiser Qualifications Board of The Appraisal Foundation.

002.01B Any appraisal subject matter elective qualifying education activity must contribute to an attendee's development of real property appraiser related competency in any one or more of the following subjects:

- (1) Real property appraisal practice,
- (2) Valuation methodology and/or techniques,
- (3) Market fundamentals, characteristics, conditions, and analysis,
- (4) Real property concepts, characteristics, and analysis,
- (5) Communication,
- (6) Computation, and/or
- (7) Legal considerations.

~~002.01C~~ All qualifying education activities shall contain current material, theory, and methodologies.

~~002.01D~~ All qualifying education activities shall be conducted in conformance with the materials, presentation methodologies, and policies as approved.

~~002.01E~~**002.01C** Each qualifying education activity shall be at least 15 hours in length, not to exceed eight hours per day. At least a one-half hour break shall be given to attendee(s) by no later than the end of four hours of class in any day.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

~~002.01F~~ Education providers shall require that attendee(s) successfully complete a proctored closed book examination.

~~002.01G~~ Fifty minutes engaged in instruction equals one hour for a qualifying education activity.

~~002.01H~~ One semester credit hour received from an accredited college or university equals fifteen classroom hours of instruction.

~~002.01I~~ A document certifying completion will be issued to each attendee upon completion of any qualifying education activity. The document may be transmitted to the attendee in person, by mail, by email, or by any other electronic means that are secure. The document is required to include the name of education provider, signature of education provider and/or instructor, name of activity as approved, location at which activity was conducted or presentation method, date(s) activity was conducted, number of hours, pass or fail statement, and name of attendee, or be an official transcript from a university or college that includes the name of activity as approved, the number of credit hours awarded, and the name of the attendee.

~~002.01J~~ Education providers shall maintain a record of attendance for each qualifying education activity for a period of at least five years.

~~002.01K~~002.01D No qualifying education activity may rely upon a textbook as the primary instructional material. Textbooks are permitted to be used as a background reference for an activity; however, textbooks will not be reviewed as the activity. All qualifying education activities must contain sufficient stand-alone instructional materials supporting the specific activity learning objectives.

~~002.01L~~ Secondary providers shall obtain written evidence that the rights to a qualifying education activity have been purchased or lawfully acquired from the education provider that owns rights to activity materials.

002.02 Initial Application

002.02A Any education provider applying for approval of a qualifying education activity must:

002.02A.1 Submit an application for the activity on forms approved by the Board showing compliance by the education provider and the activity with all requirements established by the Act or by this Title;

002.02A.2 For an activity not ~~Submit evidence that activity is~~ approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program for qualifying education, ~~or~~ submit the following:

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

002.02A.2a An activity description that clearly describes the content of the activity;

002.02A.2b An activity matrix reflecting hours of credit per topic;

002.02A.2c A timed outline that accounts for the general flow and recommended time spent on topics contained within the activity;

002.02A.2d ~~Written~~ learning objectives that ~~include the following:~~

- ~~(1) Are appropriate for a qualifying education activity,~~
- ~~(2) Clearly state the specific knowledge and/or skills students are expected to acquire by completing the activity,~~
- ~~(3) Are consistent with the activity description,~~
- ~~(4) Are consistent with the textbook and/or other instructional materials,~~
- ~~(5) Are reasonably achievable within the number of hours allotted for the activity, and~~
- ~~(6) Include material to adequately cover the depth and breadth of the required topic area;~~

- ~~(1) The specific knowledge and/or skills attendee(s) are expected to acquire,~~
- ~~(2) An explanation of how learning objectives are consistent with the activity description,~~
- ~~(3) An explanation of how learning objectives are consistent with instructional materials, and~~
- ~~(4) An explanation of how learning objectives are reasonably achievable within the number of hours allotted for the activity;~~

002.02A.2e Student and instructor materials used for the activity that:

- (1) Cover the subject matter in sufficient depth to achieve the stated learning objectives,
- (2) Provide appropriately balanced coverage of the subject matter in view of the stated learning objectives,
- ~~(3) Reflect current theory, methods,~~

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

- ~~(3) _____ and techniques knowledge and practice, and~~
- ~~(4) _____ Do not contain significant errors and/or deficiencies;~~

002.02A.2f A proctored closed-book final examination that complies with the following:

- ~~(1) _____ The examination c~~ontains a sufficient number of
- ~~(1) _____~~ questions to adequately test the subject matter covered,
- ~~(2) _____~~ The amount of time devoted to examination must be appropriate for the activity.
- ~~(3) _____~~ Examination questions must, individually and collectively, test at a difficulty level appropriate to measure student achievement of the stated learning objectives,
- ~~(4) _____~~ Successful completion of the examination requires the student to answer a minimum of 70% of the examination questions correctly,
- ~~(2) _____~~ Examination questions must be written in a clear and unambiguous manner, and ~~Contains clear and unambiguous~~
- ~~(5) _____~~ questions that are individually and collectively appropriate to measure student achievement of stated learning objectives, and
- ~~(3)(6) _____~~ Utilizes ~~If applicable, t~~he Appraisal Foundation USPAP final examination is utilized for the fifteen-hour Uniform Standards of Professional Appraisal Practice course;

002.02A.2g A written instructor qualifications policy that requires the use of instructors who meet the requirements of the Act and Section 005 of this Chapter~~this Title~~;

002.02A.2h An attendance policy that complies with the following:

- ~~(1) _____~~ For a classroom education activity, a written attendance policy that

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

requires student attendance to be verified in accordance with the Real Property Appraiser Qualifications Criteria as adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation, or

~~002.02A.2h~~(2) For a distance education activity, a written attendance policy that ensures that student achievement of the class hour requirement is met ~~A written attendance policy that requires attendance to be verified in accordance with the Real Property Appraiser Qualifications Criteria as adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation~~ ~~Act and this Title~~; and

002.02A.2i A written record retention policy; ~~and~~

~~002.02A.2j~~ ~~If applicable, for an activity conducted by an accredited college, community college, or university, submit written evidence that online or correspondence activity provides interaction in a reciprocal environment where the student has verbal or written communication with the instructor;~~

002.02A.3 Pay a non-refundable qualifying education activity application fee of \$50.00;

002.02A.4 Submit a copy of the completion document;

002.02A.5 If applicable, submit evidence that distance education online or correspondence activity meets the requirements of Section 001.1407A of this Chapter; and

~~002.02A.6~~ 002.02A.6 If applicable, submit written evidence that the rights to the activity have been purchased or lawfully acquired from the education provider that owns rights to activity materials.

~~002.02A.6~~

~~002.02B~~ 002.02B An application received at the Board's office considered to be incomplete will not be processed and may be returned to the education provider as incomplete. Any application not considered to be incomplete will be processed.

~~002.02B.1~~ 002.02B.1 An activity identified by the education provider as approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program for qualifying education will be verified as such through The Appraisal Foundation's AOB Approved Courses list found on its website.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

~~002.02B.2~~ Certification of an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation will be verified through The Appraisal Foundation's Find an AQB Certified USPAP Instructor found on its website for the qualifying education fifteen-hour National Uniform Standards of Professional Appraisal Practice Course.

~~002.02B~~

002.02C If the Board's director finds that the education provider and submitted activity meet the requirements in the Act and this Title, the application will be considered a completed application and the qualifying education activity may be approved by the director. If the Board's director finds that the education provider and submitted activity may not meet one or more of the requirements in the Act and this Title, the application shall be placed before the Board for consideration. If the Board finds that the education provider and submitted activity meet the requirements in the Act and this Title, the application will be considered a completed application and the qualifying education activity may be approved. The education provider will receive a written notification of approval that outlines the details, including the number of hours for which the activity is approved.

002.02D The application may be denied by the Board at any time during the process if the education provider, submitted activity, or instructor(s) for the submitted activity fail to meet the requirements in the Act and this Title. If an application is denied, the Board will provide written notice of denial to the education provider that includes a description of the deficiencies found by the Board. The education provider has 60 days from the date of denial to rectify the deficiencies. If the deficiencies are not rectified within 60 days, the education provider may file a new application for approval of qualifying education activity, and if so, meet the requirements in place at the time a new application is submitted to the Board.

002.03 Resubmission of Approved Activity

002.03A An education provider shall resubmit a qualifying education activity for approval if:

- (1) There is a change in the status of approval by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program,
- (2) There is a change in the status of ~~the qualifications for online or correspondence delivery~~ specified in Section 001.~~1407A~~ of this Chapter under which a distance education activity was approved,
- (3) There is a substantial change to the materials, presentation, or policies,
- (4) There is a change in the qualifications ~~as~~ specified in Section 005.~~01~~ of this Chapter for any instructor under which an instructor was approved,
- (5) One or more instructors are added or removed by the education provider,
- (6) The materials, theories, and/or methodologies are no longer current,
- (7) The activity content and/or policies are no longer communicated or administered to the attendee(s) as approved, or
- (8) There is a change to a secondary provider's rights to the activity.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

002.03B The process and requirements for resubmission of a qualifying education activity are the same as specified in Section 002.02 of this Chapter. If a qualifying education activity is not approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program, only the requirements under Section 002.02A.2 of this Chapter that have changed since approval was granted must be included for resubmission.

002.03C Any education provider resubmitting a qualifying education activity must provide a written explanation detailing what changes have been made to the activity since approval was granted.

002.04 Rescinding Approval

002.04A The Board may rescind approval of any qualifying education activity if the Board finds:

- (1) Falsification of information submitted for activity approval,
- (2) A change in approval by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program,
- (3) A change in the status of the qualifications ~~for online or correspondence delivery~~ specified in Section 001.1407A of this Chapter ~~under which a distance education activity was approved,~~
- (4) Substantial errors and/or deficiencies in the materials or presentation,
- (5) The materials, theories, and/or methodologies are not current and/or practical,
- (6) The activity has not been offered for a period of at least five years from the last date of completion or the approval date if activity has not been offered,
- ~~(7) A change in the qualifications as specified in Section 005.01 of this Chapter under which an instructor was approved,~~
- ~~(8)(7)~~ The instructor(s) responsible for the activity content and presentation do not meet the qualifications specified in Section 005 of this Chapter are not approved,
- ~~(9)(8)~~ The activity content and/or policies are not communicated or administered to the attendee(s) as approved,
- ~~(10)(9)~~ A material violation of the Act or this Title by the education provider or instructor for the activity, or
- ~~(11)(10)~~ A change to a secondary provider's rights to the activity.

002.04B If the Board finds reason to rescind its approval of an activity, the Board will provide written notice to the education provider that includes a description of the reason(s) for rescinding approval found by the Board. The education provider has 60 days from the date of notice to provide a written response to the Board's notice. If the response is satisfactory to the Board, the Board will not rescind its approval. If the response is not satisfactory to the Board, the Board may rescind approval of the activity. If approval is rescinded, the education provider may file a new application for approval of the qualifying education activity, and if so, meet the requirements in place at the time a new application is submitted to the Board.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

003 CONTINUING EDUCATION

003.01 Requirements

003.01A Any continuing education activity must contribute to a credential holder's development of real property appraiser related skill, knowledge, and competency in any one or more of the following subjects:

- (1) Real property appraisal practice,
- (2) Valuation methodology and/or techniques,
- (3) Market fundamentals, characteristics, conditions, and analysis,
- (4) Real property concepts, characteristics, and analysis,
- (5) Communication,
- ~~(6) Computation, and/or~~
- ~~(6) Legal considerations. Arbitration, dispute resolution,~~
- ~~(7) Ethics and standards of professional practice, USPAP,~~
- ~~(8) Valuation bias, fair housing, and/or equal opportunity,~~
- ~~(9) Land use planning, zoning,~~
- ~~(10) Management, leasing, timesharing,~~
- ~~(11) Property development, partial interests,~~
- ~~(12) Real estate law, easements, and legal interests,~~
- ~~(13) Real estate litigation, damages, condemnation,~~
- ~~(14) Real estate financing and investment,~~
- ~~(15) Real property appraisal-related computer applications,~~
- ~~(16) Real estate securities and syndication,~~
- ~~(17) Seller concessions and impact on value, and/or~~
- ~~(18) Energy-efficient items and "green building" appraisals.~~
- ~~(7) —~~

~~**003.01B** All continuing education activities shall contain current material, theory, and methodologies.~~

~~**003.01C** All continuing education activities shall be conducted in conformance with the materials, presentation methodologies, and policies as approved.~~

~~**003.01D**~~ **003.01B** Each continuing education activity shall be at least two hours in length, not to exceed eight hours per day. At least a one-half hour break shall be given to credential holder(s) by no later than the end of four hours of class in any day.

~~**003.01E** Examination hours are not included in the number of hours approved for continuing education activities.~~

~~**003.01F** Fifty minutes engaged in instruction equals one hour for a continuing education activity.~~

~~**003.01G** One semester credit hour received from an accredited college or university equals fifteen classroom hours of instruction.~~

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

~~003.01H~~ A document certifying completion will be issued to each attendee upon completion of any continuing education activity. The document may be transmitted to the attendee in person, by mail, by email, or by any other electronic means that are secure. The document is required to include the name of education provider, signature of education provider and/or instructor, name of activity as approved, location at which activity was conducted or presentation method, date(s) activity was conducted, number of hours, pass or fail statement, and name of credential holder, or be an official transcript from a university or college that includes the name of activity as approved, the number of credit hours awarded, and the name of the attendee.

~~003.01I~~ Education providers shall maintain a record of attendance for each continuing education activity for a period of at least five years.

~~003.01J~~003.01C The seven-hour Uniform Standards of Professional Practice Update course shall be approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program, or meet the Appraiser Qualifications Board's requirements for approval of an equivalent seven-hour Uniform Standards of Professional Appraisal Practice Update course.

~~003.01K~~003.01D An activity in which the primary purpose is training in the use of a specific software, and not utilization of a software to improve competency in real property appraisal practice; ~~valuation methodology and/or techniques; market fundamentals, characteristics, conditions, and analysis; real property concepts, characteristics, and analysis; communication; computation; and/or legal considerations;~~ does not meet the requirements for approval as a continuing education activity.

~~003.01L~~ Secondary providers shall obtain written evidence that the rights to a continuing education activity have been purchased or lawfully acquired from the education provider that owns rights to activity materials.

003.02 Initial Application

003.02A Any education provider applying for approval of a continuing education activity must:

003.02A.1 Submit an application for the activity on forms approved by the Board showing compliance by the education provider and the activity with all requirements established by the Act or by this Title;

003.02A.2 ~~For an~~Submit evidence that the activity ~~is not~~ approved by The Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program for continuing education, ~~or~~ submit the following:

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

- 003.02A.2a** An activity description, which clearly describes the content of the activity;
- 003.02A.2b** An activity matrix reflecting hours of credit per topic;
- 003.02A.2c** A timed outline that accounts for the general flow and recommended time spent on topics contained within the activity;
- 003.02A.2d** ~~Written~~ learning objectives that ~~include the following:~~
- ~~(1) Are appropriate for a continuing education activity.~~
 - ~~(2) Clearly state the specific knowledge and/or skills students are expected to acquire by completing the activity.~~
 - ~~(3) Are consistent with the activity description.~~
 - ~~(4) Are consistent with the textbook and/or other instructional materials.~~
 - ~~(5) Are reasonably achievable within the number of hours allotted for the activity, and~~
 - ~~(6) Include material to adequately cover the depth and breadth of the required topic area;~~
 - ~~(1) The specific knowledge and/or skills credential holders(s) are expected to acquire,~~
 - ~~(2) An explanation of how learning objectives are consistent with the activity description,~~
 - ~~(3) An explanation of how learning objectives are consistent with instructional materials, and~~
 - ~~(4) An explanation of how learning objectives are reasonably achievable within the number of hours allotted for the activity;~~
- 003.02A.2e** Student and instructor materials used for the activity that:
- (1) Cover the subject matter in sufficient depth to achieve the stated learning objectives,
 - (2) Provide appropriately balanced coverage of the subject matter in view of the stated learning objectives,
 - ~~(3) Reflect current theory, methods, and techniques~~ ~~knowledge and~~
 - ~~(3) practice,~~ and

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

- (4) ~~Do not~~ contain significant errors and/or deficiencies;

003.02A.2f If applicable, an examination that complies with the following:

- (1) The examination contains a sufficient number of questions to adequately test the subject matter covered.
- (2) The amount of time devoted to examination must be appropriate for the activity.
- (3) Examination questions must, individually and collectively, test at a difficulty level appropriate to measure student achievement of the stated learning objectives.
- (4) Successful completion of the examination requires the student to answer a minimum of 70% of the examination questions correctly, and
- (5) Examination questions must be written in a clear and unambiguous manner;

003.02A.2f003.02A.2g A written instructor qualifications policy that requires the use of instructors who meet the requirements of the Act and Section 005 of the Chapter~~this Title~~;

003.02A.2h An ~~written~~ attendance policy that complies with the following:

- (1) For a classroom education activity, a written attendance policy that requires student attendance to be verified in accordance with the Real Property Appraiser Qualifications Criteria as adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation, or
- 003.02A.2g(2)** For a distance education activity, a written attendance policy that ensures that student achievement of the class hour requirement is met in accordance with the Real Property Appraiser Qualifications Criteria as

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

~~adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation; requires attendance to be verified in accordance with the Act and this Title;~~

~~003.02A.2h~~**003.02A.2i** A written record retention policy; ~~and~~

~~003.02A.2i~~ A completed 7-Hour USPAP Course Checklist for AQB Equivalency Approval as developed and published by The Appraisal Foundation for any seven-hour Uniform Standards of Appraisal Practice Update course not approved by the Appraiser Qualifications Board of The Appraisal Foundation;

~~003.02A.2j~~

~~003.02A.2j~~ If applicable, submit written evidence that an appropriate mechanism is in place to ensure that the credential holder demonstrates knowledge of subject matter for online or correspondence activity; and

~~003.02A.2k~~ If applicable, for an activity conducted by an accredited college, community college, or university, submit written evidence that online or correspondence activity provides interaction in a reciprocal environment where the student has verbal or written communication with the instructor;

003.02A.3 Submit a copy of the completion document;

003.02A.4 If applicable, submit written evidence that the rights to the activity have been purchased or lawfully acquired from the education provider that owns rights to activity materials;

003.02A.5 If applicable, submit evidence that ~~distance education online or correspondence~~ activity meets the requirements of Section 001.~~1407A~~ of this Chapter; and

003.02A.6 Pay a non-refundable continuing education activity application fee of \$25.00.

003.02B An application received at the Board's office considered to be incomplete will not be processed and may be returned to the education provider as incomplete. Any application not considered to be incomplete will be processed.

003.02B.1 An activity identified by the education provider as approved

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program for continuing education will be verified as such through The Appraisal Foundation's AQB Approved Courses list found on its website.

003.02B.2 Certification of an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation will be verified through The Appraisal Foundation's Find an AQB Certified USPAP Instructor found on its website for the continuing education seven-hour National Uniform Standards of Professional Appraisal Practice Update Course.

~~003.02B~~

003.02C If the Board's director finds that the education provider and submitted activity meet the requirements in the Act and this Title, the application will be considered a completed application and the continuing education activity may be approved by the director. If the Board's director finds that the education provider and submitted activity may not meet one or more of the requirements in the Act and this Title, the application shall be placed before the Board for consideration. If the Board finds that the education provider and submitted activity meet the requirements in the Act and this Title, the application will be considered a completed application and the continuing education activity may be approved. The education provider will receive a written notification of approval, which outlines the details, including the number of hours for which the activity is approved.

003.02D The application may be denied by the Board at any time during the process if the education provider, submitted activity, or instructor(s) for the submitted activity fail to meet the requirements in the Act and this Title. If an application is denied, the Board will provide written notice of denial to the education provider that includes a description of the deficiencies found by the Board. The education provider has 60 days from the date of denial to rectify the deficiencies. If the deficiencies are not rectified within 60 days, the education provider may file a new application for approval of continuing education activity, and if so, meet the requirements in place at the time a new application is submitted to the Board.

003.03 Resubmission of Approved Activity

003.03A An education provider shall resubmit a continuing education activity for approval if:

- (1) There is a change in the status of approval by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program,
- (2) There is a change in the status of ~~the qualifications for online or correspondence delivery~~ specified in Section 001.1407A of this Chapter under which a distance education activity was approved,
- (3) There is a substantial change to the materials, presentation, or policies,
- (4) There is a change in the qualifications ~~as~~ specified in Section 005-01 of this Chapter for any instructor under which an instructor was approved,

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

- (5) One or more instructors are added or removed by the education provider,
- (6) The materials, theories, and/or methodologies are no longer current,
- (7) The activity content and/or policies are no longer communicated or administered to the credential holder(s) as approved, or
- (8) There is a change to a secondary provider's rights to the activity.

003.03B The process and requirements for resubmission of a continuing education activity are the same as specified in Section 003.02 of this Chapter. If a continuing education activity is not approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program, only the requirements under Section 003.02A.2 of this Chapter that have changed since approval was granted must be included for resubmission.

003.03C Any education provider resubmitting a continuing education activity will provide a written explanation detailing what changes have been made to the activity since approval was granted.

003.04 Expiration and Rescinding Approval

003.04A Except for the seven-hour Uniform Standards of Professional Practice Update course, which expires on the date on which the approval by the Appraiser Qualifications Board expires, a continuing education activity expires on the date five years after the date of approval. An education provider may renew a continuing education activity not required to be resubmitted as specified in Section 003.03A of this Chapter by:

003.04A.1 Submitting an application for the activity on forms approved by the Board showing compliance by the education provider and the activity with all requirements established by the Act or by this Title; and

003.04A.2 Paying a non-refundable continuing education activity renewal application ~~renewal~~ fee of \$10.00.

003.04B The Board may rescind approval of a continuing education activity if the Board finds:

- (1) Falsification of information submitted for activity approval,
- ~~(2)~~ A change in approval by Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program,
- ~~(2)~~
- (3) A change in status of the qualifications ~~for online or correspondence delivery~~ specified in Section 001.1407A of this Chapter under which a distance education activity was approved,
- (4) Substantial errors and/or deficiencies in the materials or presentation,
- (5) The materials, theories, and/or methodologies are not current and/or practical,
- ~~(6)~~ A change in the qualifications as specified in Section 005.01 of this Chapter under which an instructor was approved,
- ~~(7)~~(6) The instructor(s) responsible for the activity content and presentation are not approved do not meet the qualifications specified in Section 005 of this Chapter,
- ~~(8)~~(7) The activity content and/or policies are not communicated or administered to the credential holder(s) as approved,

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

~~(9)(8)~~ A material violation of the Act or this Title by the education provider or instructor for the activity, or

~~(10)(9)~~ A change in the secondary provider's rights to the activity.

003.04C

If the Board finds reason to rescind its approval of an activity, the Board will provide written notice to the education provider that includes a description of the reasons for rescinding approval found by the Board. The education provider has 60 days from the date of notice to provide a written response to the Board's notice. If the response is satisfactory to the Board, the Board will not rescind its prior approval. If the response is not satisfactory to the Board, the Board may rescind approval of the activity. If approval is rescinded, the education provider may file a new application for approval of the continuing education activity, and if so, meet the requirements in place at the time a new application is submitted to the Board.

004 SUPERVISORY REAL PROPERTY APPRAISER AND TRAINEE COURSE

004.01 Requirements

~~004.01A~~ All supervisory real property appraiser and trainee courses shall contain current material, theory, and methodologies.

~~004.01B~~ All supervisory real property appraiser and trainee courses shall be conducted in conformity with the materials, presentation methodologies, and policies as approved.

~~004.01C~~ 004.01A Each supervisory real property appraiser and trainee course shall be at least two hours in length, not to exceed eight hours per day. At least a one-half hour break shall be given to attendee(s) by no later than the end of four hours of class in any day.

~~004.01D~~ Education providers shall require that attendee(s) successfully complete a closed book examination by answering a minimum of 70% of exam questions correctly.

~~004.01E~~ Fifty minutes engaged in instruction equals one hour for a supervisory real property appraiser and trainee course.

~~004.01F~~ A document certifying completion will be issued to each attendee upon completion of a supervisory real property appraiser and trainee course. The document may be transmitted to the attendee in person, by mail, by email, or by any other electronic means that are secure. The document is required to include the name of education provider, signature of education provider and/or instructor, name of course as approved, location at which course was conducted or presentation method, date(s) the course was conducted, number of hours, pass or fail statement, and name of attendee.

~~004.01G~~ Education providers shall maintain a record of attendance for each supervisory real property appraiser and trainee course for a period of at least five years.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

~~004.01H Secondary providers shall obtain written evidence that the rights to a supervisory real property appraiser and trainee course have been purchased or lawfully acquired from the education provider that owns rights to activity materials.~~

004.02 Course Objectives

004.02A The course must provide adequate information to ensure the supervisory real property appraiser understands the qualifications and responsibilities of that role. Specifically, that the attendee(s) understand:

- (1) Minimum qualifications for becoming and remaining a supervisory real property appraiser,
- (2) Jurisdictional credentialing requirements for both supervisory real property appraisers and trainee real property appraisers,
- (3) Expectations and responsibilities of being a supervisory real property appraiser,
- (4) Basics of the Uniform Standards of Professional Appraisal Practice,
- (5) Responsibilities and requirements of a supervisory real property appraiser in maintaining and signing all appropriate trainee real property appraiser experience logs, and
- (6) Expectations and responsibilities of the trainee real property appraiser.

004.02B The course must provide adequate information to ensure that a trainee real property appraiser understands the qualifications and responsibilities of that role. Specifically, that the attendee(s) understand:

- (1) Minimum qualifications for becoming and remaining a trainee real property appraiser,
- (2) Jurisdictional credentialing requirements for trainee real property appraisers,
- (3) Minimum qualifications for becoming and remaining a supervisory real property appraiser,
- (4) Processes and roles of the entities involved in establishing qualifications for real property appraisers,
- (5) Expectations and responsibilities of the trainee real property appraiser,
- (6) Qualifications to become a real property appraiser,
- (7) Basics of the Uniform Standards of Professional Appraisal Practice, and
- (8) Responsibilities and requirements of a trainee real property appraiser's role in maintaining and signing all appropriate trainee real property appraiser experience logs.

004.03 Course Content

004.03A The course must provide adequate information pertaining to qualification and credentialing entities. Specifically, the following shall be included:

- (1) The role of The Appraisal Foundation,
- (2) The role of the Appraiser Qualifications Board in establishing qualifications for real property appraisers,
- (3) The jurisdiction's role in issuing real property appraiser credentials and disciplining real property appraisers,

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

- (4) The typical structure of real property appraiser regulating bodies, and overview of the role of professional real property appraiser organizations.

004.03B The course must provide adequate information pertaining to qualifications for real property appraiser credentials. Specifically, the following shall be included:

- (1) Minimum qualifications for each real property appraiser classification,
- (2) Education, experience, and examination requirements for trainee, licensed residential, certified residential, and certified general real property appraiser credential, and
- (3) Supervisory real property appraiser qualifications.

004.03C The course must provide an overview of the Uniform Standards of Professional Appraisal Practice relevant to trainee real property appraisers, which shall include the following topics:

- (1) Ethics Rule,
- (2) Competency Rule,
- (3) Scope of Work Rule,
- (4) Record Keeping Rule, and
- (5) Standard 1 (Development) and Standard 2 (Reporting).

004.03D The course must provide adequate information pertaining to the requirements, expectations, and responsibilities of a supervisory real property appraiser, and at a minimum, include and discuss the following topics:

- (1) The expectations and responsibilities of the supervisory real property appraiser to provide the trainee real property appraiser with a basic understanding of the Uniform Standards of Professional Appraisal Practice,
- (2) The expectations and responsibilities of the supervisory real property appraiser to understand the minimum requirements of both the supervisory real property appraiser and trainee real property appraiser,
- (3) The expectations and responsibilities of the supervisory real property appraiser to provide proper guidance to the trainee real property appraiser when he or she selects a specific credentialing path (i.e., licensed residential, certified residential, or certified general),
- (4) The expectations and responsibilities of the supervisory real property appraiser to monitor the trainee real property appraiser's progress in satisfying both the education and experience requirements necessary to achieve his or her selected credentialing path,
- (5) The expectations and responsibilities of the supervisory real property appraiser to verify that the supervisory real property appraiser and trainee real property appraiser are properly documenting all appropriate experience logs,
- (6) The expectations and responsibilities of the supervisory real property appraiser to accompany the trainee real property appraiser on all inspections until the trainee real property appraiser is competent to conduct inspections independently,
- (7) The expectations and responsibilities of the supervisory real property appraiser to monitor and provide assignments and duties that ensure the trainee real property appraiser is developing an understanding and progression of knowledge and experience of valuation methodologies and approaches to value applicable to the level of credential to be obtained,

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

- (8) The expectations and responsibilities of the supervisory real property appraiser to verify that the trainee real property appraiser is properly identified and acknowledged in the report in compliance with the Uniform Standards of Professional Appraisal Practice, and
- (9) The expectations and responsibilities of the supervisory real property appraiser to immediately notify the trainee real property appraiser if the supervisory real property appraiser is no longer qualified to supervise and/or sign the trainee real property appraiser's experience log.

004.03E

The course must provide adequate information pertaining to the requirements, expectations, and responsibilities of a trainee real property appraiser, and at a minimum, include and discuss the following topics:

- (1) The expectations and responsibilities of the trainee real property appraiser to have a basic understanding of the minimum requirements to become a trainee real property appraiser,
- (2) The expectations and responsibilities of the trainee real property appraiser to have an understanding about the importance of selecting an appropriate supervisory real property appraiser. Points covered shall include:
 - a) Description of the supervisory real property appraiser-trainee real property appraiser relationship as a long-term commitment by both parties,
 - b) Information indicating that the supervisory real property appraiser-trainee real property appraiser relationship is inherently connected to the "good standing" of the supervisory real property appraiser,
 - c) Information regarding the importance of selecting a supervisory real property appraiser with the experience and competency that best matches the trainee real property appraiser's selected credentialing path, and
 - d) Options for a trainee real property appraiser if a supervisory real property appraiser is no longer qualified to serve as a supervisory real property appraiser.
- (3) The expectations and responsibilities of the trainee real property appraiser to have an understanding of how to determine if a real property appraiser is qualified and in good standing to be a supervisory real property appraiser by searching the Appraisal Subcommittee [National Appraiser Registry](#) and/or jurisdictional websites,
- (4) The expectations and responsibilities of the trainee real property appraiser to understand it is the supervisory real property appraiser's responsibility to monitor the progression of the trainee real property appraiser's education and experience necessary to achieve the trainee real property appraiser's selected credentialing path,
- (5) The expectations and responsibilities of the trainee real property appraiser to understand it is the supervisory real property appraiser's responsibility to provide assignments and duties that ensure the trainee real property appraiser is developing an understanding and progression of knowledge and experience of valuation methodologies and approaches to value applicable to the level of credential to be obtained,
- (6) The expectations and responsibilities of the trainee real property appraiser to understand the responsibilities of both the trainee real

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

property appraiser and the supervisory real property appraiser in properly documenting all appropriate trainee real property appraiser's experience logs, and

- (7) The expectations and responsibilities of the trainee real property appraiser to understand the supervisory real property appraiser must accompany the trainee real property appraiser on all inspections until he or she is competent to conduct inspections independently.

004.03F The course shall include elective real property appraiser education as determined by the education provider. Education providers are strongly encouraged to address State law and regulations, and the effect of those laws and regulations on supervisory real property appraisers and trainee real property appraisers. This section may include the following topics:

- (1) Overview of state laws, regulations, and policies pertaining to real property appraisal practice,
- (2) Overview of the investigation process, including how it pertains to the following:
 - a) A grievance against a trainee real property appraiser,
 - b) A grievance against a supervisory real property appraiser,
 - c) Acts or omissions considered grounds for disciplinary action or denial of an application, and
 - d) Formal complaints, formal hearings, and administrative law.

004.04 Initial Application

004.04A Any education provider applying for approval of a supervisory real property appraiser and trainee course must:

004.04A.1 Submit an application for the course on forms approved by the Board showing compliance by the education provider and the course with all requirements established by the Act or by this Title;

004.04A.2 Submit the following:

004.04A.2a A course description that clearly describes the content of the course, and meets the requirements specified in Section 004.03 of this Chapter;

004.04A.2b A course matrix reflecting hours of credit per topic;

004.04A.2c A timed outline that accounts for the general flow and recommended time spent on topics contained within the course;

004.04A.2d ~~Written~~ learning objectives that meet the requirements specified in Section 004.02 of this Chapter, and ~~that include the following:~~

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

- (1) Clearly state the specific knowledge and/or skills students are expected to acquire by completing the activity.
- (2) Are consistent with the activity description.
- (3) Are consistent with the textbook and/or other instructional materials.
- (4) Are reasonably achievable within the number of hours allotted for the activity, and
- (5) Include material to adequately cover the depth and breadth of the required topic area;

The specific knowledge and/or skills attendee(s) are expected to acquire,

- ~~(1) An explanation of how learning objectives are consistent with the course description;~~
- ~~(2) An explanation of how learning objectives are consistent with instructional materials, and~~
- ~~(3) An explanation of how learning objectives are reasonably achievable within the number of hours allotted for the course;~~

004.04A.2e Student and instructor materials used for the course that:

- (1) Cover the subject matter in sufficient depth to achieve the stated learning objectives,
- (2) Provide appropriately balanced coverage of the subject matter in view of the stated learning objectives,
- ~~(3) Reflect current theory, methods, and techniques knowledge and practice, and~~
- (3) ~~practice~~, and
- (4) ~~ND~~ not contain significant errors and/or deficiencies;

004.04A.2f A closed-book final examination that complies with the following:

- (1) The examination contains a sufficient number of questions to adequately test the subject matter covered,
- (2) The amount of time devoted to examination must be appropriate for the activity.
- (3) Examination questions must, individually and collectively, test at

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

~~questions that are individually and collectively appropriate to measure attendee's achievement of stated learning objectives;~~

~~(4) Successful completion of the examination requires the student to answer a minimum of 70% of the examination questions correctly.~~

~~(5) Examination questions must be written in a clear and unambiguous manner;~~

~~(2) Contains clear and unambiguous~~

004.04A.2g A written instructor qualifications policy that requires the use of instructors who meet the requirements of the Act and Section 005 of this Chapter~~this Title~~;

004.04A.2h

~~**004.04A.2h** An written attendance policy that complies with the following: requires attendance to be verified in accordance with the Act and this Title; and~~

- ~~(1) For a classroom education course, a written attendance policy that requires student attendance to be verified in accordance with the Real Property Appraiser Qualifications Criteria as adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation, or~~
- ~~(2) For a distance education course, a written attendance policy that ensures that student achievement of the class hour requirement is met in accordance with the Real Property Appraiser Qualifications Criteria as adopted and promulgated by the Appraiser Qualifications Board of The Appraisal Foundation; and~~

004.04A.2i A written record retention policy; ~~and~~

~~**004.04A.2j** If applicable, for an activity conducted by an accredited college, community college, or university, submit written evidence that online or correspondence activity provides interaction in a reciprocal environment~~

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

~~where the student has verbal or written communication with the instructor;~~

- 004.04A.3** Pay a non-refundable new supervisory real property appraiser and trainee course application fee of \$25.00;
- 004.04A.4** Submit a copy of the completion document;
- 004.04A.5** If applicable, submit evidence that online or correspondence activity meets the requirements of Section 001.1407A of this Chapter; and
- 004.04A.6** If applicable, submit written evidence that the rights to the activity have been purchased or lawfully acquired from the education provider that owns rights to activity materials.

004.04B An application received at the Board's office considered to be incomplete will not be processed and may be returned to the education provider as incomplete. Any application not considered to be incomplete will be processed.

004.04B.1 Certification of an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation will be verified through The Appraisal Foundation's Find an AQB Certified USPAP Instructor found on its website for a supervisory real property appraiser and trainee course.

004.04B

004.04C If the Board's director finds that the education provider and submitted course meet the requirements in the Act and this Title, the application will be considered a completed application and the supervisory real property appraiser and trainee course may be approved by the director. If the Board's director finds that the education provider and submitted course may not meet one or more of the requirements in the Act and this Title, the application shall be placed before the Board for consideration. If the Board finds that the education provider and submitted course meet the requirements in the Act and this Title, the application will be considered a completed application and the supervisory real property appraiser and trainee course may be approved. The education provider will receive a written notification of approval, which outlines the details, including the number of hours for which the course is approved.

004.04D The application may be denied by the Board at any time during the process if the education provider, submitted course, or instructor(s) for the submitted course fail to meet the requirements in the Act and this Title. If an application is denied, the Board will provide written notice of denial to the education provider that includes a description of the deficiencies found by the Board. The education provider has 60 days from the date of denial to rectify the deficiencies. If the deficiencies are not rectified within 60 days, the education provider may file a new application for approval of a supervisory real property appraiser and trainee course, and if so, meet the requirements in place at the time a new application is

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

submitted to the Board.

004.05 Resubmission of Approved Supervisory Real Property Appraiser and Trainee Course

004.05A An education provider shall resubmit a supervisory real property appraiser and trainee course for approval if:

- (1) There ~~is are~~ substantial change to the materials, presentation, or policies,
- (2) There is a change in the qualifications as specified in Section 005-01 of this Chapter ~~for any instructor under which an instructor was approved,~~
- (3) One or more instructors are added or removed by the education provider,
- (4) The materials, theories, and/or methodologies are no longer current,
- (5) The course content and/or policies are no longer communicated ~~or administered to the attendee(s)~~ as approved,
- (6) There is a change in the status of ~~the qualifications for online or correspondence delivery~~ specified in Section 001.1407A of this Chapter ~~under which a distance education activity was approved,~~ or
- (7) There is a change to a secondary provider's rights to the activity.

004.05B The process and requirements for resubmission of a supervisory real property appraiser and trainee course are the same as specified in Section 004.04 of this Chapter. Only the requirements under Section 004.04A.2 of this Chapter that have changed since approval was granted must be included for resubmission.

004.05C Any education provider resubmitting a supervisory real property appraiser and trainee course will provide a written explanation detailing what changes have been made to the course since approval was granted.

004.06 Rescinding of Approval

004.06A The Board may rescind approval of a supervisory real property appraiser and trainee course if the Board finds:

- (1) Falsification of information submitted for activity approval,
- (2) Substantial errors and/or deficiencies in the materials or presentation,
- (3) The materials, theories, and/or methodologies are not current and/or practical,
- ~~(4)~~ ~~A change in the qualifications as specified in Section 005.01 of this Chapter under which an instructor was approved,~~
- ~~(5)~~(4) The instructor(s) responsible for the activity content and presentation ~~do not meet the qualifications specified in Section 005 of this Chapter are not approved,~~
- ~~(6)~~(5) The activity has not been offered for a period of at least five years from the last date of completion submitted to the Board or the approval date if activity has not been offered,
- ~~(7)~~(6) The course content and/or policies are not communicated to the attendee(s) as approved,
- ~~(8)~~(7) A material violation of the Act or this Title by the education provider or instructor for the activity,
- ~~(9)~~(8) A change in the status of ~~the qualifications for online or correspondence delivery~~ specified in Section 001.1407A of this Chapter ~~under which a distance education activity was approved,~~ or

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

~~(10)(9)~~ A change to a secondary provider's rights to the activity.

004.06B

If the Board finds reason to rescind its approval of a course, the Board will provide written notice to the education provider that includes a description of the reasons for rescinding approval found by the Board. The education provider has 60 days from the date of notice to provide a written response to the Board's notice. If the response is satisfactory to the Board, the Board will not rescind its prior approval. If the response is not satisfactory to the Board, the Board may rescind approval of the supervisory real property appraiser and trainee course. If approval is rescinded, the education provider may file a new application for approval of a supervisory real property appraiser and trainee course, and if so, meet the requirements in place at the time a new application is submitted to the Board.

005 INSTRUCTORS

~~Any instructor(s) that meet the education provider's instructor qualifications policy. An instructor is an individual who is responsible for ensuring that the activity content is communicated to the activity's audience as approved presented to the Board for approval, and that the activity contributes to the quality of valuation services provided to the public must be identified on the education provider's application submitted for approval of the activity. Such identification must include first name, last name, email address, and phone number, and state the instructor's qualification as specified in Section 005.01 of this Chapter. An individual who communicates assigned materials or a portion of activity content under the authorization of the education provider, but is not responsible for the activity content, is not an instructor.~~

005.01 Requirements

005.01 An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, must satisfy at least one of the following qualifications:

005.01A Hold a bachelor's degree in any field and have at least three years of experience directly related to the subject matter to be taught;

005.01B Hold a master's degree or higher in any field and have at least one year of experience directly related to the subject matter to be taught;

005.01C Hold a master's degree or higher in a field that is directly related to the subject matter to be taught;

005.01D Have five years of real property appraisal practice teaching experience directly related to the subject matter to be taught; or

005.01E Have seven years of real property appraisal practice experience directly related to the subject matter to be taught.

005.02 An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, must meet qualifications established pursuant to any other applicable law.

005.03 An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, who holds a credential as a real property appraiser in Nebraska or any other jurisdiction shall:

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

~~005.01A~~

~~005.01A~~ Hold a bachelor's degree in any field and have at least three years of experience directly related to the subject matter to be taught;

~~005.01B~~ Hold a master's degree or higher in any field and have at least one year of experience directly related to the subject matter to be taught;

~~005.01C~~ Hold a master's degree or higher in a field that is directly related to the subject matter to be taught;

~~005.01D~~ Have five years of real property appraisal practice teaching experience directly related to the subject matter to be taught; or

~~005.01A.1~~ Have seven years of real property appraisal practice experience directly related to the subject matter to be taught.

~~005.01B~~ An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, must meet qualifications established pursuant to any other applicable law.

~~005.01C~~ An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, may not have a conviction, including a conviction based upon a plea of guilty or nolo contendere, of any felony unless his or her civil rights have been restored.

~~005.01D~~ An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, who holds a credential as a real property appraiser in Nebraska or any other jurisdiction shall:

~~005.03A~~ Maintain each credential in good standing in accordance with the laws of the jurisdiction in which each credential is held;

~~005.03B~~ Not have had a credential revoked, suspended, or have surrendered a credential in lieu of disciplinary action within three years; and

~~005.03C~~ Not have had disciplinary action taken against his or her credential that may constitute a violation of NEB. REV. STAT. § 76-2238 within three years.

~~005.04~~ An instructor for the qualifying education fifteen-hour National Uniform Standards of Professional Appraisal Practice Course, the continuing education seven-hour National Uniform Standards of Professional Appraisal Practice Update Course, and/or the supervisory real property appraiser and trainee course, must be an AQB Certified USPAP Instructor, certified by the Appraiser Qualifications Board of The Appraisal Foundation.

~~005.05~~ The standing of an instructor identified on an education provider's application submitted for approval, who holds a credential as a real property appraiser in Nebraska or any other jurisdiction, may be verified through the Appraiser Registry of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council.

~~005.01D.1~~ Maintain each credential in good standing in accordance with the laws of the jurisdiction in which each credential is held;

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

~~005.01D.2~~ — Not have had a credential revoked, suspended, or have surrendered a credential in lieu of disciplinary action within three years; and

~~005.01D.3~~ — Not have had disciplinary action taken against his or her credential that may constitute a violation of NEB. REV. STAT. § 76-2238 within three years.

~~005.01E~~ — Any instructor of the qualifying education fifteen-hour National Uniform Standards of Professional Appraisal Practice Course, the continuing education seven-hour National Uniform Standards of Professional Appraisal Practice Update Course, and/or the supervisory real property appraiser and trainee course, must:

~~005.01E.1~~ — Be an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation;

~~005.01E.2~~ — Be a state-certified real property appraiser in good standing;

~~005.01E.3~~ — Have an instructional background in real property appraisal practice education; and

~~005.01E.4~~ — Have a minimum of five years of real property appraisal practice experience.

~~005.01F~~ — Temporary approval of an instructor may be granted in an emergency situation upon written request to the Board.

~~005.02~~ — Initial Application

~~005.02A~~ — An education provider applying for approval of an instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, must:

~~005.02A.1~~ — Submit an application for each activity on forms approved by the Board showing compliance by the instructor applicant with all requirements established by the Act or by this Title;

~~005.02A.2~~ — Submit written evidence of the instructor applicant's qualifications related to the activity for which approval is requested; and

~~005.02A.3~~ — Submit evidence of the instructor applicant's approval as an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation for approval as an instructor of any qualifying education fifteen-hour National Uniform Standards of Professional Appraisal Practice Course, continuing education seven-hour National Uniform Standards of Professional Appraisal Practice Update Course, and/or supervisory real property appraiser and trainee

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

course.

~~005.02B~~ — An application received at the Board's office considered to be incomplete will not be processed and may be returned to the education provider as incomplete. Any application not considered to be incomplete will be processed.

~~005.02C~~ — If the Board's director finds that the instructor applicant meets the requirements in the Act and this Title, the application will be considered a completed application and the instructor applicant may be approved for a specific activity. If the Board's director finds that the instructor applicant may not meet one or more of the requirements in the Act and this Title, the application shall be placed before the Board for consideration. If the Board finds that the instructor applicant meets the requirements in the Act and this Title, the application will be considered a completed application and the instructor applicant may be approved. The education provider will receive a written notification of approval, which outlines the details of approval.

~~005.02D~~ — The application may be denied by the Board at any time during the process if the education provider, the activity for which application for instructor approval is made, or the instructor applicant fail to meet the requirements in the Act and this Title. If an application is denied, the Board will provide written notice of denial to the education provider that includes a description of the deficiencies found by the Board. The education provider has 60 days from the date of denial to rectify the deficiencies. If the deficiencies are not rectified within 60 days, the education provider may file a new application for instructor approval, and if so meet the requirements in place at the time a new application is submitted to the Board.

005.03 — Resubmission of Instructor Approval

~~005.03A~~ — An education provider shall resubmit an instructor for approval if:

- ~~(1)~~ — There is a change in the status of instructor's certification as an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation if certification is required for instructor approval;
- ~~(2)~~ — There is a change in the instructor's qualifications as specified in Section 005.01 of this Chapter under which he or she was approved as an instructor for an activity;
- ~~(3)~~ — There is a change in the status of approval of the activity by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program;
- ~~(4)~~ — There are substantial changes to the activity materials, presentation, or policies;
- ~~(5)~~ — The activity materials, theories, and/or methodologies are no longer current;
- ~~(6)~~ — The activity content and/or policies are no longer communicated to the attendee(s) as approved; or
- ~~(7)~~ — There is a change to a secondary provider's rights to the activity.

~~005.03B~~ — The process and requirements for resubmission of an instructor are the same as specified in Section 005.02 of this Chapter.

005.04 — Expiration and Rescinding of Instructor Approval

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

~~005.04A~~ Approval as an instructor for an activity expires on the same date the activity is no longer approved.

~~005.04B~~ The Board may rescind approval of an instructor for an activity if the Board finds:

- ~~(1)~~ Falsification of information submitted for activity and/or instructor approval;
- ~~(2)~~ A change in the status of instructor's certification as an AQB-Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation if certification is required for instructor approval;
- ~~(3)~~ A change in the instructor's qualifications, as specified in Section 005.01 of this Chapter, under which he or she was approved as an instructor for an activity;
- ~~(4)~~ A change in the status of approval of the activity by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program;
- ~~(5)~~ Substantial errors and/or deficiencies in the materials or presentation of activity;
- ~~(6)~~ The materials, theories, and/or methodologies of activity are not current and/or practical;
- ~~(7)~~ The activity content and/or policies are not communicated as approved;
- ~~(8)~~ A material violation of the Act or this Title by the education provider or instructor; or
- ~~(9)~~ A change to a secondary provider's rights to the activity.

~~005.04C~~ If the Board finds reason to rescind its prior approval of an instructor, the Board will provide written notice to the education provider that includes a description of reasons for rescinding approval found by the Board. The education provider has 60 days from the date of notice to provide a written response to the Board's notice. If the response is satisfactory to the Board, the Board will not rescind its prior approval. If the response is not satisfactory to the Board, the Board may rescind approval of the instructor. If approval is rescinded, the education provider may file a new application for instructor approval, and if so, meet the requirements in place at the time a new application is submitted to the Board.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

CHAPTER 7 APPRAISAL MANAGEMENT COMPANY REGISTRATION

001 APPLICATION

To qualify for registration as an appraisal management company, an applicant must comply with all of the provisions of the AMC Act and this Title relating to registration.

001.01 Any applicant for registration as an appraisal management company must:

001.01A Submit an application and required documentation on forms approved by the Board showing compliance by the applicant with all registration requirements established by the AMC Act or by this Title; and

001.01B Pay a non-refundable application fee of \$350.00.

001.02 Any application received at the Board's office considered to be incomplete will not be processed and may be returned to the applicant as incomplete. Any application not considered to be incomplete will be processed.

001.03 If the Board's director finds that the applicant meets the general requirements in the AMC Act and this Title, the application will be considered a completed application, and the applicant may be issued a registration as an appraisal management company. If the Board's director finds that the applicant may not meet one or more of the requirements in the AMC Act and this Title, the application shall be placed before the Board for consideration. If the Board finds that the applicant meets the general requirements in the AMC Act and this Title, the application will be considered a completed application and registration as an appraisal management company may be issued to the applicant.

001.04 Within sixty days of approval, the applicant may be issued registration as an appraisal management company, and before the applicant is authorized to conduct business as an appraisal management company in this State, the applicant shall:

001.04A Pay a non-refundable initial registration fee of \$2000.00;

001.04B On a form approved by the Board, submit the following information for any

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

AMC appraiser who has performed an appraisal of real property or real estate for the applicant in connection with a covered transaction in the State of Nebraska during the twelve-month period ending ninety days prior to the date on which issuance of a registration to the applicant was approved. This requirement does not apply to appraisal management services provided by the applicant exempt under NEB. REV. STAT. § 76-3204:

- (1) First and last name,
- (2) Credential number,
- (3) Number of appraisals performed,
- (4) Earliest appraisal submission date, and
- (5) Latest appraisal submission date; and

001.04C Pay an annual AMC ~~National~~ Registry fee in the amount of \$25.00 for each AMC Appraiser reported pursuant to Section 004.01B of this Chapter.

001.05 If an applicant fails to provide the required fees as specified in Section 001.04 of this Chapter, the application will be placed before the Board for reconsideration.

001.06 Upon receipt of the required fees at the Board's office, the applicant will be issued:

001.06A A letter notifying the organization of their status as a Nebraska registered appraisal management company; and

001.06B A wall certificate on a form approved by the Board.

001.07 The Board may deny an application at any time during the process if the Board finds that the applicant fails to meet the requirements in the AMC Act and/or this Title that pertain to registration. If the Board denies an application for any reason excluding the criminal history record check, the applicant may file a new application, and if so, meet the requirements in place at the time a new application is submitted to the Board.

001.08 If the fingerprint-based national criminal history record check result is the basis for denial, the individual is entitled to a copy of his or her national criminal history record, and an opportunity to dispute the result.

001.08A In order to receive a copy of such record, the individual shall:

001.08A.1 In person, complete a form approved by the Board that relieves the Board from any liability related to the release of the national criminal history record; and

001.08A.2 Present a passport, driver's license, or other government-issued identification card with a photograph to be copied by the Board.

001.08B If the individual provides evidence acceptable to the Board that the fingerprint-based national criminal history record check result that was the basis for denial is incorrect, the Board may reconsider the application.

001.09 Every Appraisal Management Company registered in the State of Nebraska shall keep the Board informed of the organization's principal place of doing business and notify the Board in writing within ten (10) calendar days of any change of such address or telephone number.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

002 RENEWAL

An applicant for renewal of an appraisal management company registration must comply with all of the provisions of the AMC Act and this Title relating to registration.

002.01 Any applicant for renewal of a registration as an appraisal management company must, no later than sixty days prior to the expiration of the current registration:

002.01A Submit an application and required documentation on forms approved by the Board showing compliance by the applicant with all registration and renewal requirements established by the AMC Act and by this Title, which includes the following information for any AMC appraiser who has performed an appraisal of real property or real estate for the applicant in connection with a covered transaction in the State of Nebraska during the twelve-month period ending ninety days prior to the expiration date of the current registration:

- (1) First and last name,
- (2) Credential number,
- (3) Number of appraisals performed,
- (4) Earliest appraisal submission date, and
- (5) Latest appraisal submission date;

002.01B Pay a non-refundable renewal registration fee of \$1500.00; and

002.01C Pay an annual AMC ~~National~~ Registry fee in the amount of \$25.00 for each AMC Appraiser reported pursuant to Section 002.01A of this Chapter.

002.02 Any application received at the Board's office considered to be incomplete will not be processed and may be returned to the applicant as incomplete. Any application not considered to be incomplete will be processed.

002.03 If the applicant meets the general requirements in the AMC Act and this Title, the application will be considered a completed application, and the registration may be renewed by board staff. If the Board's director finds that the applicant may not meet one or more of the requirements in the AMC Act and this Title, the application shall be placed before the Board for consideration. If the Board finds that the applicant meets the general requirements in the AMC Act and this Title, the application will be considered a completed application and the registration may be renewed. Upon approval, the appraisal management company will receive a letter notifying the organization of their status as a Nebraska registered appraisal management company.

002.04 The Board may deny an application at any time during the process if the Board finds that the applicant fails to meet the requirements in the AMC Act and/or this Title that pertain to registration or renewal. If the Board denies renewal of a registration for any basis excluding the criminal history record check, the applicant may file a new application, and if so, meet the requirements in place at the time a new application is submitted to the Board.

002.05 If the fingerprint-based national criminal history record check result is the basis for denial, the individual is entitled to a copy of his or her national criminal history record, and an opportunity to dispute the result.

002.05A In order to receive a copy of such record, the individual shall:

002.05A.1 In person, complete a form approved by the Board that relieves the Board from any liability related to the release of the national criminal history record, and

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

002.05A.2 Present a passport, driver's license, or other government-issued identification card with a photograph to be copied by the Board.

002.05B If the individual provides evidence acceptable to the Board that the fingerprint-based national criminal history record check result that was the basis for denial is incorrect, the Board may reconsider the application.

002.06 Any appraisal management company who fails to meet the renewal application requirements specified in Section 002.01 of this Chapter may be eligible for renewal of a registration if, within six months of the registration expiration date, the requirements specified in Section 002.01A through Section 002.01C of this Chapter are met and a late processing fee of \$25.00 for each month or portion of a month the renewal application requirements are not met is received at the Board's office.

002.07 Any appraisal management company who fails to meet the requirements in the AMC Act and this Title pertaining to the renewal of a registration is not eligible for renewal and may submit an application for a new registration.

002.08 Any person who continues to perform as an appraisal management company or related activities subject to the AMC Act following the date of expiration of a registration is in violation of the AMC Act and of this Title. Such person will be subject to any restrictions and penalties provided by the AMC Act or by this Title, and any application by such person for a registration shall be subject to all requirements for issuance of a new registration.

003 FEDERALLY REGULATED APPRAISAL MANAGEMENT COMPANIES

A federally regulated appraisal management company must report all information required to be submitted to the Appraisal Subcommittee pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the AMC ~~final~~ rule, and any policy or rule established by the Appraisal Subcommittee related to its operation in this state, including, but not limited to, the collection of information related to ownership.

003.01 Any federally regulated appraisal management company that does not hold a registration as an appraisal management company issued by the Board must submit the information required for the AMC ~~National~~ Registry on a form approved by the Board, ~~which includes the following information for any AMC appraiser who has performed an appraisal of real property or real estate for the federally regulated appraisal management company in connection with a covered transaction in the State of Nebraska during the twelve month period as requested on the form approved by the Board:~~

- ~~(1) — First and last name,~~
- ~~(2) — Credential number,~~
- ~~(3) — Number of appraisals performed,~~
- ~~(4) — Earliest appraisal submission date, and~~
- ~~(5) — Latest appraisal submission date;~~

003.02 Pay an annual AMC Registry fee in the amount of \$25.00 for each AMC Appraiser reported pursuant to Section 003.01 of this Chapter; and

003.03 Pay a non-refundable ~~reporting form processing~~ ~~application~~ fee of \$350.00.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

CHAPTER 8 INVESTIGATIONS AND DISCIPLINARY PROCEEDINGS

001 GENERAL

- 001.01** The Board will not enter into disputes that solely concern the valuation of any property.
- 001.02** Except for those filed by the Board, all grievances shall be in writing and signed, setting forth in clear and concise language the alleged violations of the Act, AMC Act, and/or the Rules and Regulations of the Board. Any documentation in support of the alleged violations shall be included with the grievance.
- 001.03** Nothing in this Chapter limits or precludes the Board in the performance of its investigatory duties under the Act or AMC Act.
- 001.04** All disciplinary hearings for any violation of the Act, AMC Act, and/or this Title will be governed by the Administrative Procedures Act and 297 NAC 4.
- 001.05** All investigations or disciplinary actions that are not formally dismissed are published on the Board's website for a period of ten years from the date of execution of a consent agreement or the date of order resulting in disciplinary action, and reported to the Appraisal Subcommittee of the Federal Financial Institutions Examination Council as required.

002 VIOLATION OF REAL PROPERTY APPRAISER ACT

- 002.01** Any person in the State of Nebraska is subject to the procedures established by this Chapter for any alleged violations of the Act, the standards established by this Title, or of this Title. Such procedure shall not suspend or preclude any other proceedings otherwise allowed by the Act or by other law.
- 002.02** If technical assistance is required to assist with the investigation and/or hearing, the Board may contract with or use a qualified person. A member of the Board may participate in the investigation; however, no board member may vote on any matter in which he or she is appointed by his or her fellow board members to participate in an investigation. Any person in contract with the Board to provide technical assistance for an investigation reports his or her findings to the

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

Board's investigator as requested.

002.03 Upon receipt of a grievance not filed by the Board, the following steps are generally followed:

002.03A If applicable, the aggrieved person will be notified in writing that the grievance has been received, and provided the investigation number assigned to the grievance and directions to follow the matter through the minutes of the Board meetings in which the grievance is discussed.

002.03B The person against whom the grievance is filed will be notified in writing of the grievance and the allegations, and may be requested to:

002.03B.1 Submit true copies of report(s) and workfile(s), within an appropriate period of time as determined by the investigator; and/or

002.03B.2 Answer the allegations in writing, electronically, or verbally as determined by the investigator.

002.03C The Board's investigator evaluates the grievance, along with any information obtained pursuant to Section 002.03B of this Chapter, to determine jurisdiction and make a preliminary determination as to whether any violations of the Act or this Title have been alleged. Upon conclusion of the evaluation, the investigator will make a presentation to the Board as to whether sufficient evidence exists to proceed with an investigation.

002.03D The Board reviews the evidence provided by the investigator and determines whether the allegation(s) should be dismissed, or whether the allegation(s) should be investigated.

002.03D.1 If the Board determines that the allegations(s) should be investigated, the person under investigation will be notified of the investigation and any alleged violations of the Act or this Title in writing; or

002.03D.2 If the Board determines that the allegation(s) should be dismissed, the person under investigation will be notified of dismissal in writing.

002.04 For a grievance filed by the Board, the following steps are generally followed:

002.04A The person against whom the Board is considering filing a grievance will be notified in writing of the Board's concerns, and may be requested to submit true copies of report(s) and workfile(s), along with other information, within an appropriate period of time as determined by the investigator.

002.04B The Board's investigator evaluates the matter, along with any information obtained pursuant to Section 002.04A of this Chapter, to determine jurisdiction and make a preliminary determination as to whether any violations of the Act or this Title have been alleged. Upon conclusion of the evaluation, the investigator will make a presentation to the Board as to whether sufficient evidence exists to proceed with an investigation.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

002.04C The Board reviews the evidence provided by the investigator and determines whether the matter should be investigated.

002.04C.1 If the Board determines that the matter should be investigated, the Board files a grievance and notifies the person under investigation of grievance, including any alleged violations of the Act or this Title in writing; or

002.04C.2 If the Board determines that the matter should not be investigated, notice of such determination is provided to the person against whom the Board was considering filing a grievance.

002.05 If the Board determines to proceed with an investigation, the following steps are generally followed:

002.05A In conducting an investigation, and prior to filing a formal complaint on the grievance, the person who is under investigation may be requested to:

002.05A.1 Submit additional documentation within an appropriate period of time as determined by the investigator; and/or

002.05A.2 Provide a response to the results of one or more technical reviews, and/or provide any other information concerning the investigation, in writing, electronically, or verbally as determined by the investigator.

002.05B In conducting an investigation, the aggrieved person may be requested to:

002.05B.1 Submit documentation and other information as requested;

002.05B.2 Respond to any request for information in writing, electronically, or verbally as determined by the investigator; and/or,

002.05B.3 Discuss the allegations with the investigator.

002.05C In conducting an investigation, the investigator may interview or request information in writing, electronically, or verbally as determined by the investigator, from any other person.

002.05D Upon the conclusion of an investigation, the Board's investigator may prepare an investigative report. The report includes documentation that supports the findings as needed to dismiss the allegation(s), or:

002.05D.1 In the case of a credential holder, file a formal complaint.

002.05D.2 In the case of a person not holding a credential under the Act,

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

issue a cease and desist order or refer the investigation to the appropriate county attorney for the consideration of formal charges.

002.05E The Board may offer the person an opportunity to informally discuss the alleged violation(s) before the Board or with representative(s) of the Board, request further investigation, dismiss the allegation(s), or:

002.05E.1 In the case of a credential holder, file a formal complaint.

002.05E.2 In the case of a person not holding a credential under the Act, issue a cease and desist order or refer the investigation to the appropriate county attorney for the consideration of formal charges.

002.05F If the investigation reveals that there is not good cause to believe that the person under investigation has violated the Act or this Title, or the violation(s) is/are minor in nature as determined by the Board, the matter will be dismissed, and no formal complaint will be initiated by the Board, or cease and desist order issued by the Board. Upon dismissal, the Board may issue an advisory opinion, recommend a specific education activity, request to meet with the person under investigation to discuss the matter, or make any other recommendation that the Board deems beneficial to the person under investigation.

002.05G If the investigation discloses evidence that the actions of the person under investigation constitute a violation of the Act or this Title:

002.05G.1 A formal complaint is prepared by the Board and served upon the credential holder under investigation.

002.05G.2 A cease and desist order may be prepared by the Board and served upon the non-credential holder under investigation.

002.06 The Board may enter into a consent agreement or negotiated settlement at any time during an investigation, any time before a cease and desist order is issued in the case of a person not holding a credential under the Act, or any time after filing a formal complaint for any person credentialed under the Act. Voluntary surrender or nonrenewal of a credential or education activity to avoid or expedite enforcement or disciplinary action does not preclude any enforcement action or sanction for any alleged violation. In addition, voluntary surrender or nonrenewal of a credential will prohibit the credential holder from applying for subsequent reinstatement or credentialing.

002.07 Disciplinary action taken by the Board may include but is not limited to:

- (1) Revocation of a credential or education activity,
- (2) Suspension of a credential or education activity,
- (3) Denial of any application,
- (4) Probation,
- (5) Admonishment,
- (6) Censure,
- (7) Reprimand,
- (8) Advisement,

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

- (9) Education,
- (10) Examination,
- (11) Real property appraisal practice experience,
- (12) Limit or limitations on a credential holder or applicant, and/or upon the right to engage in real property appraisal practice and trainee real property appraiser supervision,
- (13) Cease and desist order, and
- (14) Costs associated with investigation.

002.08 Pursuant to NEB. REV. STAT. § 76-2248.01, at any time during or upon completion of an investigation, whenever in the judgement of the Board, any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of the Act or this Title, the Board may request that Attorney General maintain an action in the name of the State of Nebraska to abate and temporarily and permanently enjoin such acts and practices and to enforce compliance with the Act or this Title.

002.09 Supervisory Real Property Appraiser

002.09A If any report submitted to the Board by a trainee real property appraiser for verification of experience as an applicant for credentialing is found to contain Uniform Standard of Professional Appraisal Practice deficiencies, the supervisory real property appraiser is notified of the Board's concerns, and is provided a redacted copy of any technical review of the subject report completed at the request of the Board.

002.09B The supervisory real property appraiser may be requested to:

002.09B.1 Submit documentation, including but not limited to, report(s) and workfile(s);

002.09B.2 Answer the results of a technical review in writing; and/or

002.09B.3 Voluntarily and informally discuss the results of a technical review with one or more board members.

002.09C If the Board finds that there is not good cause to believe that the supervisory real property appraiser has violated the Act or the Rules and Regulations promulgated by the Board, no consideration will be given to the certified real property appraiser's future activity as a supervisory real property appraiser.

002.09D If the Board finds a probability that the actions of the supervisory real property appraiser constitute a violation of the Act or the Rules and Regulations, a written advisement may be issued, which may or may not include a recommendation for the supervisory real property appraiser to take additional action; or the Board may upon its own motion cause an investigation to be made. If the Board determines to proceed with an investigation, the steps in Section 002.05 of this Chapter are generally followed.

002.10 Education Provider

002.10A If the actions of an education provider constitute an alleged violation of the Act or this Title, the education provider is notified of the Board's concerns in

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

writing.

002.10B The education provider may be requested to answer the allegations in writing, submit documentation as requested, and/or voluntarily and informally discuss the alleged violations with the Board or its investigator.

002.10C If the Board finds that there is not good cause to believe that the education provider has violated the Act or this Title, the education provider will be notified in writing, which may or may not include advisement.

002.10D If the Board finds a probability that the actions of the education provider constitute a violation of the Act or this Title, the Board may upon its own motion, cause an investigation to be made. If the Board determines to proceed with an investigation, the steps in Section 002.05 of this Chapter are generally followed. If applicable, the education provider is notified of the Board's intent to rescind approval of an activity and any actions that may mitigate the Board's concerns.

003 VIOLATION OF THE AMC REGISTRATION ACT

003.01 All registered appraisal management companies and all applicants for a registration in the State of Nebraska are subject to the complaint procedures established by this Chapter for any alleged violations of the AMC Act, the standards established by this Title, or of this Title. Such procedure shall not suspend or preclude any other proceedings otherwise allowed by the AMC Act or by other law.

003.02 If technical assistance is required to assist with the investigation and/or hearing, the Board may contract with or use qualified individuals or companies. A member of the Board may participate in the investigation; however, no board member may vote on any matter in which he or she was appointed by his or her fellow board members to participate in an investigation. Any person under contract with the Board to provide technical assistance for an investigation reports his or her findings to the Board's investigator as requested.

003.03 Upon receipt of a grievance not filed by the Board, the following steps are generally followed:

003.03A If applicable, the aggrieved person is notified in writing that the grievance has been received, and provided the investigation number assigned to the grievance and directions to follow the matter through the minutes of the Board meetings in which the grievance is discussed.

003.03B The person against whom the grievance is filed is notified in writing of the grievance and the allegations, and may be requested to answer the allegations in writing, electronically, or verbally within an appropriate period of time as determined by the investigator.

003.03C The Board's investigator evaluates the grievance, along with any information obtained pursuant to Section 003.03B of this Chapter, to determine jurisdiction and to make a preliminary determination as to whether any violations of the AMC Act or this Title have been alleged. Upon conclusion of the evaluation, the investigator will make a presentation to the Board as to whether sufficient evidence exists to proceed with an investigation.

003.03D The Board reviews the evidence provided by the investigator and determines whether the allegation(s) should be dismissed, or whether the allegation(s) should be investigated.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

003.03D.1 If the Board determines that the allegations(s) should be investigated, the person under investigation is notified of the investigation and any alleged violations of the AMC Act or this Title in writing; or

003.03D.2 If the Board determines that the allegation(s) should be dismissed, the person under investigation is notified of dismissal in writing.

003.04 For a grievance filed by the Board, the following steps are generally followed:

003.04A The person against whom the Board is considering filing a grievance is notified in writing of the Board's concerns, and may be requested to submit information within an appropriate period of time as determined by the investigator.

003.04B The Board's investigator evaluates the matter, along with any information obtained pursuant to Section 003.04A of this Chapter, to determine jurisdiction and make a preliminary determination as to whether any violations of the AMC Act or this Title have been alleged. Upon conclusion of the evaluation, the investigator will make a presentation to the Board as to whether sufficient evidence exists to proceed with an investigation.

003.04C The Board reviews the evidence provided by the investigator and determines whether the matter should be investigated.

003.04C.1 If the Board determines that the matter should be investigated, the Board files a grievance and notifies the person under investigation of grievance, including any alleged violations of the AMC Act or this Title in writing; or

003.04C.2 If the Board determines that the matter should not be investigated, notice of such determination is provided to the person against whom the Board was considering filing a grievance.

003.05 If the Board determines to proceed with an investigation, the following steps are generally followed:

003.05A In conducting an investigation, and prior to filing a formal complaint on the grievance, the person who is under investigation may be requested to:

003.05A.1 Submit documentation, including but not limited to, report(s) and workfile(s), appraisal review report(s), AMC appraiser panel information, Uniform Standards of Professional Appraisal Practice compliance, AMC appraiser fees, and record of AMC appraiser valuation services within an

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

appropriate period of time as determined by the investigator;
and/or

003.05A.2 Provide any other information concerning the investigation, in writing, electronically, or verbally as determined by the investigator.

003.05B In conducting an investigation, the aggrieved person may be requested to:

003.05B.1 Submit documentation as requested;

003.05B.2 Respond to any request for information in writing, electronically, or verbally as determined by the investigator;
and/or,

003.05B.3 Discuss the allegations with the investigator.

003.05C In conducting an investigation, the investigator may interview or request information in writing, electronically, or verbally as determined by the investigator, from any other person.

003.05D Upon the conclusion of an investigation, the Board's investigator may prepare an investigative report. The report includes documentation that supports the findings as needed to dismiss the allegation(s) or file a formal complaint.

003.05E If the investigation reveals that there is not good cause to believe that the person under investigation has violated the AMC Act or this Title, or the violation(s) is/are minor in nature as determined by the Board, the matter will be dismissed and no formal complaint will be initiated by the Board. Upon dismissal, the Board may issue an advisory opinion, or recommend a specific action that the Board deems beneficial to the person under investigation.

003.05F If the investigation discloses evidence that the actions of the person under investigation constitute a violation of the AMC Act or this Title, a formal complaint may be prepared by the Board.

003.06 The Board may enter into a consent agreement or negotiated settlement at any time before or after filing a formal complaint. Voluntary surrender or nonrenewal of a registration to avoid or expedite enforcement or disciplinary action does not preclude any enforcement action or sanction for any alleged violation and will prohibit the person under investigation from applying for subsequent reinstatement or registration.

003.07 Disciplinary action taken by the Board may include but is not limited to:

- (1) Conditional or unconditional revocation,
- (2) Conditional or unconditional suspension,
- (3) Fine,
- (4) Censure,
- (5) Admonishment,
- (6) Civil penalty not to exceed five thousand dollars for a first offense and not to exceed ten thousand dollars for a second or subsequent offense,
- (7) Advisement,
- (8) Cease and desist order, and/or
- (9) Costs associated with investigation.

TITLE 298 NAC - NEBRASKA REAL PROPERTY APPRAISER BOARD

Draft June 10, 2022

- 003.08** Pursuant to NEB. REV. STAT. § 76-3222, at any time during or upon completion of an investigation, whenever in the judgement of the Board, any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of the AMC Act or this Title, the Board may request that Attorney General maintain an action in the name of the State of Nebraska to abate and temporarily and permanently enjoin such acts and practices and to enforce compliance with the AMC Act or this Title.



301 Centennial Mall South, First Floor
PO Box 94963
Lincoln, NE 68509-4963
<https://appraiser.ne.gov/>
402-471-9015

Board Number: _____
Date Received: _____
For Board Use Only

APPLICATION FOR APPROVAL AS A QUALIFYING EDUCATION ACTIVITY IN NEBRASKA

This application must be used by an education provider applying for approval of a qualifying education activity or resubmission of an approved qualifying education activity. A separate application form must be filed for each qualifying education activity submitted for approval. Applicants should read carefully Chapter 6 of Title 298 of the Nebraska Administrative Code before completing the information below. Any application deemed to be incomplete may be returned.

EDUCATION PROVIDER INFORMATION

Education Provider Name: _____

Contact Person Name: _____
Last
First
Middle

Address: _____
PO Box or Street Number
City
State
Zip Code + 4

Email Address
Area Code + Phone Number

QUALIFYING EDUCATION ACTIVITY INFORMATION

Per the Real Property Appraiser Qualifications Criteria effective on January 1, 2022, synchronous educational offering means, the instructor and students interact simultaneously online, similar to a phone call, video chat or live webinar, or web-based meeting; asynchronous educational offering means the instructor and students' interaction is non-simultaneous, and the students progress at their own pace and follow a structured course content and quiz/exam schedule.

Activity Title: _____

Activity Length (Hours): _____

The activity is conducted: In-class By Correspondence (Synchronous) Online (Asynchronous)

The activity is being submitted for approval as: Core Curriculum Course Subject Matter Elective

This submission is a: New Qualifying Education Activity Resubmission of an Approved Qualifying Education Activity

Qualifying Education Activity Secondary Provider: Yes No

RESUBMISSION INFORMATION

If *New Qualifying Education Activity* is selected under QUALIFYING EDUCATION ACTIVITY INFORMATION, proceed to APPLICATION CHECKLIST.

If *Resubmission of an Approved Qualifying Education Activity* is selected under QUALIFYING EDUCATION ACTIVITY INFORMATION, the reason for resubmission is:

- There is a change in the status of approval by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program.
- There is a change in the status of the qualification for online or correspondence delivery specified in 298 NAC, Chapter 6, § 001.07A.
- There is a substantial change to the materials, presentation, or policies.
- There is a change in the qualifications as specified in 298 NAC, Chapter 6, § 005.01 under which an instructor was approved.
- One or more instructors are added or removed by the education provider.
- The materials, theories, and/or methodologies are no longer current.
- The activity content and/or policies are no longer communicated to the credential holder(s) as presented for approval.
- There is a change to a secondary provider's rights to the activity.

APPLICATION CHECKLIST

All materials submitted to the Board related to an Application for Approval as a Qualifying Education Activity are for Board use only and shall be retained by the Board. Except for the Completed application, Non-refundable \$50.00 application fee, and A written explanation of the reason for resubmission, if *Resubmission of an Approved Qualifying Education Activity* is selected under QUALIFYING EDUCATION ACTIVITY INFORMATION, only the items that have changed since the last submission need to be included.

General

Required for all qualifying education activities.

- Completed application.
- Non-refundable \$50.00 application fee.
- A document certifying completion issued to each attendee upon completion of any qualifying education activity. The document includes the name of education provider, signature of education provider and/or instructor, name of activity as approved, location at which activity was conducted or presentation method, date(s) activity was conducted, number of hours, pass or fail statement, and name of credential holder, or be an official transcript from a university or college that includes the name of activity as approved, the number of credit hours awarded, and the name of the attendee.

AND if *Yes* is selected for Qualifying Education Activity Secondary Provider under QUALIFYING EDUCATION ACTIVITY INFORMATION:

- Evidence that the rights to the qualifying education activity have been purchased or lawfully acquired from the education provider that owns the rights to the activity materials.

AND if *Resubmission of an Approved Qualifying Education Activity* is selected under QUALIFYING EDUCATION ACTIVITY INFORMATION:

- A written explanation of the reason for resubmission.

AQB Approved Qualifying Education Activities

Required for activities approved by the AQB of The Appraisal Foundation through its Course Approval Program.

- Evidence that the qualifying education activity is approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program for qualifying education.

If *Online (Asynchronous)* is selected under QUALIFYING EDUCATION ACTIVITY INFORMATION:

- Evidence that the online activity is certified by the International Distance Education Certification Center (Secondary providers must have IDECC approval under own name).

OR

- Evidence that the online activity is conducted by an accredited college, community college, or university that offers distance education programs and is approved or accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education, that awards academic credit for the distance education courses, **AND**

Evidence that the activity provides interaction in a reciprocal environment where the student has verbal or written communication with the instructor, **AND**

Description of the mechanism(s) used to demonstrate the student's knowledge of the subject matter, and why the mechanism(s) are effective.

If *By Correspondence (Synchronous)* is selected under QUALIFYING EDUCATION ACTIVITY INFORMATION, and activity is conducted by an accredited college, community college, or university:

- Evidence that the activity provides interaction in a reciprocal environment where the student has verbal or written communication with the instructor.

Non-AQB Approved Qualifying Education Activities

Required for activities not approved by the AQB.

- An activity description that clearly describes the content.
- All learning objectives.
- An instructor policy that requires the use of instructors who meet the requirements of the Nebraska Real Property Appraiser Act and Title 298.
- All student and instructor materials.
- A timed outline that accounts for the general flow and recommended time spent on topics contained within the activity and reflects hours of credit per topic.
- A record retention policy.
- An attendance policy that requires attendance to be verified in accordance with the Nebraska Real Property Appraiser Act and Title 298.
- A proctored closed-book final examination.

If *Online (Asynchronous)* is selected under QUALIFYING EDUCATION ACTIVITY INFORMATION:

- Description of the mechanism(s) used to demonstrate the student's knowledge of the subject matter, and why the mechanism(s) are effective.
- Evidence that the online activity is certified by the International Distance Education Certification Center (Secondary providers must have IDECC approval under own name).

OR

- Evidence that the online activity is conducted by an accredited college, community college, or university that offers distance education programs and is approved or accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education, that awards academic credit for the distance education courses, **AND**

Evidence that online education activity provides interaction in a reciprocal environment where the student has verbal or written communication with the instructor.

If *By Correspondence (Synchronous)* is selected under QUALIFYING EDUCATION ACTIVITY INFORMATION, and the activity is conducted by accredited college, community college, or university:

- Evidence that the activity provides interaction in a reciprocal environment where the student has verbal or written communication with the instructor.

INSTRUCTOR INFORMATION

An instructor is an individual who is responsible for ensuring that the activity content is communicated to the activity's audience as presented to the Board for approval, and that the activity contributes to the quality of valuation services provided to the public. An individual who communicates assigned materials or a portion of activity content under the authorization of the education provider, but is not responsible for the activity content, is not an instructor.

If reporting more than two instructors for the activity, submit the form titled, "Supplemental Instructor Information for Education Activity Application" at <https://appraiser.ne.gov/Education/>

Instructor Name: _____		
Last	First	Middle
Email Address		Area Code + Phone Number
Is the instructor a state-certified appraiser in Nebraska or any other jurisdiction?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the instructor an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation? <i>Required if the activity is a fifteen-hour National Uniform Standards of Professional Appraisal Practice Course</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No
An instructor for any qualifying education activity must satisfy at least one of the following qualifications: <i>Select one option only</i>		
<input type="checkbox"/> Hold a bachelor's degree in any field and have at least three years of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master's degree or higher in any field and have at least one year of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master's degree or higher in a field that is directly related to the subject matter to be taught;		
<input type="checkbox"/> Have five years of real property appraisal practice teaching experience directly related to the subject matter to be taught; or		
<input type="checkbox"/> Have seven years of real property appraisal practice experience directly related to the subject matter to be taught.		

Instructor Name: _____		
Last	First	Middle
Email Address		Area Code + Phone Number
Is the instructor a state-certified appraiser in Nebraska or any other jurisdiction?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the instructor an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation? <i>Required if the activity is a fifteen-hour National Uniform Standards of Professional Appraisal Practice Course</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No
An instructor for any qualifying education activity must satisfy at least one of the following qualifications: <i>Select one option only</i>		
<input type="checkbox"/> Hold a bachelor's degree in any field and have at least three years of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master's degree or higher in any field and have at least one year of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master's degree or higher in a field that is directly related to the subject matter to be taught;		
<input type="checkbox"/> Have five years of real property appraisal practice teaching experience directly related to the subject matter to be taught; or		
<input type="checkbox"/> Have seven years of real property appraisal practice experience directly related to the subject matter to be taught.		

GENERAL REQUIREMENTS

1. The Board may at any time conduct an audit of any approved education activity to verify that the activity is being conducted in accordance with the Real Property Appraiser Act and Title 298 as approved. If requested, electronic access will be provided to the Board for any approved online education activity.
2. The Board may at any time review activity and instructor materials approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program to verify that the activity and/or instructor(s) meets the requirements of the Real Property Appraiser Act and Title 298 as approved.
3. Approval of activities does not transfer from one education provider to another, unless one education provider obtains the legal rights to all activities of another education provider.
4. Education providers and instructors will comply with the Nebraska Private Postsecondary Career Schools Act, NEB. REV. STAT § 85-1601, et seq. as applicable.
5. Knowingly offering or attempting to offer a qualifying or continuing education activity as being approved to a real property appraiser or an applicant, without first obtaining approval of the activity, except for activities required by an accredited degree-awarding college or university for completion of a degree in real estate, if the college or university had its curriculum approved by the Appraiser Qualifications Board as qualifying education is a violation of Neb. Rev. Stat. § 76-2238(21).
6. Any appraisal subject matter elective qualifying education activity must contribute to an attendee's development of real property appraiser related competency in any one or more of the following subjects:
 - (1) Real property appraisal practice,
 - (2) Valuation methodology and/or techniques,
 - (3) Market fundamentals, characteristics, conditions and analysis,
 - (4) Real property concepts, characteristics, and analysis,
 - (5) Communication,
 - (6) Computation, and/or
 - (7) Legal considerations.
7. An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, must meet qualifications established pursuant to any other applicable law.
8. An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, may not have a conviction, including a conviction based upon a plea of guilty or nolo contendere, of any felony unless his or her civil rights have been restored.
9. An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, who holds a credential as a real property appraiser in Nebraska or any other jurisdiction shall maintain each credential in good standing in accordance with the laws of the jurisdiction in which each credential is held, not have had a credential revoked, suspended, or have surrendered a credential in lieu of disciplinary action within three years; and not have had disciplinary action taken against his or her credential that may constitute a violation of NEB. REV. STAT. § 76-2238 within three years.
10. Any instructor of the qualifying education fifteen-hour National Uniform Standards of Professional Appraisal Practice Course, the continuing education seven-hour National Uniform Standards of Professional Appraisal Practice Update Course, and/or the supervisory real property appraiser and trainee course, must be an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation, be a state-certified real property appraiser in good standing, have an instructional background in real property appraisal practice education; and have a minimum of five years of real property appraisal practice experience.
11. An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course must satisfy the education provider's instructor policy that requires the use of instructors who meet the requirements of the Nebraska Real Property Appraiser Act and Title 298.

I hereby attest that I have included all required materials, complied with all the listed requirements, completed the submitted application in its entirety, and that all statements and materials are true and correct to the best of my knowledge and belief. I understand that, should this application be found to be incomplete, that it may be considered invalid and be returned. Furthermore, I understand that if the Board finds that one or more statements made in this application, or materials submitted with this application, are not true and correct, the Board may deny the application.

Print Name: _____
Last First Middle

Signature Date

RESCINDING APPROVAL

1. The Board may rescind approval of a qualifying education activity if the Board finds:
 - 1) Falsification of information submitted for activity approval,
 - 2) A change in approval by Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program,
 - 3) A change in the status of the qualification for online or correspondence delivery specified in 298 NAC, Chapter 6, § 001.07A,
 - 4) Substantial errors and/or deficiencies in the materials or presentation,
 - 5) The materials, theories, and/or methodologies are not current and/or practical,
 - 6) The activity has not been offered for a period of at least five years from the last date of completion or the approval date if activity has not been offered,
 - 7) There is a change in the qualifications as specified in 298 NAC, Chapter 6, § 005.01 under which an instructor was approved,
 - 8) The instructor(s) responsible for the activity content and presentation are not approved,
 - 9) The activity content and/or policies are not communicated to the attendee(s) as approved,
 - 10) A material violation of the Real Property Appraiser Act or Title 298 by the education provider or instructor for the activity, or
 - 11) There is a change to a secondary provider's rights to the activity.
2. If the Board finds reason to rescind its approval of an activity, the Board will provide written notice to the education provider that includes a description of the reasons for rescinding approval found by the Board. The education provider has 60 days from the date of notice to provide a written response to the Board's notice. If the response is satisfactory to the Board, the Board will not rescind its approval. If the response is not satisfactory to the Board, the Board may rescind approval of the activity. If approval is rescinded, the education provider may file a new application for approval of the qualifying education activity, and if so, meet the requirements in place at the time a new application is submitted to the Board.

DIRECTIONS

1. Complete entire application. If required information is not provided, application will be considered incomplete and may be returned.
2. Along with the application, all information requested in the APPLICATION CHECKLIST section, as applicable, must be included.
3. Mail application, fee, and supporting documentation to:
NEBRASKA REAL PROPERTY APPRAISER BOARD
PO BOX 94963
LINCOLN NE 68509-4963
4. Questions or concerns may be directed to Board staff at 402-471-9015 or nrpab.education@nebraska.gov.



301 Centennial Mall South, First Floor
PO Box 94963
Lincoln, NE 68509-4963
<https://appraiser.ne.gov/>
402-471-9015

Board Number: _____
Date Received: _____
For Board Use Only

APPLICATION FOR APPROVAL AS A CONTINUING EDUCATION ACTIVITY IN NEBRASKA

This application must be used by an education provider applying for approval of a continuing education activity or resubmission of an approved continuing education activity. A separate application form must be filed for each continuing education activity submitted for approval. Applicants should read carefully Chapter 6 of Title 298 of the Nebraska Administrative Code before completing the information below. Any application deemed to be incomplete may be returned.

EDUCATION PROVIDER INFORMATION

Education Provider Name: _____

Contact Person Name: _____
Last
First
Middle

Address: _____
PO Box or Street Number
City
State
Zip Code + 4

Email Address
Area Code + Phone Number

CONTINUING EDUCATION ACTIVITY INFORMATION

Per the Real Property Appraiser Qualifications Criteria effective on January 1, 2022, synchronous educational offering means, the instructor and students interact simultaneously online, similar to a phone call, video chat or live webinar, or web-based meeting; asynchronous educational offering means the instructor and students' interaction is non-simultaneous, and the students progress at their own pace and follow a structured course content and quiz/exam schedule.

Activity Title: _____

Activity Length (Hours): *Exam hours not required nor counted* _____

The activity is conducted: In-class By Correspondence (Synchronous) Online (Asynchronous)

The activity is being submitted for approval as: Seven-hour National USPAP Update Course Other

This submission is a: New Continuing Education Activity Resubmission of an Approved Continuing Education Activity

Continuing Education Activity Secondary Provider: Yes No

RESUBMISSION INFORMATION

If *New Continuing Education Activity* is selected under CONTINUING EDUCATION ACTIVITY INFORMATION, proceed to APPLICATION CHECKLIST.

If *Resubmission of an Approved Continuing Education Activity* is selected under CONTINUING EDUCATION ACTIVITY INFORMATION, the reason for resubmission is:

- There is a change in the status of approval by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program.
- There is a change in the status of the qualification for online or correspondence delivery specified in 298 NAC, Chapter 6, § 001.07A.
- There is a substantial change to the materials, presentation, or policies.
- There is a change in the qualifications as specified in 298 NAC, Chapter 6, § 005.01 under which an instructor was approved.
- One or more instructors are added or removed by the education provider.
- The materials, theories, and/or methodologies are no longer current.
- The activity content and/or policies are no longer communicated to the credential holder(s) as approved.
- There is a change to a secondary provider's rights to the activity.

APPLICATION CHECKLIST

All materials submitted to the Board related to an Application for Approval as a Continuing Education Activity are for Board use only and shall be retained by the Board. Except for the Completed application, Non-refundable \$25.00 application fee, and A written explanation of the reason for resubmission, if *Resubmission of an Approved Continuing Education Activity* is selected under CONTINUING EDUCATION ACTIVITY INFORMATION, only the items that have changed since the last submission need to be included.

General

Required for all continuing education activities.

- Completed application.
- Non-refundable \$25.00 application fee.
- A document certifying completion issued to each attendee upon completion of any continuing education activity. The document includes the name of education provider, signature of education provider and/or instructor, name of activity as approved, location at which activity was conducted or presentation method, date(s) activity was conducted, number of hours, pass or fail statement, and name of credential holder, or be an official transcript from a university or college that includes the name of activity as approved, the number of credit hours awarded, and the name of the attendee.

AND if *Yes* is selected for Continuing Education Activity Secondary Provider under CONTINUING EDUCATION ACTIVITY INFORMATION:

- Evidence that the rights to the continuing education activity have been purchased or lawfully acquired from the education provider that owns the rights to the activity materials.

AND if *Resubmission of an Approved Continuing Education Activity* is selected under CONTINUING EDUCATION ACTIVITY INFORMATION:

- A written explanation of the reason for resubmission.

AQB Approved Continuing Education Activities

Required for activities approved by the AQB of The Appraisal Foundation through its Course Approval Program.

- Evidence that the continuing education activity is approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program for continuing education.

If *Online (Asynchronous)* is selected under CONTINUING EDUCATION ACTIVITY INFORMATION:

- Evidence that the online activity is certified by the International Distance Education Certification Center (Secondary providers must have IDECC approval under own name).

OR

- Evidence that the online activity is conducted by an accredited college, community college, or university that offers distance education programs and is approved or accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education, that awards academic credit for the distance education courses, **AND**

Evidence that the activity provides interaction in a reciprocal environment where the student has verbal or written communication with the instructor, **AND**

Description of the mechanism(s) used to demonstrate the student's knowledge of the subject matter, and why the mechanism(s) are effective.

If *By Correspondence (Synchronous)* is selected under CONTINUING EDUCATION ACTIVITY INFORMATION, and activity is conducted by an accredited college, community college, or university:

- Evidence that the activity provides interaction in a reciprocal environment where the student has verbal or written communication with the instructor.

Non-AQB Approved Continuing Education Activities

Required for activities not approved by the AQB.

- An activity description that clearly describes the content.
- All learning objectives.
- An instructor policy that requires the use of instructors who meet the requirements of the Nebraska Real Property Appraiser Act and Title 298.
- A timed outline that accounts for the general flow and recommended time spent on topics contained within the activity and reflects hours of credit per topic.
- All student and instructor materials.
- A record retention policy.
- An attendance policy that requires attendance to be verified in accordance with the Nebraska Real Property Appraiser Act and Title 298.

If *Seven-hour National USPAP Update Course* is selected under CONTINUING EDUCATION ACTIVITY INFORMATION:

- A completed "7-Hour USPAP Course Checklist for AQB Equivalency Approval" as developed and published by The Appraisal Foundation for Seven-hour National USPAP Update Course.

If *Online (Asynchronous)* is selected under CONTINUING EDUCATION ACTIVITY INFORMATION:

- Description of the mechanism(s) used to demonstrate the student's knowledge of the subject matter, and why the mechanism(s) are effective.
- Evidence that the online activity is certified by the International Distance Education Certification Center (Secondary providers must have IDECC approval under own name).

OR

- Evidence that the online activity is conducted by an accredited college, community college, or university that offers distance education programs and is approved or accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education, that awards academic credit for the distance education courses, **AND**

Evidence that online education activity provides interaction in a reciprocal environment where the student has verbal or written communication with the instructor.

If *By Correspondence (Synchronous)* is selected under CONTINUING EDUCATION ACTIVITY INFORMATION, and the activity is conducted by accredited college, community college, or university:

- Evidence that the activity provides interaction in a reciprocal environment where the student has verbal or written communication with the instructor.

INSTRUCTOR INFORMATION

An instructor is an individual who is responsible for ensuring that the activity content is communicated to the activity's audience as presented to the Board for approval, and that the activity contributes to the quality of valuation services provided to the public. An individual who communicates assigned materials or a portion of activity content under the authorization of the education provider, but is not responsible for the activity content, is not an instructor.

If reporting more than two instructors for the activity, submit the form titled, "Supplemental Instructor Information for Education Activity Application" at <https://appraiser.ne.gov/Education/>

Instructor Name: _____		
Last	First	Middle
Email Address		Area Code + Phone Number
Is the instructor a state-certified appraiser in Nebraska or any other jurisdiction?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the instructor an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation? <i>Required if the activity is a seven-hour National USPAP Update Course</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No
An instructor for any continuing education activity must satisfy at least one of the following qualifications: <i>Select one option only</i>		
<input type="checkbox"/> Hold a bachelor's degree in any field and have at least three years of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master's degree or higher in any field and have at least one year of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master's degree or higher in a field that is directly related to the subject matter to be taught;		
<input type="checkbox"/> Have five years of real property appraisal practice teaching experience directly related to the subject matter to be taught; or		
<input type="checkbox"/> Have seven years of real property appraisal practice experience directly related to the subject matter to be taught.		

Instructor Name: _____		
Last	First	Middle
Email Address		Area Code + Phone Number
Is the instructor a state-certified appraiser in Nebraska or any other jurisdiction?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the instructor an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation? <i>Required if the activity is a seven-hour National USPAP Update Course</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No
An instructor for any continuing education activity must satisfy at least one of the following qualifications: <i>Select one option only</i>		
<input type="checkbox"/> Hold a bachelor's degree in any field and have at least three years of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master's degree or higher in any field and have at least one year of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master's degree or higher in a field that is directly related to the subject matter to be taught;		
<input type="checkbox"/> Have five years of real property appraisal practice teaching experience directly related to the subject matter to be taught; or		
<input type="checkbox"/> Have seven years of real property appraisal practice experience directly related to the subject matter to be taught.		

GENERAL REQUIREMENTS

1. The Board may at any time conduct an audit of any approved education activity to verify that the activity is being conducted in accordance with the Real Property Appraiser Act and Title 298 as approved. If requested, electronic access will be provided to the Board for any approved online education activity.
2. The Board may at any time review activity and instructor materials approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program to verify that the activity and/or instructor(s) meets the requirements of the Real Property Appraiser Act and Title 298 as approved.
3. Approval of activities does not transfer from one education provider to another, unless one education provider obtains the legal rights to all activities of another education provider.
4. Education providers and instructors will comply with the Nebraska Private Postsecondary Career Schools Act, NEB. REV. STAT § 85-1601, et seq. as applicable.
5. Knowingly offering or attempting to offer a qualifying or continuing education activity as being approved to a real property appraiser or an applicant, without first obtaining approval of the activity, except for activities required by an accredited degree-awarding college or university for completion of a degree in real estate, if the college or university had its curriculum approved by the Appraiser Qualifications Board as qualifying education is a violation of Neb. Rev. Stat. § 76-2238(21).
6. Any continuing education activity must contribute to a credential holder's development of real property appraiser related skill, knowledge, and competency in any one or more of the following subjects:
 - (1) Real property appraisal practice,
 - (2) Valuation methodology and/or techniques,
 - (3) Market fundamentals, characteristics, conditions and analysis,
 - (4) Real property concepts, characteristics and analysis,
 - (5) Communication,
 - (6) Computation, and/or
 - (7) Legal considerations.
7. An activity in which the primary purpose is training in the use of a specific software, and not utilization of a software to improve competency in appraisal practice; valuation methodology and/or techniques; market fundamentals, characteristics, conditions and analysis; real property concepts, characteristics and analysis; communication; computation; and/or legal considerations, does not meet the requirements for approval as a continuing education activity.
8. An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, must meet qualifications established pursuant to any other applicable law.
9. An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, may not have a conviction, including a conviction based upon a plea of guilty or nolo contendere, of any felony unless his or her civil rights have been restored.
10. An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, who holds a credential as a real property appraiser in Nebraska or any other jurisdiction shall maintain each credential in good standing in accordance with the laws of the jurisdiction in which each credential is held, not have had a credential revoked, suspended, or have surrendered a credential in lieu of disciplinary action within three years; and not have had disciplinary action taken against his or her credential that may constitute a violation of NEB. REV. STAT. § 76-2238 within three years.
11. Any instructor of the qualifying education fifteen-hour National Uniform Standards of Professional Appraisal Practice Course, the continuing education seven-hour National Uniform Standards of Professional Appraisal Practice Update Course, and/or the supervisory real property appraiser and trainee course, must be an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation, be a state-certified real property appraiser in good standing, have an instructional background in real property appraisal practice education; and have a minimum of five years of real property appraisal practice experience.
12. An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course must satisfy the education provider's instructor policy that requires the use of instructors who meet the requirements of the Nebraska Real Property Appraiser Act and Title 298.

I hereby attest that I have included all required materials, complied with all the listed requirements, completed the submitted application in its entirety, and that all statements and materials are true and correct to the best of my knowledge and belief. I understand that, should this application be found to be incomplete, that it may be considered invalid and be returned. Furthermore, I understand that if the Board finds that one or more statements made in this application, or materials submitted with this application, are not true and correct, the Board may deny the application.

Print Name:

Last

First

Middle

Signature

Date

EXPIRATION AND RESCINDING APPROVAL

1. Except for the seven-hour Uniform Standards of Professional Practice Update course, which expires on the date on which the approval by the Appraiser Qualifications Board expires, a continuing education activity shall expire on the date five years after the date of approval.
2. The Board may rescind approval of a continuing education activity if the Board finds:
 - 1) Falsification of information submitted for activity approval,
 - 2) A change in approval by Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program,
 - 3) A change in status of the qualification for online or correspondence delivery specified in 298 NAC, Chapter 6, § 001.07A,
 - 4) Substantial errors and/or deficiencies in the materials or presentation,
 - 5) The materials, theories, and/or methodologies are not current and/or practical,
 - 6) There is a change in the qualifications as specified in 298 NAC, Chapter 6, § 005.01 under which an instructor was approved,
 - 7) The instructor(s) responsible for the activity content and presentation are not approved,
 - 8) The activity content and/or policies are not communicated to the credential holder(s) as approved,
 - 9) A material violation of Real Property Appraiser Act or Title 298 by the education provider or instructor for the activity, or
 - 10) There is a change to a secondary provider's rights to the activity.
3. If the Board finds reason to rescind its approval of an activity, the Board will provide written notice to the education provider that includes a description of the reasons for rescinding approval found by the Board. The education provider has 60 days from the date of notice to provide a written response to the Board's notice. If the response is satisfactory to the Board, the Board will not rescind its approval. If the response is not satisfactory to the Board, the Board may rescind approval of the activity. If approval is rescinded, the education provider may file a new application for approval of the qualifying education activity, and if so, meet the requirements in place at the time a new application is submitted to the Board.

DIRECTIONS

1. Complete entire application. If required information is not provided, application will be considered incomplete and may be returned.
2. Along with the application, all information requested in the APPLICATION CHECKLIST section, as applicable, must be included.
3. Mail application, fee, and supporting documentation to:
NEBRASKA REAL PROPERTY APPRAISER BOARD
PO BOX 94963
LINCOLN NE 68509-4963
4. Questions or concerns may be directed to Board staff at 402-471-9015 or nrpab.education@nebraska.gov.



301 Centennial Mall South, First Floor
PO Box 94963
Lincoln, NE 68509-4963
<https://appraiser.ne.gov/>
402-471-9015

Board Number: _____
Date Received: _____
For Board Use Only

APPLICATION FOR APPROVAL AS A SUPERVISORY REAL PROPERTY APPRAISER AND TRAINEE COURSE IN NEBRASKA

This application must be used by an education provider applying for approval of a supervisory real property appraiser and trainee course or resubmission of an approved supervisory real property appraiser and trainee course. A separate application form must be filed for each supervisory real property appraiser and trainee course submitted for approval. Applicants should read carefully Chapter 6 of Title 298 of the Nebraska Administrative Code before completing the information below. Any application deemed to be incomplete may be returned.

EDUCATION PROVIDER INFORMATION

Education Provider Name: _____

Contact Person Name: _____
Last
First
Middle

Address: _____
PO Box or Street Number
City
State
Zip Code + 4

Email Address
Area Code + Phone Number

SUPERVISORY REAL PROPERTY APPRAISER AND TRAINEE COURSE INFORMATION

Per the Real Property Appraiser Qualifications Criteria effective on January 1, 2022, synchronous educational offering means, the instructor and students interact simultaneously online, similar to a phone call, video chat or live webinar, or web-based meeting; asynchronous educational offering means the instructor and students' interaction is non-simultaneous, and the students progress at their own pace and follow a structured course content and quiz/exam schedule.

Course Title: _____

Course Length (Hours): _____

The activity is conducted: In-class By Correspondence (Synchronous) Online (Asynchronous)

This submission is a: New Supervisory Appraiser and Trainee Course Resubmission of an Approved Supervisory Appraiser and Trainee Course

Supervisory Appraiser and Trainee Course Secondary Provider: Yes No

RESUBMISSION INFORMATION

If *New Supervisory Real Property Appraiser and Trainee Course* is selected under SUPERVISORY REAL PROPERTY APPRAISER AND TRAINEE COURSE INFORMATION, proceed to APPLICATION CHECKLIST.

If *Resubmission of an Approved Supervisory Appraiser and Trainee Course* is selected under SUPERVISORY REAL PROPERTY APPRAISER AND TRAINEE COURSE INFORMATION, the reason for resubmission is:

- There is a substantial change to the materials, presentation, or policies.
- There is a change in the qualifications as specified in 298 NAC, Chapter 6, § 005.01 under which an instructor was approved.
- One or more instructors are added or removed by the education provider.
- The materials, theories, and/or methodologies are no longer current.
- The activity content and/or policies are no longer communicated to the attendee(s) as approved.
- There is a change in the status of the qualification for online or correspondence delivery specified in 298 NAC, Chapter 6, § 001.07A.
- There is a change to a secondary provider's rights to the activity.

APPLICATION CHECKLIST

All materials submitted for an Application for Approval as a Supervisory Real Property Appraiser and Trainee Course are for Board use only and shall be retained by the Board. Except for the completed application and the \$25.00 application fee, if *Resubmission of an Approved Supervisory Real Property Appraiser and Trainee Course* is selected under SUPERVISORY REAL PROPERTY APPRAISER AND TRAINEE COURSE INFORMATION, only the items that have changed since the last submission need to be included.

- Completed application.
- A course description that clearly describes the content of the course, and meets the requirements specified in Section 004.03 of Title 298.
- Learning objectives that meet the requirements specified in Section 004.02 of Title 298.
- An instructor policy that requires the use of instructors who meet the requirements of the Nebraska Real Property Appraiser Act and Title 298.
- All student and instructor materials.
- A completed Application for Approval as Instructor for Qualifying Education Activity, Continuing Education Activity, or Supervisory Real Property Appraiser and Trainee Course in Nebraska for each instructor.
- A document certifying completion issued to each attendee upon completion of a supervisory real property appraiser and trainee course. The document includes the name of education provider, signature of education provider and/or instructor, name of activity as approved, location at which activity was conducted or presentation method, date(s) activity was conducted, number of hours, pass or fail statement, and name of credential holder, or be an official transcript from a university or college that includes the name of activity as approved, the number of credit hours awarded, and the name of the attendee.
- Non-refundable \$25.00 application fee.
- A timed outline that accounts for the general flow and recommended time spent on topics contained within the course and reflects hours of credit per topic.
- A record retention policy.
- An attendance policy that requires attendance to be verified in accordance with the Nebraska Real Property Appraiser Act and Title 298.
- A closed-book final examination.

AND if *Yes* is selected for Supervisory Real Property Appraiser and Trainee Course Secondary Provider under SUPERVISORY REAL PROPERTY APPRAISER AND TRAINEE COURSE INFORMATION:

- Evidence that the rights to the course have been purchased or lawfully acquired from the education provider that owns the rights to the course materials.

AND if *Online (Asynchronous)* is selected under SUPERVISORY REAL PROPERTY APPRAISER AND TRAINEE COURSE INFORMATION:

- Description of the mechanism(s) used to demonstrate the student's knowledge of the subject matter, and why the mechanism(s) are effective.
- Evidence that the online activity is certified by the International Distance Education Certification Center (Secondary providers must have IDECC approval under own name).

OR

- Evidence that the online activity is conducted by an accredited college, community college, or university that offers distance education programs and is approved or accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education, that awards academic credit for the distance education courses, **AND**

Evidence that online education activity provides interaction in a reciprocal environment where the student has verbal or written communication with the instructor.

AND if *By Correspondence (Synchronous)* is selected under SUPERVISORY REAL PROPERTY APPRAISER AND TRAINEE COURSE INFORMATION, and the activity is conducted by accredited college, community college, or university:

- Evidence that the activity provides interaction in a reciprocal environment where the student has verbal or written communication with the instructor.

INSTRUCTOR APPLICANT(S) INFORMATION

An instructor is an individual who is responsible for ensuring that the activity content is communicated to the activity's audience as presented to the Board for approval, and that the activity contributes to the quality of valuation services provided to the public. An individual who communicates assigned materials or a portion of activity content under the authorization of the education provider, but is not responsible for the activity content, is not an instructor.

If reporting more than two instructors for the activity, submit the form titled, "Supplemental Instructor Information for Education Activity Application" at <https://appraiser.ne.gov/Education/>

Instructor Name: _____		
Last	First	Middle
Email Address _____		Area Code + Phone Number _____
Is the instructor a state-certified appraiser in Nebraska or any other jurisdiction?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the instructor an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation? <i>Required for a supervisory real property appraiser and trainee course</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No
An instructor for a supervisory real property appraiser and trainee course must satisfy at least one of the following qualifications: <i>Select one option only</i>		
<input type="checkbox"/> Hold a bachelor's degree in any field and have at least three years of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master's degree or higher in any field and have at least one year of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master's degree or higher in a field that is directly related to the subject matter to be taught;		
<input type="checkbox"/> Have five years of real property appraisal practice teaching experience directly related to the subject matter to be taught; or		
<input type="checkbox"/> Have seven years of real property appraisal practice experience directly related to the subject matter to be taught.		

Instructor Name: _____		
Last	First	Middle
Email Address _____		Area Code + Phone Number _____
Is the instructor a state-certified appraiser in Nebraska or any other jurisdiction?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the instructor an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation? <i>Required for a supervisory real property appraiser and trainee course</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No
An instructor for a supervisory real property appraiser and trainee course must satisfy at least one of the following qualifications: <i>Select one option only</i>		
<input type="checkbox"/> Hold a bachelor's degree in any field and have at least three years of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master's degree or higher in any field and have at least one year of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master's degree or higher in a field that is directly related to the subject matter to be taught;		
<input type="checkbox"/> Have five years of real property appraisal practice teaching experience directly related to the subject matter to be taught; or		
<input type="checkbox"/> Have seven years of real property appraisal practice experience directly related to the subject matter to be taught.		

GENERAL REQUIREMENTS

1. The Board may at any time conduct an audit of any approved education activity to verify that the activity is being conducted in accordance with the Real Property Appraiser Act and Title 298 as approved. If requested, electronic access will be provided to the Board for any approved online education activity.
2. The Board may at any time review activity and instructor materials approved by the Appraiser Qualifications Board of The Appraisal Foundation through its Course Approval Program to verify that the activity and/or instructor(s) meets the requirements of the Real Property Appraiser Act and Title 298 as approved.
3. Approval of activities does not transfer from one education provider to another, unless one education provider obtains the legal rights to all activities of another education provider.
4. Education providers and instructors will comply with the Nebraska Private Postsecondary Career Schools Act, NEB. REV. STAT § 85-1601, et seq. as applicable.
5. Knowingly offering or attempting to offer an education activity as being approved to a real property appraiser or an applicant, without first obtaining approval of the activity, except for activities required by an accredited degree-awarding college or university for completion of a degree in real estate, if the college or university had its curriculum approved by the Appraiser Qualifications Board as qualifying education is a violation of Neb. Rev. Stat. § 76-2238(21).
6. An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, must meet qualifications established pursuant to any other applicable law.
7. An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, may not have a conviction, including a conviction based upon a plea of guilty or nolo contendere, of any felony unless his or her civil rights have been restored.
8. An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course, who holds a credential as a real property appraiser in Nebraska or any other jurisdiction shall maintain each credential in good standing in accordance with the laws of the jurisdiction in which each credential is held, not have had a credential revoked, suspended, or have surrendered a credential in lieu of disciplinary action within three years; and not have had disciplinary action taken against his or her credential that may constitute a violation of NEB. REV. STAT. § 76-2238 within three years.
9. Any instructor of the qualifying education fifteen-hour National Uniform Standards of Professional Appraisal Practice Course, the continuing education seven-hour National Uniform Standards of Professional Appraisal Practice Update Course, and/or the supervisory real property appraiser and trainee course, must be an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation, be a state-certified real property appraiser in good standing, have an instructional background in real property appraisal practice education; and have a minimum of five years of real property appraisal practice experience.
10. An instructor for any qualifying education activity, continuing education activity, or supervisory real property appraiser and trainee course must satisfy the education provider's instructor policy that requires the use of instructors who meet the requirements of the Nebraska Real Property Appraiser Act and Title 298.

I hereby attest that I have included all required materials, complied with all the listed requirements, completed the submitted application in its entirety, and that all statements and materials are true and correct to the best of my knowledge and belief. I understand that, should this application be found to be incomplete, that it may be considered invalid and be returned. Furthermore, I understand that if the Board finds that one or more statements made in this application, or materials submitted with this application, are not true and correct, the Board may deny the application.

Print Name:

Last

First

Middle

Signature

Date

RESCINDING APPROVAL

1. The Board may rescind approval of a supervisory real property appraiser and trainee course if the Board finds:
 - 1) Falsification of information submitted for activity approval,
 - 2) Substantial errors and/or deficiencies in the materials or presentation,
 - 3) The materials, theories, and/or methodologies are not current and/or practical,
 - 4) There is a change in the qualifications as specified in 298 NAC, Chapter 6, § 005.01 under which an instructor was approved,
 - 5) The instructor(s) responsible for the activity content and presentation are not approved,
 - 6) The activity has not been offered for a period of at least five years from the last date of completion or the approval date if activity has not been offered,
 - 7) The course content and/or policies are not communicated to the credential holder(s) as approved,
 - 8) A material violation of the Real Property Appraiser Act or NAC Title 298 by the education provider or instructor for the activity,
 - 9) A change in status of the qualification for online or correspondence delivery specified in 298 NAC, Chapter 6, § 001.07A, or
 - 10) A change to a secondary provider's rights to the activity.
2. If the Board finds reason to rescind its approval of a course, the Board will provide written notice to the education provider that includes a description of the reasons for rescinding approval found by the Board. The education provider has 60 days from the date of notice to provide a written response to the Board's notice. If the response is satisfactory to the Board, the Board will not rescind its approval. If the response is not satisfactory to the Board, the Board may rescind approval of the supervisory real property appraiser and trainee course. If approval is rescinded, the education provider may file a new application for approval of the supervisory real property appraiser and trainee course, and if so, meet the requirements in place at the time a new application is submitted to the Board.

DIRECTIONS

1. Complete entire application. If required information is not provided, application will be considered incomplete and may be returned.
2. Along with the application, all information requested in the APPLICATION CHECKLIST section, as applicable, must be included.
3. Mail application, fee, and supporting documentation to:
NEBRASKA REAL PROPERTY APPRAISER BOARD
PO BOX 94963
LINCOLN NE 68509-4963
4. Questions or concerns may be directed to Board staff at 402-471-9015 or nrpab.education@nebraska.gov.



301 Centennial Mall South, First Floor
 PO Box 94963
 Lincoln, NE 68509-4963
<https://appraiser.ne.gov/>
 402-471-9015

Board Number: _____
Date Received: _____
For Board Use Only

SUPPLEMENTAL INSTRUCTOR INFORMATION FOR EDUCATION ACTIVITY APPLICATION IN NEBRASKA

An instructor is an individual who is responsible for ensuring that the activity content is communicated to the activity’s audience as presented to the Board for approval, and that the activity contributes to the quality of valuation services provided to the public. An individual who communicates assigned materials or a portion of activity content under the authorization of the education provider, but is not responsible for the activity content, is not an instructor.

Any instructor of the qualifying education fifteen-hour National Uniform Standards of Professional Appraisal Practice Course, the continuing education seven-hour National Uniform Standards of Professional Appraisal Practice Update Course, and/or the supervisory real property appraiser and trainee course, must be an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation.

INSTRUCTOR INFORMATION

Instructor Name: _____		
Last	First	Middle
Email Address		Area Code + Phone Number
Is the instructor a state-certified appraiser in Nebraska or any other jurisdiction?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the instructor an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation?		<input type="checkbox"/> Yes <input type="checkbox"/> No
An instructor for any education activity must satisfy at least one of the following qualifications: <i>Select one option only</i>		
<input type="checkbox"/> Hold a bachelor’s degree in any field and have at least three years of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master’s degree or higher in any field and have at least one year of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master’s degree or higher in a field that is directly related to the subject matter to be taught;		
<input type="checkbox"/> Have five years of real property appraisal practice teaching experience directly related to the subject matter to be taught; or		
<input type="checkbox"/> Have seven years of real property appraisal practice experience directly related to the subject matter to be taught.		

INSTRUCTOR INFORMATION

Instructor Name: _____		
Last	First	Middle
Email Address		Area Code + Phone Number
Is the instructor a state-certified appraiser in Nebraska or any other jurisdiction?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the instructor an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation?		<input type="checkbox"/> Yes <input type="checkbox"/> No
An instructor for any continuing education activity must satisfy at least one of the following qualifications: <i>Select one option only</i>		
<input type="checkbox"/> Hold a bachelor's degree in any field and have at least three years of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master's degree or higher in any field and have at least one year of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master's degree or higher in a field that is directly related to the subject matter to be taught;		
<input type="checkbox"/> Have five years of real property appraisal practice teaching experience directly related to the subject matter to be taught; or		
<input type="checkbox"/> Have seven years of real property appraisal practice experience directly related to the subject matter to be taught.		

Instructor Name: _____		
Last	First	Middle
Email Address		Area Code + Phone Number
Is the instructor a state-certified appraiser in Nebraska or any other jurisdiction?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the instructor an AQB Certified USPAP Instructor by the Appraiser Qualifications Board of The Appraisal Foundation?		<input type="checkbox"/> Yes <input type="checkbox"/> No
An instructor for any continuing education activity must satisfy at least one of the following qualifications: <i>Select one option only</i>		
<input type="checkbox"/> Hold a bachelor's degree in any field and have at least three years of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master's degree or higher in any field and have at least one year of experience directly related to the subject matter to be taught;		
<input type="checkbox"/> Hold a master's degree or higher in a field that is directly related to the subject matter to be taught;		
<input type="checkbox"/> Have five years of real property appraisal practice teaching experience directly related to the subject matter to be taught; or		
<input type="checkbox"/> Have seven years of real property appraisal practice experience directly related to the subject matter to be taught.		

2022 Spring AARO Conference; San Antonio, TX

Friday, May 13, 2022

Opening Remarks

Joe Ibach, AARO President

- Thank you for coming.
- Recognized the newcomers and past presidents.
- Thanked all thirteen sponsors.

Stephanie Robinson, TDLR

- Welcomed all to San Antonio.

ASC & TAF Updates

Jim Park, ASC

- Developed a new seal, logo, and website.
- Described the ASC's purpose and structure.
- Covid-19 is still having an impact on the ASC's ability to conduct compliance reviews.
 - Still conducting State Off-site Assessments (SOA), which have been taking place since the Covid-19 pandemic started.
 - Because of the various levels of electronic documentation, the SOAs are limited in review capabilities, but have been very successful.
 - Learning that a lot of turnover has occurred in the states since the beginning of Covid-19; approximately 50%.
- Grant program has been very successful.
 - Due to Covid-19, the number of states applying have been slower than expected.
 - 4.1 million in grants have been allocated.
 - South Dakota and Mississippi have utilized grant money to develop trainee programs.
- ASC has increased its attention to racial bias/equity concerns as it understands the pressure the industry is under.
 - These stories and accounts compromise public trust.
 - HUD and EEOC is investigating incidents.
 - ASC held roundtables, participated in the PAVE Task Force, Conducted Census/Surveys, and completed USPAP and Criteria review.
 - Compliance review project and data visualized tracks the average distance traveled to for an appraisal assignment.
 - Read email from Vickie Metcalf regarding bias from a black woman's perspective.

- Many legislative bills have been introduced, but it is unclear as to the outcome of any of them.
- GAO Report of Federal Appraisal Exemptions
 - Only 80% of transactions require an appraisal, but 87% of transactions include an appraisal.
 - ASC followed through on amending its rules regarding temporary waivers.

David Bunton, The Appraisal Foundation

- Discussed the history of Friday the 13th.
- Monthly newsletter continues to be well received.
- Weekly podcast is in place to answer questions from every corner of the industry.
- PAREA Scholarships for those to overcome some of the issues the appraisal profession is facing, and partnering with corporate America to bring more appraisers to the industry.
- Introduced Lisa Desmarais (again).
- TAF PAVE/NFHA Report Update:
 - Comprehensive review of Ethics Rule
 - Retaining Relman Colfax for study
 - Council to advocate for residential equity
 - BOT structure working group
 - Building a well-trained, accessible and diverse appraiser workforce.
 - Hired consultant to evaluate the membership of the three boards.
 - A new process has been put in place. Six of the last seven appointments to the ASB, AQB and BOT have been women, including an African American and a Hispanic.
 - Diversity Training has become a part of TAF ongoing programs.
 - Fair Appraisal and Inequity Report Act of 2022
 - All discrimination complaints would need to be forwarded to a newly created agency (ASC will be reworked) for investigation. In addition, two years' worth of appraisals would need to be reviewed by the agency for any appraiser under investigation.
 - 75% of mortgage transactions are non-bank.
 - Senate Committee on Banking, Housing and Urban Affairs has not had a legislative mark-up session since 2018, and between 93%-97% of bills are inactive.
 - TAF's report on AVMs examines the current generation of AVMs using in housing and makes recommendations on potential standards for AVMs going forward.
- Discussed TAF resources available to State Regulators.
- Covered the current Corrective Education offerings. These can be found on TAF's website.

Brad Swinney, AQB

- Effective for 2022 Criteria:
 - Revisions to distance education requirements
 - Synchronous education offerings to be treated as equivalent to traditional in-person classroom offerings.
 - Separating synchronous courses from asynchronous courses.
 - Increase in the number of delivery mechanism approval entities for asynchronous education.
 - Addition to Criteria specific to continuing education includes topics of valuation bias, fair housing, and equal opportunity.
 - Removed 50% limitation on appraisal experience gained with a non-traditional client and allow up to 100% of experience credit to be gained this way.
 - Added an interpretation that clarifies that education and experience must be approved prior to an applicant sitting for exam.
- Reviewed the new Q&As for 2021.
- AQB course delivery mechanism was added to Course Approval Program (CAP).
- 31 states are in some process of adopting the acceptance of PAREA in place of traditional education.
- Two applicants (AI, Abvion?) are near receiving initial approval (two AMCs also developing programs).
- Discussed PAREA Q&As for State Regulators.
 - Verifying qualifying education after the successful completion of a PAREA Program.
 - The appraisal experience log and successful completion of a PAREA program.
- Brought attention to the other Q&As adopted recently.
- Other activities and upcoming items.
 - National Uniform Licensing and Certification Examination review
 - Certified USPAP Instructor Program
 - 403 recertified instructors for the 2022-2023 cycle.

Michelle Czekalski-Bradley, Appraisal Standards Board

- Covered the proposed changes in the third exposure draft of the 2023 USPAP.
 - Focused on the Ethics Rule and Misleading (goal of absolute clarity).
 - Highlight focus on these topics, the Board will not be proposing edits to other topics proposed in previous exposure drafts.
 - Plan to release very soon in the coming weeks.
- Topics from the second exposure draft of the 2023 USPAP include:
 - Disclosing type and extent of inspection.
 - Retiring definitions Assignment Elements, Misleading, Personal Inspection, and Relevant Characteristics.

- Modifying definitions Appraiser and Workfile.
- Minor edits made to 2-3; 4-3; 6-3.

HUD Update: Fair Housing and the PAVE Action Plan

Melody Taylor (HUD)

- Conducted a live survey of attendees and discussed the results in real time.
- Fair Housing Assistance Agencies are located all over the country and can assist with HUD investigations. State agencies should have a relationship with these agencies.
- Provided a detailed summary of the PAVE Action Plan.
 - Percentage of appraisal resulting in appraiser value below contract price: Majority Latino (15.4%); Majority-Black (12.5%); Majority-White (7.4%).
- Asks that we all think differently about things...think about the people.

Fannie Mae Updates

Lyle Radke (Fannie Mae)

- Provided a summary of what Fannie Mae is.
 - Chartered by Congress because of a liquidity crisis 100 years ago in the secondary market.
 - Buy loans from mortgage company to open cash flow by guaranteed MBS & non-guaranteed credit risk securities purchased by investors.
 - Value determines loan eligibility, loan pricing, mortgage insurance, credit risk transfer, and loss prevention.
- Why modernize appraisals?
 - Opinion is more vulnerable to dispute than fact.
 - Accuracy is hard to measure.
 - Appraisal results sometimes lack consistency and reproducibility.
 - Lack of certainty leads to burdensome quality control processes.
 - Technology in Valuation - 3D scanning, GIS systems, and Machine Learning/Image Recognition.
- Last year was the biggest appraisal volume ever.
- As appraisal volume increases the number of appraisers has stayed the same (1% decline).
- Standards adopted by reference – Fannie Mae Selling Guide
 - Appraiser Independence Requirements (AIR).
 - ANSI standard Z765-2021 (sq ft).
 - Uniform Appraisal Dataset (UAD).
 - Uniform Standards of Professional Appraisal Practice (USPAP).
- Implementing data, model, technology driven solutions
 - Appraisal Waivers.

- Inspection-based Appraisal Waivers (currently testing).
 - Get inspection up front and plug numbers in to neighborhood model.
- Appraiser dependent Solutions
 - Desktop Appraisals - increase appraisal process flexibility and speed, reduce the potential for appraiser bias, and alleviate appraiser capacity issues.
 - Hybrid Appraisals.
 - Traditional Appraisals.
 - Alternative-scope valuation approaches
 - Place appraiser focus on valuation.
- Floor Plan – A footprint sketch or floor plan must be software-generated and indicate dimensions and calculations that demonstrate how the estimate for gross living area was derived (must include: interior walls, doorways, staircases, exterior ingress/egress, labels for each room, and dimensions of all exterior walls).
- Uniform Appraisal Dataset (UAD) and Forms Redesign.
 - Future information captured to support Highest and Best Use.
 - More specific information for prior sales and transfers for both subject and comparables.
 - Prior services will be moved to certifications.
 - Quality and condition ratings will include both interior and exterior conditions.
- Appraiser Quality Monitoring – AQM provides appraisers and industry feedback.
 - State Tips – Appraisal sent to state regulatory agencies due to Loan Quality Center Defects/repurchase (lender must repurchase the loan back). Both lender and Fannie Mae must agree that appraisal is defective for a State Tip to be sent.
 - State Referral – Formal complaint to state regulatory agencies based on the identification of egregious appraisal issues.
 - AQM List – Notice sent to appraiser and lending partner that appraisal from the identified appraiser will be reviewed in the post-acquisition file review process or that Fannie Mae will no longer accept loans with appraisal completed by the specific appraiser.
 - Appraiser Letter – Letter to inform appraiser of appraisal issues identified.

Saturday, May 14, 2022

The PAVE Report: What it Means and What's Next (John Brenan, Dave Cherner, Jacqueline Olsen)

- 2020 – Biden announces plans to establish a national standard for housing appraisals to counteract racial bias.
- June 2021 – Biden creates PAVE Task Force.
- October 2021 - ASC announces review of appraisal standards and qualifications.
- January 2022 – ASC releases report.
- March 2022 – PAVE Task Force published Action Plan.

- Senate Banking Committee Hearing on PAVE report.
- House Financial Service Committee publishes draft bill, “Fair Appraisal and Inequity Reform Act of 2022.”
- House Financial Services Committee Hearing on PAVE report.
- Five main PAVE Takeaways:
 - Strengthen guardrails against unlawful discrimination.
 - Enhance enforcement + drive accountability.
 - Improve appraiser workforce.
 - Empowering consumers.
 - Better data to study and monitor valuation bias.

Board Member, Staff and Contractor Complaints (Steve McCaleb, Anne Petit, Tamara Pappas)

- Complaints against sitting members.
- Liability of a board member and staff members when the board is sued.
- Discussed quorum matters.
- General dos and don'ts of board and staff communication.
 - Use caution in conversations with board members and staff – especially concerning disciplinary matters.
 - Use caution with emails – Be aware that emails are a matter of public record.
 - Maintain decorum during meetings/hearings – What is the perception of attendees (respondents, complaints, members of the public, etc.) when sidebar conversations occur or when board members speak to respondent or counsel in a familiar/casual manner.
 - Multiple board members attendance at conferences/meetings; and
 - Depositions.

Course Approval Program (CAP): New Alternative for Delivery (JoEllen Alberts, Aida Dedajic, Lisa Desmarais, Jerry Yurek)

- Covered the definitions in CAP.
- Summarized the criteria specific to qualifying education in CAP.
- Provided a summary of the Real Property Appraiser Qualifications Criteria and explained the education requirements and the guide notes.
- Purpose of CAP - Assist state appraiser regulatory agencies in approving courses.
- Approval Process – Course Submission; Review Submission; Primary Reviewer; QC Reviewer (Approved or not approved); Send to AQB for Vote if approved – Send back to education provider for resubmission if not approved.
- Approval Period is 3 years (USPAP courses 2 years).
- Summarized the course submission requirements.
- 30% of education activities are not approved initially. Approximately 5% are not approved after resubmittal.

- Gave a tour of TAF website:
 - Location of AQB Approved Courses.
 - Location of CAP program.
 - Location of State Appraiser Regulator Agency Resources.
- Background on DMA:
 - AQB received requests to expand the number of delivery mechanism approval formats.
 - DMA as part of AQB CAP reviews and ensures the approved delivery mechanism asynchronous course meets the minimal requirements.
- Course reviewers are experts in CAP and specific topics.

Executive Directors and Administrators Open Discussion (Melissa Tran, TX)

- Anti-occupational lobby/legislation.
- ASC State Offsite Assessments.
- Bias/Diversity Complaints
 - If grievance received concerning discrimination: Co-investigate with NEOC? Begin investigation, turn file over to NEOC, NEOC conducts and completes investigation, Board resumes investigation with NEOC complaint incorporated.
- AMC panel fees.
- Fannie Mae Complaints.
- Staffing Issues.

Sunday, May 15, 2022

Data Security (Luke Tomaszewski)

- Timely reporting is the most important action.
- Data:
 - World's new natural resource
 - Basis of competitive advantage.
 - Transform professions and industries.
- 91% of all attacks start with an email.
- Attacks include phishing, spear phishing, whaling, malware, denial of state, man in the middle, ransomware.
- Cybercrime is up 600% due to Covid-19
 - Remote work increases cost of data breach.
 - More than 500,000 ZOOM users had their accounts compromised.
- Causes:
 - 95% is due to human error.
 - Only 5% of folders are property protected.
- Cybersecurity Market will be valued at \$403 billion by 2027.
- State of Washington Data Breach.
 - System was taken offline within 24 hours after suspicious activity detected.

- Investigation in progress.
- Affected 44 professions, 50-55 staff members, 650,000 potentially individuals.
- Cyber liability insurance – opened call center.
- Transparency – Media contact, aligned messages, communicate.
- Morale – Refrain from negativity, communicate, leadership through crisis training.
- Prepare for systems downtime – paper applications, rule flexibility, think outside the box.
- System Relaunch – Penetration testing, front facing system, license look up.
- Passwords – 10-15 characters, separate passwords, password reset questions, Use Multifactor Authentication (MFA).
- Email Safety – Be prepared for an attack, beware of attachments, avoid public Wi-Fi, verify legitimacy, educate.
- Response Plan Breach response plan (manage, respond, recover).
- Insurance costs are skyrocketing.
- Q&A

Appraisal Ghosting...Public Trust...and State Regulators (Pete Fontana, MT; Michele Peterson-Cook, MT; Tony Pistilli, CO)

Tony Pistilli, CO

- Ghosting – Appraiser accepts an assignment then disappears.
- Harmful to consumers. appraisers, AMCs, financial institutions, public.

Pete Fontana, MT

- Talked about public trust and the ethical implications for an appraiser abandoning an assignment.

Michele Peterson-Cook, MT

- Explained the complaint procedures for the State of Montana.

The P's of PAREA: Programs, Policy Statements and Procedures (Lisa Desmarais, TAF; Craig Steinley, SD; Tom Viet, KY)

Lisa Desmarais, TAF

- Gave summary of PAREA
- Covered the Q&As related to PAREA and the ASC's guidance related to PAREA.

Craig Steinley, SD

- Pathway to Success Grant – competitive grant application.
- AI BOD approved PAREA development in September.
- Collaborating with partners to hit predetermined milestones.
- Framework development underway.
- On schedule for September 2023 premiere.
- Showed examples of the model.

Tom Viet, KY

- Discussed process and the reasoning Kentucky went through to adopt PAREA.
- Participants must meet QE in advance, Trainee registration not required, PAREA teaches how to become competent in a jurisdiction.
- Mentors not tied to any certain state, must meet AQB requirements, designated members of AI, Mentor orientation required.
- Final three of 36 case studies are completed independently.
- States to determine their own review criteria.
- AI PAREA to provide robust, thorough experience.

ANNUAL REPORT | 2021

APPRAISAL SUBCOMMITTEE

FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL



CONTENTS

2	Introduction
4	Message from the Chair
6	Appraisal Subcommittee Representatives
7	Administration of the Appraisal Subcommittee
8	State Appraiser and AMC Program Oversight
9	ASC Roundtables: Building a More Equitable Appraisal System
11	Appraisal Foundation Monitoring and Review
12	ASC Grants
14	Appraiser Registry
15	AMC Registry
16	Appraisal Complaint National Hotline
17	Activities of the ASC Member Agencies
18	Interagency Activity
19	Member Agency Activity
23	Financial Status of the ASC

APPENDICES

26	Appendix A Financial Statements
55	Appendix B National Registry Statistics
56	Appendix C Tools for Monitoring State Compliance with Title XI
57	Appendix D Disciplinary Actions Reported By States
59	Appendix E Appraisal Complaint National Hotline
63	Appendix F Agency Complaint Data
64	Appendix G Reference Materials Statutory References Policy Statements

LETTER OF TRANSMITTAL

June 14, 2022

The President of the Senate
The Speaker of the House of Representatives

Pursuant to Section 1103 of Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as amended (12 U.S.C. § 3332), I am pleased to submit the 2021 Annual Report of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council.



Sincerely,

A handwritten signature in black ink that reads "Tim Segerson". The signature is written in a cursive style.

Tim Segerson
Chairman

INTRODUCTION

The Appraisal Subcommittee (ASC) of the Federal Financial Institutions Examination Council (FFIEC)¹ was created on August 9, 1989, pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (Title XI of FIRREA or Title XI). Title XI's purpose is to "provide that Federal financial and public policy interests in real estate related transactions will be protected by requiring that real estate appraisals utilized in connection with federally related transactions are performed in writing, in accordance with uniform standards, and by individuals whose competency has been demonstrated and whose professional conduct will be subject to effective supervision."² In general, the ASC oversees the real estate appraisal regulatory framework as it relates to federally related transactions as defined in Title XI.³

Title XI requires the ASC to:

- monitor the requirements established by States:
 - for the certification and licensing of individuals who are qualified to perform appraisals in connection with federally related transactions, including a code of professional responsibility; and
 - for the registration and supervision of the operations and activities of appraisal management companies (AMCs)
- monitor the requirements established by the Federal financial institutions regulatory agencies with respect to:
 - appraisal standards for federally related transactions under their jurisdiction; and
 - determinations as to which federally related transactions under their jurisdiction require the services of a State certified appraiser and which require the services of a State licensed appraiser
- maintain a National Registry of State certified and licensed appraisers (Appraiser Registry) who are eligible to perform appraisals in federally related transactions
- maintain a National Registry of AMCs (AMC Registry) that either are registered with and subject to supervision of a State appraiser certifying and licensing agency or are operating subsidiaries of a Federally regulated financial institution⁴
- establish and operate an appraisal complaint national hotline, including a toll-free telephone number and email address, for the referral of complaints concerning alleged violations of appraisal independence standards and/or *Uniform Standards of Professional Appraisal Practice* (USPAP)
- monitor and review the practices, procedures, activities and organizational structure of the Appraisal Foundation (Foundation)
- transmit an annual report to Congress not later than June 15 of each year that describes the way each function assigned to the ASC has been carried out during the preceding year

1 The FFIEC was established pursuant to Title X of the Financial Institutions Regulatory and Interest Rate Control Act of 1978. It is an interagency body empowered to set uniform principles for the examination of federally regulated financial institutions.

2 Title XI § 1101, 12 U.S.C. § 3331.

3 A federally related transaction includes any real estate-related financial transaction which: (a) a Federal financial institutions regulatory agency engages in, contracts for, or regulates; and (b) requires the services of an appraiser under the interagency appraisal rules. [(Title XI § 1121 (4), 12 U.S.C. § 3350), implemented by the Office of the Comptroller of the Currency: 12 CFR 34.42(g) and 34.43(a); Federal Reserve Board: 12 CFR 225.62 and 225.63(a); Federal Deposit Insurance Corporation: 12 CFR 323.2(f) and 323.3(a); and National Credit Union Administration: 12 CFR 722.2(f) and 722.3(a)]. Based on 2014 Home Mortgage Disclosure Act (HMDA) data, at least 90 percent of residential mortgage loan originations are not subject to the Title XI appraisal regulations. (FFIEC report to Congress, *Economic Growth and Regulatory Paperwork Reduction Act*, 82 *Federal Register* 15900 (March 30, 2017)).

4 12 CFR 1102.400 - 1102.403. The ASC rule to implement collection and transmission of annual AMC registry fees was published by the ASC in the September 25, 2017 issue of the *Federal Register* (82 FR 44493). The Final Rule's effective date was November 24, 2017.

Title XI also requires the ASC to:

- make grants in such amounts as it deems appropriate to the Foundation to help defray costs relating to the activities of the Appraisal Standards Board (ASB) and Appraiser Qualifications Board (AQB)
- make grants to State appraiser certifying and licensing agencies in accordance with policies developed by the ASC⁵ to support the efforts of such agencies to comply with Title XI, including—
 - the complaint process, complaint investigations, and appraiser enforcement activities of such agencies
 - the submission of data on State licensed and certified appraisers and AMCs to the Appraiser Registry and the AMC Registry, including information affirming that appraisers or AMCs meet required qualification criteria, and information on formal and informal disciplinary actions
 - reporting to all State appraiser certifying and licensing agencies when a license or certification is surrendered, revoked or suspended

An unofficial ASC staff version of Title XI is in Appendix G.

The ASC has seven members, each designated respectively by the head of their agency, including the Board of Governors of the Federal Reserve System (Federal Reserve), Consumer Financial Protection Bureau (Bureau), Federal Deposit Insurance Corporation (FDIC), National Credit Union Administration (NCUA), Office of the Comptroller of the Currency (OCC), Federal Housing Finance Agency (FHFA), and U.S. Department of Housing and Urban Development (HUD). Title XI also requires the FFIEC to appoint a Chairperson from the member representatives to serve a two-year term.

⁵ The ASC adopted a grants handbook on December 12, 2019, which includes all the ASC policies and procedures with regard to grants.

MESSAGE FROM THE CHAIR

2021 was a year of significant initiatives for the Appraisal Subcommittee (ASC) particularly focused on diversity, equity and inclusion (DE&I) in the appraisal industry. In the interest of advancing racial equity and support for underserved communities, the ASC has carried out the following: (1) holding Roundtables to engage audiences from government, finance, real estate appraisal, civil rights advocates, and communities impacted by the appraisal system; (2) providing support through the ASC Grants Program to support State appraiser regulatory agencies' work to address appraiser shortages in underserved markets; (3) revising the Appraisal Complaint National Hotline to include information and referrals to file complaints of alleged appraisal bias, lender discrimination, or violation of the Fair Housing Act; (4) commissioning an independent review of appraisal standards and appraiser qualification criteria focusing on fairness, equity, objectivity and diversity; and (5) working with other federal agencies to address appraisal bias, lender discrimination, or violation of fair housing/fair lending laws. The ASC implemented all aspects of its action plan in 2021 and is committed to carrying these initiatives forward and expanding on these efforts to advance racial equity.

On June 1, 2021, President Biden directed the Department of Housing and Urban Development (HUD) Secretary Marcia Fudge to lead "...a first-of-its-kind interagency initiative to address inequity in home appraisals [to] utilize, quickly, the many levers at the federal government's disposal, including potential enforcement under fair housing laws, regulatory action, and development of standards and guidance in close partnership with industry and state and local governments, to root out discrimination in the appraisal and homebuying process."⁶ In response to President Biden's directive, Secretary Fudge, along with the Director of the Domestic Policy Council, Ambassador Susan Rice, established the Interagency Task Force on Property Appraisal and Valuation Equity (PAVE) comprised of 13 federal government agencies, including cabinet level departments. All

ASC member agencies and the ASC itself were named members of PAVE. PAVE is expected to present its recommendations to the President in early 2022. More information about PAVE can be found at [Home | pave.hud.gov](https://pave.hud.gov).

The ASC approved a \$250,000 grant to the ASC's cooperative agreement holder, the Council on Licensure, Enforcement and Regulation (CLEAR), to obtain a comprehensive review of the *Uniform Standards of Professional Appraisal Practice* (USPAP) and the *Real Property Appraiser Qualification Criteria* (Criteria), as well as related and required courses to attain and maintain licensure as an appraiser. USPAP and the Criteria are established by the Appraisal Foundation's Appraisal Standards Board and the Appraiser Qualifications Board respectively. The review was intended to focus on whether USPAP, the Criteria, and related courses ensure and promote fairness, equity, objectivity, and diversity, in both appraisals and in the training and credentialing of appraisers. Research and analysis was conducted by a consortium led by the National Fair Housing Alliance (NFHA) with additional subject matter expertise provided by Dane Law and The Christensen Law Firm specializing in civil rights, fair housing, fair lending and appraisal practice. The report was received by the ASC in December 2021 and publicly released by the NFHA in January 2022.

The ASC held two Roundtables in the fall of 2021 entitled *Building a More Equitable Appraisal System*. Close to 700 appraiser, civil rights and fair housing experts, lenders and other stakeholders attended and participated in the Roundtables. More detail on the Roundtables can be found on page 9.

The ASC conducted three public quarterly meetings and two special meetings virtually. During the September 15, 2021 public meeting, the ASC approved the Fiscal Year 2022 Budget to include:

- \$9.1 million in projected revenue
- \$9.0 million in expenses, including \$4.8 million in new federal grants

⁶ WHITE HOUSE (2021), <https://www.whitehouse.gov/briefing-room/statements-releases/2021/06/01/fact-sheet-biden-harris-administration-announces-new-actions-to-build-black-wealth-and-narrow-the-racial-wealth-gap/> (last visited Jan 13, 2022).

The ASC continues to expand its grant program to support State Programs, the Appraisal Foundation, appraisers, Appraisal Management Companies (AMCs) and the valuation industry. In 2021, the ASC provided grants to two additional States and more than \$450,000 was drawn down on all State grants in 2021. The Appraisal Foundation declined the 2021 ASC grant. More information regarding ASC grants can be found on page 12.

As a result of the ongoing pandemic and travel restrictions, the ASC continued to conduct State Appraiser and AMC Program State Offsite Assessments (SOAs). While not as in-depth as standard ASC Compliance Reviews, these SOAs are proving to be effective in assisting the ASC in monitoring the State Programs. Staff performed 19 Appraiser and AMC Program SOAs in 2021.

The ASC continues to operate its Appraisal Complaint National Hotline (Hotline). The Hotline now includes resource information on where to file complaints of alleged appraisal bias, lender discrimination, or violations of the Fair Housing Act. The Hotline incorporates a toll-free telephone number, e-mail address, and website for referring complainants to the appropriate State and/or Federal agency for complaints of alleged violations of USPAP and/or non-compliance with appraisal independence standards. The Hotline statistics for 2021 are in Appendix E.

In December 2021, the Government Accountability Office (GAO) completed its review of Title XI exemptions.⁷ The study examined the extent to which: (1) Title XI appraisal exemptions increased risks for federally regulated lenders and homebuyers; and (2) the ASC followed its waiver review process or faced challenges when it granted North Dakota a temporary waiver in 2019. The GAO findings included the recommendation that the ASC define appraiser scarcity and significant delay in measurable ways and establish standards that ASC can use to objectively determine whether these conditions exist. The ASC agrees with the recommendation and will undertake a notice of proposed rulemaking to address this recommendation.

Sadly, the ASC lost a beloved staff member to COVID-19 in 2021. Vicki Ledbetter Metcalf was a member of the ASC team since 1991 and served as Acting Executive Director in addition to other roles. She was a long-time Policy Manager and is sorely missed by ASC members, staff and State personnel.

In closing, 2021 was one of the most active and eventful years for the ASC. We continue to emphasize transparency, collaboration and effective oversight of the industry, especially in addressing the role appraisal bias plays with the growing wealth gap and racial inequity in home ownership.

⁷ <https://www.gao.gov/products/gao-22-104472>

APPRAISAL SUBCOMMITTEE REPRESENTATIVES



National Credit Union Administration

Chair: Timothy Segerson since April 2020
 Member since May 2013
 Mr. Segerson is Deputy Director,
 Office of Examination and Insurance.



U.S. Department of Housing and Urban Development

Member: Bobbi Borland since August 2017
 Ms. Borland is Deputy Director,
 Office of Single Family Program Development.
 Alternate Member: Brian Barnes since February 2020



Consumer Financial Protection Bureau

Vice Chair: John Schroeder since May 2020
 Member since July 2019
 Mr. Schroeder is the Midwest Regional Director,
 Supervision, Enforcement and Fair Lending.
 Alternate Member: Orlando Orellano since July 2019



Federal Deposit Insurance Corporation

Member: John Jilovec since October 2019
 Mr. Jilovec is the Deputy Regional Director,
 Division of Risk Management Supervision in
 the Kansas City Regional Office.
 Alternate Member: Rae-Ann Miller since February 2016



Board of Governors of the Federal Reserve System

Member: Keith Coughlin since August 2020
 Mr. Coughlin is an Assistant Director in the
 Division of Supervision and Regulation.



Federal Housing Finance Agency

Member: Maria Fernandez since October 2014
 Ms. Fernandez is Senior Associate Director,
 Housing and Regulatory Policy.
 Alternate Member: Robert Witt since July 2013



Office of the Comptroller of the Currency

Member: Enice Thomas since January 2021
 Mr. Thomas is the Deputy Comptroller for
 Credit Risk Policy.
 Alternate Member: James Rives since December 2019

ADMINISTRATION OF THE APPRAISAL SUBCOMMITTEE

STAFF LISTING

James R. Park, Executive Director

Denise E. Graves, Deputy Executive Director

Alice M. Ritter, General Counsel

Mark W. Abbott, Grants Director

Ada L. Bohorfoush, Attorney-Advisor

L. Girard Hull, Financial Manager

Jenny Howard Tidwell, Policy Manager

Kristi A. Klamet, Policy Manager

Neal R. Fenchietti, Policy Manager

Claire M. Brooks, Policy Manager

Lori L. Schuster, Management and Program Analyst

Brian T. Kelly, Administrative Officer/Project Manager - IT

Maria M. Brown, Regulatory Affairs Specialist

Vacant, Policy Manager

Vacant, Administrative Assistant

Vacant, Administrative Officer

ASC MEETING PROCEDURES

The ASC held virtual Meetings in March, June and September, and virtual Special Meetings in May and December.

STATE APPRAISER AND AMC PROGRAM OVERSIGHT

STATE COMPLIANCE REVIEWS

The ASC issues Policy Statements to provide States with the necessary information to maintain their Appraiser Programs and AMC Programs (State Programs) in compliance with Title XI. Current Policy Statements are set forth in Appendix G. Though historically, the ASC has monitored State Appraiser and AMC Programs largely through our Compliance Review process, which included on-site visits to the States, on-site visits to the States have been suspended due to ongoing safety precautions related to the Coronavirus. The ASC performed on-site Compliance Reviews of each State at least once every two years. (See Appendix C, *Tools for Monitoring State Compliance with Title XI.*) Programs that evidenced noncompliance in one or more areas could be subject to additional oversight, including Follow-up Reviews, an accelerated Review Cycle and/or off-site monitoring.

As a result of the temporary suspension of on-site visits, the ASC initiated an alternative process to communicate with States referred to as State Offsite Assessments (SOAs). SOAs are used in lieu of a Compliance Review when travel is restricted. An SOA is a limited assessment and evaluation of the Appraiser and AMC Program's compliance with Title XI intended to provide feedback to State staff. SOAs focus on State Appraiser or AMC Program statutes, rules, policies, and applications intended to identify characteristics which could lead to non-compliance. The SOA does not result in a finding regarding compliance or a Program rating, but rather provides the State with information it needs to make program improvements, if necessary. The ASC performed 19 SOAs of both Appraiser and AMC Programs in 2021.

PRIORITY CONTACTS

The ASC identifies Appraiser Programs that may have a significant impact on the nation's appraiser regulatory system. The following 14 States, listed alphabetically, collectively represent over 50% of the credentialed appraisers on the Appraiser Registry: California, Colorado, Florida, Georgia, Illinois, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Texas, Virginia and Washington. The ASC performs Priority Contact visits with these States in those years when Compliance Reviews or SOAs are not scheduled.⁸ The ASC also conducts a Priority Contact visit for individual States when a specific concern warrants special attention by the ASC. The primary purpose of the Priority Contact visit is to review topical issues, evaluate regulatory compliance issues and maintain a close working relationship with the State. The ASC performed 3 Priority Contact visits remotely in 2021.

⁸ Priority Contact visits may be performed onsite or remotely.

ASC ROUNDTABLES: BUILDING A MORE EQUITABLE APPRAISAL SYSTEM

On September 22, 2021, the ASC began convening virtual Roundtables around the theme: “Building a More Equitable Appraisal System” to address historical and contemporary factors that have contributed to racial and other inequities challenging the appraisal system today. The goals of the Roundtable were to: 1) engage audiences around the challenges and opportunities of building a more equitable appraisal system; 2) educate stakeholders on issues of racial bias and inequity in the appraisal process; and 3) collaborate with ASC’s partners on potential strategies for achieving a more equitable appraisal system. This groundbreaking event brought together leaders in government, finance, real estate, non-profits, and communities impacted by the appraisal system.

The September 2021 Roundtable brought together a distinguished group of speakers, including:

Secretary Marcia L. Fudge, U.S. Department of Housing and Urban Development (Opening Remarks)

Timothy Segerson, Chairman, Appraisal Subcommittee (Welcoming Remarks)

Jillian White, Head of Collateral, Better.com (Keynote Speaker & Subject Matter Expert)

B. Doyle Mitchell Jr., President and CEO of Industrial Bank (Keynote Speaker)

Rodman Schley, 2021 National President, The Appraisal Institute (Keynote Speaker)

Marc H. Morial, President & CEO, National Urban League (Keynote Speaker)

Johnnie White, CEO, American Society of Appraisers (Subject Matter Expert)

Cate Agnew, Head of Valuation & Executive Director, Natixis CIB (Subject Matter Expert)

Cy Richardson, Senior Vice President, National Urban League (Subject Matter Expert)

The event featured four keynote speakers followed by a question-and-answer session and then breakout sessions in which participants were “visited” in their breakout rooms by subject matter experts.

Ideas generated by the discussion included:

- providing implicit bias education to industry participants, including appraisers, brokers and mortgage professionals
- rethinking the apprenticeship/training model for new entrants into the appraisal profession
- collecting and employing data to identify trends and inform opportunities for solutions

On November 9, 2021, the ASC convened the second virtual Roundtable.

The November 2021 Roundtable brought together another distinguished group of speakers, including:

The Honorable Maxine Waters, (VIP) Chair, U.S. House of Representatives Financial Services Committee

Vivian Li, (Keynote) Director, Quantitative Analytics, Federal Home Loan Mortgage Corporation (Freddie Mac)

Erika Poethig, (VIP) Special Assistant to the President for Housing and Urban Policy at the White House’s Domestic Policy Council (DPC)

Melody Taylor, (Keynote) Executive Director of PAVE and Regional Director for the Mid-Atlantic Office of Fair Housing and Equal Opportunity for the U.S. Department of Housing and Urban Development

Danny Wiley, (Keynote) Senior Director, Single Family Valuation, Federal Home Loan Mortgage Corporation (Freddie Mac)

The event featured two special VIP speakers and two keynote presentations, followed by theme based concurrent sessions. In one session participants could ask questions and make comments regarding the Freddie Mac presentation and the other session was a listening session for the PAVE Task Force initiative.

The ASC anticipates hosting additional Roundtables around this theme, “Building a More Equitable Appraisal System,” in 2022.

APPRAISAL FOUNDATION MONITORING AND REVIEW

ASC OVERSIGHT OF THE APPRAISAL FOUNDATION

Monitoring and Reviewing the Appraisal Foundation (Foundation)

Title XI specifically requires the ASC to “monitor and review the practices, procedures, activities and organizational structure” of the Foundation.⁹ Historically, the ASC has carried out this responsibility in several ways, including:

- attendance at all relevant public and private ASB, AQB and Board of Trustees (BOT) meetings
- providing informal and formal comments and input on proposed changes to USPAP and the AQB Criteria
- providing informal and formal comments and input on activities of the BOT that impact the Foundation’s Title XI-related activities

In 2020, the ASC adopted a policy that memorialized the actions the ASC would take to monitor and review the Foundation. In September of 2021, the ASC revised the policy to clarify ASC staff attendance at public meetings, with attendance delegated by the ASC Executive Director to ASC staff on a rotating basis, and at private meetings on an as needed basis.

In addition to attending Foundation meetings, the ASC provided written comments to the AQB regarding the Second Exposure Draft of proposed changes to the *Real Property Appraiser Qualification Criteria* (Criteria) urging the AQB to develop written requirements for organizations seeking to qualify for review and approval authority of asynchronous education.

In May, the ASC approved budget authority of up to \$150,000 to support a comprehensive and independent review of the USPAP and the Criteria. The goal of the review was to ensure that USPAP and the AQB Criteria do not encourage or systematize bias, and consistently support or promote fairness, equity, objectivity and diversity in both appraisals and the training and credentialing of appraisers. The Council on Licensure, Enforcement and Regulation, Inc. (CLEAR) has a three-year cooperative agreement with the ASC to, in part, undertake research on the appraisal and AMC regulatory system. CLEAR managed the procurement of appropriate experts to carry out the independent review. The independent review was completed in December 2021 and was made public in January 2022.

In September, the ASC published a Notice of Funding Availability (NOFA) for the Foundation in the amount of \$2,000,000 over two years. The purpose of the funds would be to support operations of the AQB and ASB, including projects that promote innovation and reform of the AQB and ASB grant-eligible activities, including:

- an outside study to review the current publishing cycle for USPAP and its connection to the Foundation’s revenue needs
- free or reduced cost copy of Standards 1-4 and associated annotations for trainees and credentialed appraisers
- appraiser shortages
- diversity in the profession
- Veterans’ outreach
- National Exam updates

⁹ Title XI § 1103(b), 12 U.S.C. § 3332 (b).

ASC GRANTS

The ASC grantmaking-related activities in 2021 included:

THE APPRAISAL FOUNDATION GRANT

Title XI authorizes the ASC “to make grants in such amounts as it deems appropriate to the [Foundation], to help defray those costs of the Foundation relating to the activities of [the ASB] and [AQB].” Since the ASC’s inception in 1989, it has provided approximately \$21.7 million in grant funds to the Foundation.

In FY 2021 the ASC published a non-competitive Notice of Funding Availability (NOFA) authorizing up to \$1,000,000 for the Foundation in FY 2022 to support activities of the ASB and AQB. The deadline for the Foundation’s proposal was December 15, 2021, which passed without the Foundation submitting an application.

In addition to direct support for the AQB and ASB, ASC offered to fund activities to promote innovation and expand the positive impact of the Foundation on appraisers and other stakeholders, including addressing appraiser shortages, lack of diversity in the profession and additional outreach to veterans. ASC also encouraged the Foundation to ask for funds in the following areas:

1. **USPAP Publishing and Revenue Model.** The Appraisal Foundation (TAF) can request funds to commission an outside study to review the current publishing cycle for USPAP and its connection to TAF’s revenue needs.
2. **AQB/ASB/BOT Operational Assessment.** TAF can request funds to use outside experts to assess structure, operations and programmatic impact of the AQB and ASB’s work. The assessment can include analysis and recommendations related to legal support and review of the Boards’ work product, general professional Board staffing, diversity of the Boards, independence and governance (Board term lengths, recruitment/selection strategies) of the Boards.

3. **Free USPAP.** Grant funds may be used to provide trainees and credentialed appraisers with a free or reduced cost copy of Standards 1-4 and associated annotations.

Through FY 2018, the ASC has used an independent auditing firm to perform an annual Agreed Upon Procedures Review in accordance with standards established by the American Institute of Certified Public Accountants relating to the Foundation grant and the applicable requirements of OMB Circular A-122. The engagement used the Foundation attestations to:

- Ascertain that grant funds are expended for the activities allowed in the grant
- Ascertain whether minimum or maximum limits for specified services are met
- Determine whether funds were obligated within the period of availability and obligations were liquidated within the required time period
- Determine whether revenues are correctly recorded and disbursed in accordance with the grant/program requirements
- Ascertain that costs charged to the meetings are in compliance with the grant agreement

TRAINING AND TECHNICAL ASSISTANCE COOPERATIVE AGREEMENT

The ASC published a competitive NOFA to identify a new partner to work closely with ASC to deliver training and technical assistance to State Appraiser and AMC regulatory agencies and commission research on the appraisal industry to support the goals of Title XI and advance the profession in general. CLEAR was the recipient of this award. CLEAR was awarded an initial \$349,758 to carry out planned training and technical assistance to State regulatory agencies plus an additional \$400,000 for supplemental activities.

CLEAR produced outcomes in FY 2021 that included a comprehensive training needs assessment of the State Appraiser and AMC regulatory agencies, a Report on Appraisal Standards and Appraiser Qualifications carried out on an independent basis by the National Fair Housing Alliance, and a scoping project to prepare for a national census and survey of active appraisers in the U.S.

STATE GRANTS

Title XI authorizes the ASC to make grants to the States in accordance with policies developed by the ASC in support of States' Title XI activities. In 2020, the ASC significantly increased the size of the State grant program by making \$10 million available over three years (2020-2022) directly to the 55 eligible States and U.S. Territories. Funds can be used to improve State appraiser and AMC regulatory processes and advance the appraisal industry with high-quality, impact-oriented programming.

The ASC awarded \$709,619 in new funds to support activities that included hiring additional investigator staff, training for staff and board members, technology upgrades, and the creation of a new training experience program to support and accelerate credentialing of new appraisers to be carried out across FYs 2021 and 2022 in the States listed below. This brings the total ASC State grant portfolio to 14 States, or 25% of the entities eligible to receive an award. ASC anticipates new States will be added to the portfolio in FY 2022.

FY 2021 STATE GRANTEES	Award Amount
North Carolina	\$117,200
Arkansas	\$116,500
Texas	\$101,640
Hawaii	\$25,850
Mississippi	\$119,900
Connecticut	\$119,409
Vermont	\$109,120

APPRAISER REGISTRY

Title XI requires the ASC to maintain an Appraiser Registry of State certified and licensed appraisers who are eligible to perform appraisals in federally related transactions.¹⁰ As of December 31, 2021, the Appraiser Registry contained 93,262¹¹ appraiser credentials, up slightly from the 93,204 entries at the end of 2020, and down approximately 23% from the peak in 2007 of over 121,000. (See Appendix B, *National Registry Statistics*.)

The Appraiser Registry is accessible at the ASC's website (www.asc.gov), and is used by appraisers, Federal and State agencies, financial institutions, users of appraisal services, law enforcement, and consumers. Use of the Appraiser Registry is free. The Appraiser Registry allows users to determine whether an appraiser is State certified or licensed to perform appraisals in connection with federally related transactions. Users can also access an appraiser's credential status and determine whether the appraiser's credential is currently suspended, revoked, or surrendered in lieu of State disciplinary action.

The Appraiser Registry facilitates information sharing that assists State Programs in enforcing their appraiser-related statutes and regulations, including temporary practice and reciprocity. Financial institutions and other users also can access the Appraiser Registry to:

- Receive automatic notifications about new revocations, suspensions, surrenders, and certification/license expirations
- Download publicly available information or parts of the Appraiser Registry into predefined queries and user-customized queries
- Verify appraiser credentials
- Set up automatic queries of Appraiser Registry information using a web service which allows computer systems used by lenders, regulatory agencies and other authorized parties to integrate directly with the Appraiser Registry. States reported 12,052 disciplinary actions taken against appraisers over the past 10 years. (See Appendix D, *Disciplinary Actions Reported by States*.)

¹⁰ Title XI § 1103(a)(3), 12 U.S.C. § 3332(a)(3).

¹¹ This number does not represent the number of individual appraisers as some appraisers have credentials from multiple States.

AMC REGISTRY

Title XI requires the ASC to maintain an AMC Registry of AMCs that either are registered with and subject to supervision of a State AMC Program or are Federally regulated.¹² The AMC Registry became available for States to populate on July 16, 2018. As of December 31, 2021, the AMC Registry contained AMCs registered from 44 States.

The AMC Registry is accessible at the ASC's website (www.asc.gov), and is used by appraisers, Federal and State agencies, financial institutions, users of appraisal services, law enforcement, and consumers. Use of the AMC Registry is free. The AMC Registry allows users to determine whether an AMC meets the federal definition of an AMC and is registered in a particular State. Users can also access an AMC's registration status and determine whether the AMC is currently suspended, revoked or surrendered in lieu of State disciplinary action.

The AMC Registry facilitates information sharing that assists State Programs in enforcing their AMC-related statutes and regulations. Financial institutions and other users also can access the AMC Registry to:

- Receive automatic notifications about new revocations, suspensions, surrenders, and registration expirations
- Download publicly available information or parts of the AMC Registry into predefined queries and user-customized queries
- Set up automatic queries of AMC Registry information using a web service which allows computer systems used by lenders, regulatory agencies, and other authorized parties to integrate directly with the AMC Registry

¹² Title XI § 1103(a)(6), 12 U.S.C. § 3332(a)(6).

APPRAISAL COMPLAINT NATIONAL HOTLINE

Title XI requires the ASC to maintain a national hotline to receive complaints of non-compliance with the appraisal independence standards and/or USPAP, including complaints from appraisers, individuals, or other entities concerning the improper influencing or attempted improper influencing of appraisers or the appraisal process.¹³

The ASC began operation of the Appraisal Complaint National Hotline (Hotline) on March 15, 2013. The Hotline refers complainants to the appropriate State and/or Federal agencies to handle complaints of alleged non-compliance with USPAP and/or appraisal independence standards. The Hotline incorporates three components: a website ([ReferMyAppraisalComplaint.asc.gov](https://www.asc.gov)), an online contact form and a call center with a toll-free telephone number (877-739-0096). The Hotline now includes resource information on where to file complaints of alleged appraisal bias, lender discrimination, or violation of the Fair Housing Act — see <https://www.asc.gov/Hotline.aspx>.

The Hotline website received 7,580 contacts in calendar year 2021. Additionally, the toll-free telephone number received 554 calls and the email portal received 15 contacts. These contacts resulted in 730 referrals to State and Federal agencies. Appendix E, *Appraisal Complaint National Hotline*, contains more detailed information on the source of contacts, specific agency referrals and whether the contact concerned issues of potential non-compliance with appraisal independence standards or violations of USPAP. Since the Hotline was designed as a referral system, it does not collect data on the resolution of complaints referred to the State or Federal agencies. Appendix F, *Agency Complaint Data*, also contains data reported by the Federal financial institution regulatory agencies and the Bureau concerning complaints received by them during calendar year 2021. The numbers reported in this table differ from those reported in the ASC's table for several reasons. The Hotline is a referral tool available to a wide range of users; consequently, not all complainants who access the Hotline will proceed to filing a complaint with one of the agencies, or they may choose to file a complaint with their State appraiser regulatory agency. Additionally, the reported data includes all appraisal-related complaints received by the Federal agency without identifying whether the complainant used the Hotline to obtain the referral information. States do not report data on appraisal-related complaints to the ASC, although a State's processing and disposition of complaints are part of the Compliance Review process.

¹³ Title XI § 1122(i), 12 U.S.C. § 3351(i).

ACTIVITIES OF THE ASC MEMBER AGENCIES

Following Title XI's adoption in 1989, each of the Federal financial institutions regulatory agencies and HUD adopted appraisal-related rules and policies. The OCC, Federal Reserve, FDIC and NCUA also jointly issued *Interagency Appraisal and Evaluation Guidelines* (Guidelines) for an institution's appraisal and evaluation program.¹⁴ The Guidelines address an institution's collateral valuation function, including appraisal independence, minimum appraisal standards for federally related transactions, the development and content of evaluations, appraisals for residential tract development lending and background on USPAP. The appraisal regulations require institutions regulated by the applicable agencies to ensure that appraisals supporting federally related transactions, among other things, comply with USPAP and are performed by a State certified or State licensed appraiser.¹⁵

¹⁴ See 75 *Federal Register* 77450 (December 10, 2010).

¹⁵ FDIC: 12 CFR Part 323, subpart A; Board: 12 CFR 225.61(b); 12 CFR Part 208, subpart E; OCC: 12 CFR Part 34, subpart C; NCUA: 12 CFR Part 722.

INTERAGENCY ACTIVITY

PROPERTY APPRAISAL AND VALUATION EQUITY (PAVE)

On June 1, 2021, President Biden announced the creation of an interagency initiative to address inequity in home appraisals.

Task Force members agreed that the scope of the Task Force will be to:

1. Ensure that government oversight and industry practice further valuation equity;
2. Combat valuation bias through educating the consumer and training the practitioner;
3. Ensure equity in valuation by making available high-quality data;
4. Create a comprehensive approach to combating valuation bias through enforcement and other efforts.

HIGHER-PRICED MORTGAGE LOANS

On November 30, 2021, the Consumer Financial Protection Bureau, Federal Reserve Board, and the Office of the Comptroller of the Currency announced that the threshold for exempting loans from special appraisal requirements for higher-priced mortgage loans during 2022 will increase to \$28,500. The threshold amount was effective January 1, 2022 and is based on the annual percentage increase in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) as of June 1, 2021.

MEMBER AGENCY ACTIVITY

Several ASC member agencies issued appraisal related rules, guidance and training in addition to the interagency rulemaking projects.

FEDERAL RESERVE BOARD

In 2021, the Federal Reserve Board participated as a member agency in the Interagency Task Force on Property Appraisal and Valuation Equity (PAVE) formed by the White House and Department of Housing and Urban Development (HUD) to address inequity in home appraisals. The Federal Reserve Board also continued to engage with stakeholders in the appraisal industry. The Federal Reserve Board participated in the roundtable events hosted by the Appraisal Subcommittee along with other outreach efforts, including panel discussions, to explain the federal banking agencies' appraisal regulations and guidance to financial institutions, appraisal professionals, users of appraisal services, and state appraiser regulators. In addition, the Federal Reserve Board continued to publish Community Banking Connections¹⁶, a web-based publication that provides community bankers with access to information on safe and sound banking practices, which has covered compliance with appraisal regulations.

OFFICE OF THE COMPTROLLER OF THE CURRENCY

In addition to the interagency activities noted above, OCC staff participated in outreach throughout the year with various constituents in the appraisal profession including appraisers, industry associations, users of appraisal services, bankers, and other regulators. This outreach included virtual panel discussions, webcasts, and seminar presentations. Through this outreach, the agency provided training, information, and guidance on real estate lending, appraisals, and evaluations. OCC is an active participant in the PAVE Interagency Task Force. PAVE is focused on ensuring that government oversight and industry practice further valuation equity, combat valuation bias through educating the consumer and training the practitioner, foster equity in valuation by ensuring available high-quality data and creating a comprehensive and coordinated approach to combating valuation bias through enforcement, compliance and other efforts. In FY 2022, OCC staff will remain engaged in the PAVE Interagency Task Force.

FEDERAL DEPOSIT INSURANCE CORPORATION

FDIC staff participated in outreach programs to explain its appraisal regulations and guidance to various members of the appraisal profession as well as users of appraisal services and appraiser regulators throughout 2021. Through this outreach, the FDIC provided information on real estate lending, appraisals, and evaluations. The FDIC continues to work with the other member agencies on interagency rulemakings for appraisal-related provisions of the Dodd- Frank Act.

¹⁶ For more information on Community Banking Connections please visit <https://www.communitybankingconnections.org/>.

NATIONAL CREDIT UNION ADMINISTRATION

In addition to the interagency activities noted above, NCUA participated in outreach throughout the year with various stakeholders in the appraisal profession. This outreach included virtual panel discussions, webcasts, and seminar presentations. Through this outreach, the NCUA provided training, information, and guidance on real estate appraisals, and evaluations. NCUA is a part of the PAVE Interagency Task Force. PAVE is focused on diagnosing and addressing impediments to valuation equity, combating valuation bias through education training, foster equity in valuation and creating a comprehensive and coordinated approach to combating valuation bias through enforcement, compliance and other efforts. NCUA will continue to work with PAVE and on appropriate interagency guidance and rulemakings to address appraisal bias. Further, NCUA established an internal working group and provided examiner training on the issue of appraisal bias during 2021.

FEDERAL HOUSING FINANCE AGENCY

On December 28, 2020, FHFA published a request for input (RFI) on appraisal-related policies, practices, and processes, with a 60-day response period ending February 26, 2021. A total of 198 respondents, including Fannie Mae and Freddie Mac (the Enterprises), lenders, trade associations, appraisal management companies, appraisers, and technology vendors provided input. RFI respondents supported the need for a more modern appraisal process, including a wide range of property valuation alternatives.

Throughout 2021, the Enterprises continued work on the Appraisal Policy and Process Modernization initiative with the goal of improved data quality, consistency, and analysis in support of effective risk management and process efficiency. The 2021 efforts included testing new data standards, technologies, and processes to modernize residential appraisal practices. Lenders and service providers participated in test-and-learn activities designed to improve the methodologies for collecting property data on single-family residences. The Enterprises also maintained their outreach and engagement with various industry stakeholders, including appraisers, software providers, insurance companies, appraisal management companies, inspection companies, mortgage insurers, and industry trade groups.

In October 2021, FHFA announced that the Enterprises would implement the acceptance of desktop appraisals for certain eligible purchase loans as permanent policy guidance. On December 17, 2021, FHFA authorized Enterprise reliance on desktop appraisals for certain eligible purchase transactions up to 90 percent loan-to-value. The Enterprises will provide quarterly reporting that monitors desktop appraisal loan performance.

The Enterprises are continuing a multi-year project begun in 2018 by collaborating with industry stakeholders to update the Uniform Appraisal Dataset (UAD) to align with the latest Mortgage Industry Standards Maintenance Organization (MISMO) Reference Model. This project includes retiring existing appraisal forms and implementing a dynamic Uniform Residential Appraisal Report (URAR). Driven by extensive feedback from industry outreach individual interviews, surveys, UAD Advisory group meetings, and MISMO workgroup reviews, the Enterprises completed URAR example reports for Single-Family, Condo, Co-op, Manufactured Housing, and 2-4 Units. Additionally, the Enterprises conducted a borrower focus group that confirmed strong consumer preference for the redesigned appraisal report. Efforts to update the MISMO Reference Model are progressing, with 85 percent of proposed UAD changes reviewed and approved, and a proposed timeline for MISMO version 3.6 anticipated in 2022 that will include a public comment period.

FHFA is committed to addressing appraisal bias and enhancing valuation equity. In 2021, FHFA identified potential bias in appraisals and property valuation as a key priority for both the agency and the Enterprises. After conducting an initial review of language in appraisals, FHFA published a blog on December 14, 2021, titled “[Reducing Valuation Bias by Addressing Appraiser and Property Valuation Commentary](#).” The blog post provided background on FHFA’s appraisal activities, and shared examples of observed references to race and ethnicity from free-form text fields in the Uniform Residential Appraisal Report (URAR). Observations by appraisers included the percentages of racial and ethnic makeup of the geographic area, foreign birthplaces of neighborhood residents, notes about demographic transitions or language preferences in the surrounding area, and describing a town as having a “Black race population above state average.” In publishing the blog post, FHFA recognized that there is likely not a single solution to neutralizing discrimination and discriminatory practices in property valuation but acknowledged that FHFA will work with other agencies to combat appraisal bias through transparency, awareness, training, education, and enhanced policies.

FHFA serves as a key participant in the Property Appraisal and Valuation Equity (PAVE) Interagency Task Force, led by the Department of Housing and Urban Development (HUD). The goal of the PAVE Task Force is to address inequity in home appraisals by making recommendations and taking concrete actions to root out racial bias in home valuations. In 2021, FHFA staff participated in every PAVE workstream, sharing extensive expertise and information with interagency partners on data, appraisal policies, fair lending considerations, and initiatives to enhance appraiser diversity. The PAVE Task Force plans to issue a report in 2022 documenting the historical impact of appraisal bias and defining a set of commitments and recommendations aimed at increasing equity in property valuations.

Freddie Mac published a research note on appraisal bias in September 2021, “[Racial and Ethnic Valuation Gaps in Home Purchase Appraisals](#).” Freddie Mac reviewed raw differences in the percentage of properties that receive an appraisal value lower than the contract price in minority tracts compared to those in white tracts, and then conducted exploratory research to begin to understand what causes the valuation gaps for minority versus white tracts. The analysis shows gaps for a large fraction of appraisers who provide valuations in both minority and white tracts. Freddie Mac’s preliminary modeling results suggest that a property is more likely to receive an appraisal lower than the contract price if it is located in a minority tract. In 2022, Freddie Mac will continue researching these gaps.

In February 2022, Fannie Mae published “[Appraising the Appraisal](#),” a research brief with preliminary analysis of potential undervaluation for Black and Latino borrowers. According to its analysis of 1.8 million appraisals in 2019 and 2020 for refinance transactions only, this report finds that Black borrowers received a slightly lower average appraisal value than determined by two different automated valuation models. The report also finds that homes owned by white borrowers were overvalued more frequently than homes owned by Black borrowers, and that six states accounted for nearly 50 percent of the overvalued homes of white owners in majority-Black neighborhoods. The states were Georgia, Louisiana, South Carolina, North Carolina, Mississippi, and Alabama. Fannie Mae plans to conduct additional analysis of these findings in 2022.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

In fiscal year 2021, through a number of measures undertaken throughout the pandemic, the Federal Housing Administration's (FHA) central goal was to keep FHA homeowners in their homes while providing flexibilities to lenders and other FHA program participants necessary to safely continue FHA-insured mortgage lending.

FHA continued to permit appraisers to use Exterior-Only Appraisal inspection as a substitute for interior inspection across certain program transactions. This flexibility was extended through June 30, 2021.

In fiscal year 2021, FHA endorsed 1,432,877 home mortgages through its forward mortgage program of which 59 percent were purchase mortgages. Of these purchase mortgages, over 84 percent or 716,028 were for first time homebuyers. FHA insurance served 457,489 individuals and households of color.

In fiscal year 2021, FHA endorsed 49,163 reverse mortgages through its Home Equity Conversion Mortgage (HECM) program, allowing seniors to access the equity in their homes.

In FY2021, FHA conducted a comprehensive review of its policies and programs to identify and address barriers to achieving racial equity. FHA took concrete action in key areas to advance equitable access to credit and address racial bias in the appraisal process. These actions included:

- Contributed to the work of the Property Appraisal and Valuation Equity (PAVE) Task Force, chaired by HUD Secretary Marcia Fudge, to address the persistent undervaluation of properties for communities and households of color.
- Provided clarification regarding compliance with all applicable laws including the Fair Housing Act and all other federal, state, and local antidiscrimination laws.

FINANCIAL STATUS OF THE ASC

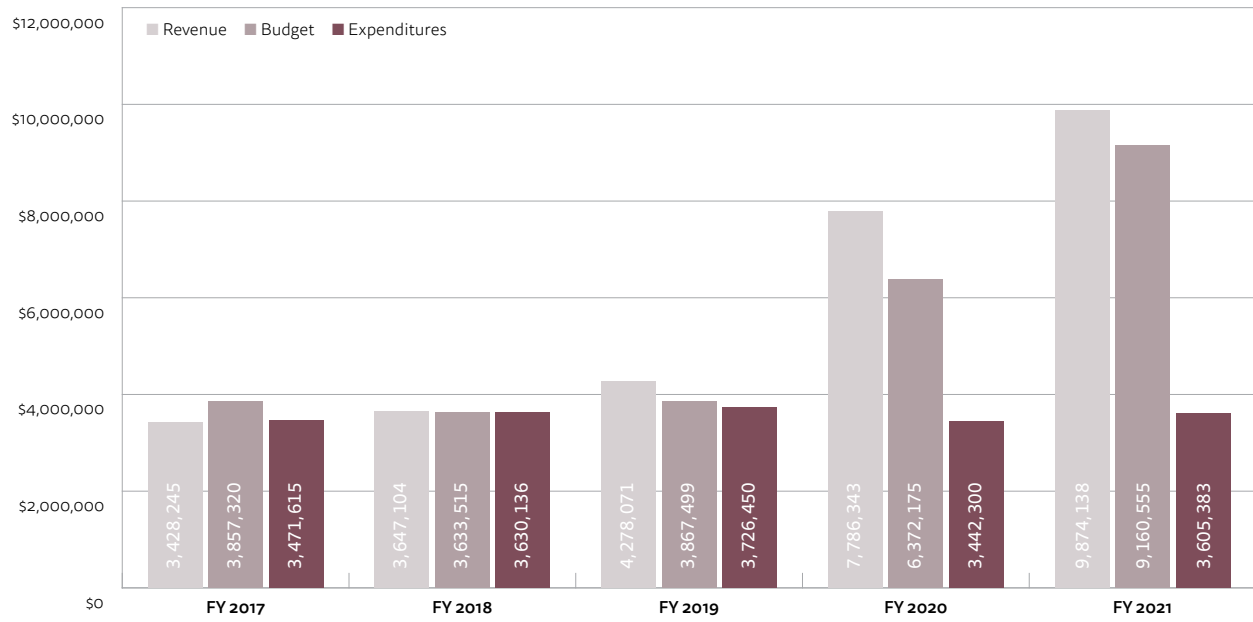
In fiscal year 2021, the ASC's revenue totaled approximately \$9.8 million, and expenses (including the State grants) totaled approximately \$3.6 million. ASC funds are derived from the Appraiser and AMC Registry fees. The annual Appraiser Registry fee of \$40 is paid by licensed and certified appraisers to be listed on the Appraiser Registry as eligible to perform appraisals for federally related transactions. Appraiser Registry fees totaled \$3.5 million in FY 2021. Annual AMC Registry fees are paid by AMCs consistent with the ASC rule on collection and transmission of AMC Registry fees.¹⁷ The fee is based on the number of appraisers who performed an appraisal for a covered transaction during a defined annual period. AMC fees totaled \$6.3 million in FY 2021.

Appendix A contains the ASC audited financial statements for fiscal year 2021, ending September 30, 2021. The ASC realized a net gain of approximately \$6.2 million. During FY21, the ASC restructured its grants program and committed approximately \$4.7 million for FY22 and FY23 grants. With the establishment of these obligations, the ASC maintained reserves of approximately \$8.4 million. The external auditors found no material weakness involving the ASC's internal control structure and operation, or any material instances of noncompliance with selected provisions of applicable laws and regulations tested.

The ASC continued to provide careful stewardship of the funds entrusted to it as the following charts demonstrate. The bar graph reflects expenditures versus budgeted amounts for the most recent five-year period. This data reflects the ASC's continuing efforts to operate in an efficient and effective manner as shown by the fact that expenditures consistently were held below budgeted amounts.

¹⁷ 12 CFR 1102.400 - 1102.403.

Appraisal Subcommittee Budget vs Expenditures, FY 2017-2021



Appraisal Subcommittee (5 Year Trend)

	Revenue	Budget	Expenditures	% of Budget Expended
FY 2017	3,428,245	3,857,320	3,471,615	90.0%
FY 2018	3,647,104	3,633,515	3,630,136	99.9%
FY 2019	4,278,071	3,867,499	3,726,450	96.4%
FY 2020	7,786,343	6,372,175	3,442,300	54.0%
FY 2021	9,874,138	9,160,555	3,605,383	39.4%

APPENDICES

APPRAISAL SUBCOMMITTEE

FINANCIAL STATEMENTS

SEPTEMBER 30, 2021

APPRAISAL SUBCOMMITTEE

Financial Statements

September 30, 2021 and 2020

CONTENTS

Independent Auditors’ Report	1-4
Management’s Discussion and Analysis (Unaudited)	5-15
Financial Statements:	
Balance Sheets	16
Statements of Net Cost	17
Statements of Changes in Net Position	18
Statements of Budgetary Resources	19
Notes to the Financial Statements	20-27



INDEPENDENT AUDITORS' REPORT

To the Appraisal Subcommittee of the
Federal Financial Institutions Examination Council
Washington, DC 20005

Report on the Financial Statements

We have audited the accompanying balance sheets of the Appraisal Subcommittee ("ASC") as of September 30, 2021 and 2020, the related statements of net cost, changes in net position and budgetary resources for the fiscal years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the Office of Management and Budget ("OMB") Bulletin No. 21-04, *Audit Requirements for Federal Financial Statements*. Those standards and OMB Bulletin No. 21-04 require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditors consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

25 Braintree Hill Office Park • Suite 102 • Braintree, MA 02184 • P:617.471.1120 • F:617.472.7560
27 Church Street • Winchester, MA 01890 • P:781.729.4949 • F:781.729.5247
www.oed.com

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion on Financial Statements

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Appraisal Subcommittee as of September 30, 2021 and 2020, and its net cost, changes in net position and budgetary resources for the years then ended, in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

U.S. generally accepted accounting principles require that the information in the *Management's Discussion and Analysis* ("MD&A") section be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Federal Accounting Standards Advisory Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with U.S. generally accepted government auditing standards, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audits of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Report on Internal Control Over Financial Reporting

In planning and performing our audits of the financial statements, we considered the Appraisal Subcommittee's internal control over financial reporting ("internal control") to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Appraisal Subcommittee's internal control. Accordingly, we do not express an opinion on the effectiveness of the Appraisal Subcommittee's internal control. We limited our internal control testing to those controls necessary to achieve the objectives described in OMB Bulletin No. 21-04. We did not test all internal controls relevant to operating objectives as broadly defined by the Federal Managers' Financial Integrity Act of 1982 ("FMFIA"), such as those controls relevant to ensuring efficient operations.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. *A material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audits we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Appraisal Subcommittee's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards* or OMB Bulletin No. 21-04.

Management's Responsibility for Internal Control and Compliance

Appraisal Subcommittee's management is responsible for (1) evaluating effectiveness of internal control over financial reporting based on criteria established under the Federal Managers Financial Integrity Act ("FMFIA"), (2) providing a statement of assurance on the overall effectiveness of internal control over financial reporting, and (3) ensuring compliance with other applicable laws and regulations.

Auditors' Responsibilities

We are responsible for (1) obtaining a sufficient understanding of internal control over financial reporting to plan the audits, (2) testing compliance with certain provisions of laws and regulations that have a direct and material effect on the financial statements and applicable laws for which OMB Bulletin No. 21-04 requires testing, and (3) applying certain limited procedures with respect to the MD&A.

We did not evaluate all internal controls relevant to operating objectives as broadly established by the FMFIA, such as those controls relevant to preparing statistical reports and ensuring efficient operations. We limited our internal control testing to testing internal control over financial reporting. Because of inherent limitations in internal control, misstatements due to error or fraud, losses, or noncompliance may nevertheless occur and not be detected. We also caution that projecting our audit results to future periods is subject to the risk that controls may become inadequate because of changes in conditions or that the degree of compliance with controls may deteriorate. In addition, we caution that our internal control testing may not be sufficient for other purposes.

We did not test compliance with all laws and regulations applicable to Appraisal Subcommittee. We limited our tests of compliance to certain provisions of laws and regulations that have a direct and material effect on the financial statements and those required by OMB Bulletin No. 21-04 that we deemed applicable to Appraisal Subcommittee’s financial statements for the fiscal year ended September 30, 2021. We caution that noncompliance with laws and regulations may occur and not be detected by these tests and that such testing may not be sufficient for other purposes.

Purpose of the Report on Internal Control over Financial Reporting and the Report on Compliance and Other Matters

The purpose of the Report on Internal Control over Financial Reporting and the Report on Compliance and Other Matters sections of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Appraisal Subcommittee's internal control or on compliance. These reports are an integral part of an audit performed in accordance with *Government Auditing Standards* and OMB Bulletin No. 21-04 in considering the Appraisal Subcommittee's internal control and compliance. Accordingly, these reports are not suitable for any other purpose.

This report (with the exception of the report on the financial statements) is intended solely for the information and use of management of the Appraisal Subcommittee, OMB, the Government Accountability Office, and Congress, and is not intended to be and should not be used by anyone other than these specified parties.

**Certified Public Accountants
Braintree, Massachusetts**

March 8, 2022

ASC History

The Appraisal Subcommittee (ASC) of the Federal Financial Institutions Examination Council (FFIEC) was created on August 9, 1989, pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (Title XI). Title XI's purpose is to "provide that Federal financial and public policy interests in real estate transactions will be protected by requiring that real estate appraisals utilized in connection with federally related transactions are performed in writing, in accordance with uniform standards, by individuals whose competency has been demonstrated and whose professional conduct will be subject to effective supervision."

In general, the ASC oversees the real estate appraisal process as it relates to federally related transactions, as defined in Section 1121(4) of Title XI (1). The ASC is an FFIEC subcommittee. The FFIEC was established pursuant to Title X of the Financial Institutions Regulatory and Interest Rate Control Act of 1978. The FFIEC is an interagency body empowered to set uniform principles for the examination of federally regulated financial institutions.

Title XI requires the ASC to:

- monitor the requirements established by States:
 - for the certification and licensing of individuals who are qualified to perform appraisals in connection with federally related transactions, including a code of professional responsibility; and
 - for the registration and supervision of the operations and activities of appraisal management companies (AMCs)
- monitor the requirements established by the Federal financial institutions regulatory agencies with respect to:
 - appraisal standards for federally related transactions under their jurisdiction; and
 - determinations as to which federally related transactions under their jurisdiction require the services of a State certified appraiser and which require the services of a State licensed appraiser
- maintain a national registry of State certified and licensed appraisers (Appraiser Registry) who are eligible to perform appraisals in federally related transactions
- maintain a National Registry of AMCs (AMC Registry) that either are registered with and subject to supervision of a State appraiser certifying and licensing agency or are operating subsidiaries of a Federally regulated financial institution
- monitor and review the practices, procedures, activities, and organizational structure of the Appraisal Foundation (Foundation).
- transmit an annual report to Congress not later than June 15 of each year that describes the way each function assigned to the ASC has been carried out during the preceding year

Title XI also requires the ASC to:

- make grants in such amounts as it deems appropriate to the Foundation to help defray costs relating to the activities of the Appraisal Standards Board (ASB) and Appraiser Qualifications Board (AQB)
- make grants to State appraiser certifying and licensing agencies in accordance with policies developed by the ASC to support the efforts of such agencies to comply with Title XI, including—
 - the complaint process, complaint investigations, and appraiser enforcement activities of such agencies
 - the submission of data on State licensed and certified appraisers and AMCs to the Appraiser Registry and the AMC Registry, including information affirming that appraisers or AMCs meet required qualification criteria, and information on formal and informal disciplinary actions
 - reporting to all State appraiser certifying and licensing agencies when a license or certification is surrendered, revoked or suspended

The ASC has seven members, each designated respectively by the head of their agency, including the Board of Governors of the Federal Reserve System (Federal Reserve), Consumer Financial Protection Bureau (CFPB), Federal Deposit Insurance Corporation (FDIC), National Credit Union Administration (NCUA), Office of the Comptroller of the Currency (OCC), Federal Housing Finance Agency (FHFA), and U.S. Department of Housing and Urban Development (HUD). Title XI also requires the FFIEC to appoint a chairperson from the member representatives to serve a two-year term.

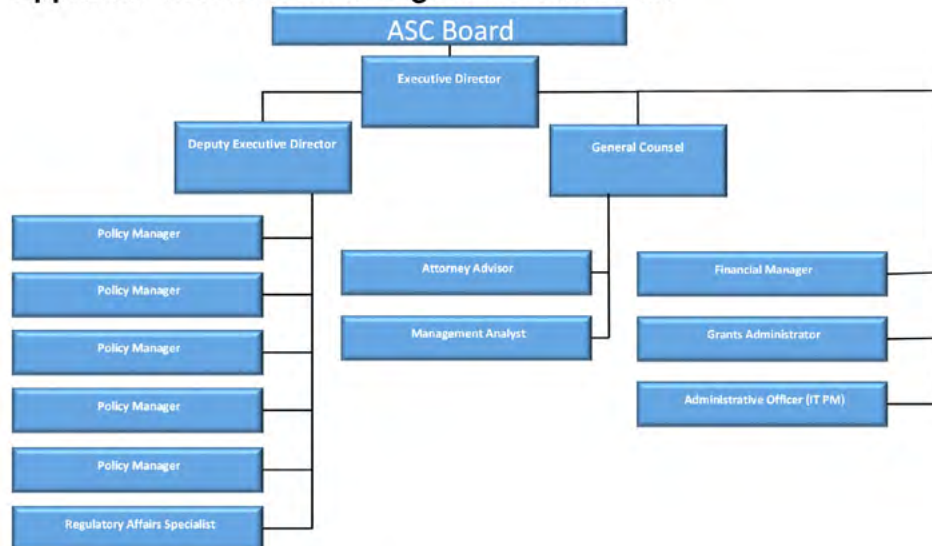
The Appraisal Subcommittee's (ASC) Mission Statement:

To provide federal oversight of State appraiser regulatory programs and a monitoring framework for the Appraisal Foundation and the Federal Financial Institutions Regulatory Agencies in their roles to protect federal financial and public policy interests in real estate appraisals utilized in federally related transactions.

Strategic Goals

1. Promote Title XI-compliant State Appraiser Programs and AMC Programs;
2. Carry out Title XI monitoring functions;
3. Administer Title XI Grant Programs;
4. Finalize Implementation of Advisory Committee recommendations;
5. Maintain the National Registries (Appraiser Registry and AMC Registry);
6. Prudently manage ASC resources; and
7. Facilitate Effective and Efficient Valuation Services and Regulation.

Appraisal Subcommittee Organizational Chart



Performance Goals

As required by Title XI, the ASC monitors each State’s Program for compliance with Title XI, AQB Criteria and ASC Policy Statements. Appraisers credentialed by State Programs that do not comply with the requirements of Title XI may be prohibited from performing appraisals of real property involved in federally related transactions in that State. The ASC’s rating criteria of the State Programs focuses on three key components: (1) complying with Title XI mandates and requirements of ASC Policy Statements; (2) maintaining a strong regulatory program; and (3) limiting overall risk of Program failure.

The ASC monitors State Programs largely through on-site visits to the States; the ASC performs an on-site Compliance Review of each State at least once every two years. Programs that evidence noncompliance in one or more areas may be subject to additional oversight, including Follow-up Reviews, an accelerated Review Cycle and/or off-site monitoring.

The ASC identifies State Programs that may have a significant impact on the nation’s appraiser regulatory system. The following 14 States, listed alphabetically, collectively represent over 50% of the credentialed appraisers on the Appraiser Registry: California, Colorado, Florida, Georgia, Illinois, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Texas, Virginia and Washington. The ASC performs Priority Contact visits with these States in those years when Compliance Reviews are not scheduled. The ASC also conducts a Priority Contact visit for individual States when a specific concern warrants special attention by the ASC. The primary purpose of the Priority Contact visit is to review topical issues, evaluate regulatory compliance issues and maintain a close working relationship with the State.

ASC Organizational Overviews

Compliance Review Process

The ASC’s Compliance Review process is a risk-based review process, focusing on areas of State Programs that are not in compliance with Title XI or that exhibit characteristics which could lead to non-compliance. Effective June 1, 2013, the ASC refined its Compliance Review process to better identify various levels of compliance.

Compliance Reviews are scheduled over a three to four-day period to coincide with a meeting of the State Program’s decision-making body whenever possible. Preliminary Findings are communicated to the State in an ASC staff report and the State is given 60 days to respond. ASC staff then considers the State’s response and makes formal recommendations for final disposition. The ASC, or its designated representative acting under delegated authority, considers the ASC staff report and recommendations along with responses from the State Program before rendering a decision. A final Compliance Review Report and letter to the State with a determination regarding the State’s compliance with Title XI is then issued. Actions taken under delegated authority are presented to the ASC at its next regularly scheduled meeting.

State Off-Site Assessments

As a result of the temporary suspension of on-site visits, the ASC initiated an alternative process to communicate with States referred to as State Offsite Assessments (SOAs). SOAs are used in lieu of a Compliance Review when travel is restricted. An SOA is a limited assessment and evaluation of the Appraiser and AMC Program’s compliance with Title XI intended to provide feedback to State staff. SOAs focus on State Appraiser or AMC Program statutes, rules, policies, and applications intended to identify characteristics which could lead to non-compliance. The SOA does not result in a finding regarding compliance or a Program rating, but rather provides the State with information it needs to make program improvements, if necessary. The ASC performed 19 SOAs of both Appraiser and AMC Programs in 2021.

State Programs are issued one of the following Findings:

ASC Finding	Rating Criteria	Review Cycle*
Excellent	<ul style="list-style-type: none"> • State meets all Title XI mandates and complies with requirements of ASC Policy Statements • State maintains a strong regulatory Program • Very low risk of Program failure 	2-year
Good	<ul style="list-style-type: none"> • State meets the majority of Title XI mandates and complies with the majority of ASC Policy Statement requirements • Deficiencies are minor in nature • State is adequately addressing deficiencies identified and correcting them in the normal course of business • State maintains an effective regulatory Program • Low risk of Program failure 	2-year
Needs Improvement	<ul style="list-style-type: none"> • State does not meet all Title XI mandates and does not comply with all requirements of ASC Policy Statements • Deficiencies are material but manageable and if not corrected in a timely manner pose a potential risk to the Program • State may have a history of repeated deficiencies but is showing progress toward correcting deficiencies • State regulatory Program needs improvement • Moderate risk of Program failure 	2-year with additional monitoring
Not Satisfactory	<ul style="list-style-type: none"> • State does not meet all Title XI mandates and does not comply with all requirements of ASC Policy Statements • Deficiencies present a significant risk and if not corrected in a timely manner pose a well-defined risk to the Program • State may have a history of repeated deficiencies and requires more supervision to ensure corrective actions are progressing • State regulatory Program has substantial deficiencies • Substantial risk of Program failure 	1-year
Poor	<ul style="list-style-type: none"> • State does not meet Title XI mandates and does not comply with requirements of ASC Policy Statements • Deficiencies are significant and severe, require immediate attention and if not corrected represent critical flaws in the Program • State may have a history of repeated deficiencies and may show a lack of willingness or ability to correct deficiencies • High risk of Program failure 	Continuous monitoring

*Program history or nature of deficiency may warrant a more accelerated Review Cycle.

Priority Contacts

The ASC identifies Appraiser Programs that may have a significant impact on the nation’s appraiser regulatory system. The following 14 States, listed alphabetically, collectively represent over 50% of the credentialed appraisers on the Appraiser Registry: California, Colorado, Florida, Georgia, Illinois, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Texas, Virginia and Washington. The ASC performs Priority Contact visits with these States in those years when Compliance Reviews or SOAs are not scheduled.¹ The ASC also conducts a Priority Contact visit for individual States when a specific concern warrants special attention by the ASC. The primary purpose of the Priority Contact visit is to review topical issues, evaluate regulatory compliance issues and maintain a close working relationship with the State. The ASC performed 3 off-site Priority Contact visits remotely in 2021

ASC Roundtables: Building a More Equitable Appraisal System

On September 22, 2021, the ASC began convening virtual Roundtables around the theme: “Building a More Equitable Appraisal System” to address historical and contemporary factors that have contributed to racial and other inequities challenging the appraisal system today. The goals of the Roundtable were to: 1) engage audiences around the challenges and opportunities of building a more equitable appraisal system; 2) educate stakeholders on issues of racial bias and inequity in the appraisal process; and 3) collaborate with ASC’s partners on potential strategies for achieving a more equitable appraisal system. This groundbreaking event brought together leaders in government, finance, real-estate, non-profits, and communities impacted by the appraisal system.

The September 2021 Roundtable brought together a distinguished group of speakers, including:

- **Secretary Marcia L. Fudge**, U.S. Department of Housing and Urban Development (Opening Remarks)
- **Timothy Segerson**, Chairman, Appraisal Subcommittee (Welcoming Remarks)
- **Jillian White**, Head of Collateral, Better.com (Keynote Speaker & Subject Matter Expert)
- **B. Doyle Mitchell Jr**, President and CEO of Industrial Bank (Keynote Speaker)
- **Rodman Schley**, 2021 National President, The Appraisal Institute (Keynote Speaker)
- **Marc H. Morial**, President & CEO, National Urban League (Keynote Speaker)
- **Johnnie White**, CEO & Executive Vice President, American Society of Appraisers (Subject Matter Expert)
- **Cate Agnew**, Head of Valuation & Executive Director, Natixis CIB (Subject Matter Expert)
- **Cy Richardson**, Senior Vice President, National Urban League (Subject Matter Expert)

The event featured four keynote speakers followed by a question-and-answer session and then breakout sessions in which participants were “visited” in their breakout rooms by subject matter experts.

Ideas generated by the discussion included:

- providing implicit bias education to industry participants, including appraisers, brokers and mortgage professionals
- rethinking the apprenticeship/training model for new entrants into the appraisal profession
- collecting and employing data to identify trends and inform opportunities for solutions

¹ Priority Contact visits may be performed onsite or remotely.

On November 9, 2021, the ASC convened the second virtual Roundtable that brought together another distinguished group of speakers, including:

- **The Honorable Maxine Waters**, (VIP) Chair, US House of Representatives Financial Services Committee
- **Vivian Li**, (Keynote) Director, Quantitative Analytics, Federal Home Loan Mortgage Corporation (Freddie Mac)
- **Erika Poethig**, (VIP) **Special Assistant to the President for Housing and Urban Policy at the White House’s Domestic Policy Council (DPC)**
- **Melody Taylor**, (Keynote) Executive Director of PAVE and Regional Director for the Mid-Atlantic Office of Fair Housing and Equal Opportunity for the U.S. Department of Housing and Urban Development
- **Danny Wiley**, (Keynote) Senior Director, Single Family Valuation, Federal Home Loan Mortgage Corporation (Freddie Mac)

The event featured two special VIP speakers and two keynote presentations, followed by theme based concurrent sessions. In one session participants could ask questions and make comments regarding the Freddie Mac presentation and the other session was a listening session for the PAVE Task Force initiative.

The ASC anticipates hosting additional Roundtables around this theme, “Building a More Equitable Appraisal System,” in 2022.

Appraisal Foundation Monitoring and Review

ASC Oversight of the Appraisal Foundation

Monitoring and Reviewing the Appraisal Foundation (Foundation)

Title XI specifically requires the ASC to “monitor and review the practices, procedures, activities and organizational structure” of the Foundation.² Historically, the ASC has carried out this responsibility in several ways, including:

- attendance at all relevant public and private ASB, AQB and Board of Trustees (BOT) meetings
- providing informal and formal comments and input on proposed changes to USPAP and the AQB Criteria
- providing informal and formal comments and input on activities of the BOT that impact the Foundation’s Title XI-related activities

In 2020, the ASC adopted a policy that memorialized the actions the ASC would take to monitor and review the Foundation. In September of 2021, the ASC revised the policy to clarify ASC staff attendance at public meetings, with attendance delegated by the ASC Executive Director to ASC staff on a rotating basis and private meetings on an as needed basis.

² Title XI § 1103(b), 12 U.S.C. § 3332 (b).

In addition to attending Foundation meetings, the ASC provided written comments to the AQB regarding the Second Exposure Draft of proposed changes to the *Real Property Appraiser Qualification Criteria* (Criteria) urging the AQB to develop written requirements for organizations seeking to qualify for review and approval authority of asynchronous education.

In June, the ASC approved budget authority of up to \$250,000 to support a comprehensive and independent review of the USPAP and the Criteria. The goal of the review was to ensure that USPAP and the AQB Criteria do not encourage or systematize bias, and consistently support or promote fairness, equity, objectivity and diversity in both appraisals and the training and credentialing of appraisers. The Council on Licensure, Enforcement and Regulation. (CLEAR) has a three-year cooperative agreement with the ASC to, in part, undertake research on the appraisal and AMC regulatory system. CLEAR managed the procurement of appropriate experts to carry out the independent review. The independent review was completed in December 2021 and was made public in January 2022.

In September, the ASC published a Notice of Funding Availability (NOFA) for the Foundation in the amount of \$2,000,000 over two years. The purpose of the funds would be to support operations of the AQB and ASB, including projects that promote innovation and reform of the AQB and ASB grant-eligible activities, including:

- an outside study to review the current publishing cycle for USPAP and its connection to the Foundation's revenue needs
- free or reduced cost copy of Standards 1-4 and associated annotations for trainees and credentialed appraisers
- appraiser shortages
- diversity in the profession
- Veterans' outreach
- National Exam update

Appraiser Registry

Title XI requires the ASC to maintain an Appraiser Registry of State certified and licensed appraisers who are eligible to perform appraisals in federally related transactions. As of December 31, 2021, the Appraiser Registry contained 93,262 appraiser credentials, up slightly from the 93,204 credentials at the end of 2020, and down 23% from the peak of 121,000 in 2007.

The Appraiser Registry is accessible at the ASC’s website (www.asc.gov), and is used by appraisers, Federal and State agencies, financial institutions, users of appraisal services, law enforcement, and consumers. Use of the Appraiser Registry is free. The Appraiser Registry allows users to determine whether an appraiser is State certified or licensed to perform appraisals in connection with federally related transactions. Users can also access an appraiser’s credential status and determine whether the appraiser’s credential is currently suspended, revoked, or surrendered in lieu of State disciplinary action.

The Appraiser Registry facilitates information sharing that assists State Programs in enforcing their appraiser-related statutes and regulations, including temporary practice and reciprocity. Financial institutions and other users also can access the Appraiser Registry to:

- Receive automatic notifications about new revocations, suspensions, surrenders, and certification/license expirations
- Download publicly available information or parts of the Appraiser Registry into predefined queries and user-customized queries
- Verify appraiser credentials
- Set up automatic queries of Appraiser Registry information using a web service which allows computer systems used by lenders, regulatory agencies, and other authorized parties to integrate directly with the Appraiser Registry

States reported over 12,000 disciplinary actions taken against appraisers for misconduct or wrongdoing over the past 10 years.

National Registry of AMCs (AMC Registry)

Title XI requires the ASC to maintain an AMC Registry of AMCs that either are registered with and subject to supervision of a State AMC Program or are Federally regulated.³ The AMC Registry became available for States to populate on July 16, 2018. As of December 31, 2021, the AMC Registry contained AMCs registered from 44 States.

The AMC Registry is accessible at the ASC’s website (www.asc.gov), and is used by appraisers, Federal and State agencies, financial institutions, users of appraisal services, law enforcement, and consumers. Use of the AMC Registry is free. The AMC Registry allows users to determine whether an AMC meets the federal definition of an AMC and is registered in a particular State. Users can also access an AMC’s registration status and determine whether the AMC is currently suspended, revoked or surrendered in lieu of State disciplinary action.

The AMC Registry facilitates information sharing that assists State Programs in enforcing their AMC-related statutes and regulations. Financial institutions and other users also can access the AMC Registry to:

- Receive automatic notifications about new revocations, suspensions, surrenders, and registration expirations
- Download publicly available information or parts of the AMC Registry into predefined queries and user-customized queries
- Set up automatic queries of AMC Registry information using a web service which allows computer systems used by lenders, regulatory agencies, and other authorized parties to integrate directly with the AMC Registry

³ Title XI § 1103(a)(6), 12 U.S.C. § 3332(a)(6).

ASC Grants

The Appraisal Foundation Grant

Title XI authorizes the ASC “to make grants in such amounts as it deems appropriate to the [Foundation], to help defray those costs of the Foundation relating to the activities of [the ASB] and [AQB].” Since the ASC’s inception in 1989, it has provided approximately \$21.7 million in grant funds to the Foundation.

In FY 2021 the ASC published a non-competitive Notice of Funding Availability (NOFA) authorizing up to \$1,000,000 for the Foundation in FY 2022 to support activities of the ASB and AQB.

In addition to direct support for the AQB and ASB, ASC offered to fund activities to promote innovation and expand the positive impact of the Foundation on appraisers and other stakeholders, including addressing the appraiser shortage, lack of diversity in the profession and additional outreach to veterans. ASC also encouraged the Foundation to ask for funds in the following areas:

1. USPAP Publishing and Revenue Model. TAF can request funds to commission an outside study to review the current publishing cycle for USPAP and its connection to TAF’s revenue needs.
2. AQB/ASB/Board of Trustees (BOT) Operational Assessment. TAF can request funds to use outside experts to assess structure, operations and programmatic impact of the Boards’ work. The assessment can include analysis and recommendations related to legal support and review of the Boards’ work product, general professional Board staffing, diversity of the Boards, independence and governance (Board term lengths, recruitment/selection strategies) of the Boards.
3. Free USPAP. Grant funds may be used to provide trainees and credentialed appraisers with a free or reduced cost copy of Standards 1-4 and associated annotations.

Training and Technical Assistance Cooperative Agreement

The ASC published a competitive NOFA to identify a new partner to work closely with ASC to deliver training and technical assistance to State Appraiser and AMC regulatory Agencies and commission research on the appraisal industry to support the goals of Title XI and advance the profession in general. The Council on Licensure, Enforcement and Regulation (CLEAR) was the recipient of this award. CLEAR was awarded an initial \$350,000 to carry out planned training and technical assistance to State regulatory agencies plus an additional \$400,000 for supplemental activities.

Outcomes in FY 2021 include a comprehensive training needs assessment of the State Appraiser and AMC regulatory agencies, a Report on Appraisal Standards and Appraiser Qualifications carried out by the National Fair Housing Alliance, and a scoping project to prepare for a national census and survey of active appraisers in the U.S.

State Grants

Title XI authorizes the ASC to make grants to the States in accordance with policies developed by the ASC in support of States' Title XI activities. In 2020, the ASC significantly increased the size of the State grant program by making \$10 million available over three years (2020-2022) directly to the 55 eligible States and U.S. Territories. Funds can be used to improve State appraiser and AMC regulatory processes and advance the appraisal industry with high-quality, impact-oriented programming.

The ASC awarded \$709,619 in new funds to support activities that included hiring additional investigator staff, training for staff and board members, technology upgrades, and the creation of a new training experience program to support and accelerate credentialing of new appraisers to be carried out across FYs 2021 and 2022 in the States listed below. This brings the total ASC State grant portfolio to 14 States, or 25% of the entities eligible to receive an award. ASC anticipates new states will be added to the portfolio in FY 2022.

FY 2021 State Grantees	Award Amount
North Carolina	\$117,200
Arkansas	\$116,500
Texas	\$101,640
Hawaii	\$25,850
Mississippi	\$119,900
Connecticut	\$119,409
Vermont	\$109,120

APPRAISAL SUBCOMMITTEE

Balance Sheets

As of September 30,

Assets

	<u>2021</u>	<u>2020</u>
Assets:		
Intragovernmental Assets:		
Fund balance with Treasury	\$ 14,667,553	\$ 8,917,693
Restricted fund balance with Treasury	<u>3,518,910</u>	<u>3,204,698</u>
Total Intragovernmental Assets:	<u>18,186,463</u>	12,122,391
Accounts receivable	1,911,751	2,317,541
Property and Equipment, net	<u>900,493</u>	<u>402,416</u>
Total Assets	<u>\$ 20,998,707</u>	<u>\$ 14,842,348</u>

Liabilities and Net Position

Liabilities:		
Intragovernmental Liabilities:		
Unearned revenues	\$ 992,238	\$ 1,534,957
Restricted funds held for others	<u>3,518,910</u>	<u>3,204,698</u>
Total Intragovernmental Liabilities:	<u>4,511,148</u>	4,739,655
Accounts payable	173,748	46,717
Grants payable	-	18,182
Accrued funded payroll and leave	138,012	129,773
Unfunded leave	<u>271,757</u>	<u>272,734</u>
Total Liabilities	<u>5,094,665</u>	<u>5,207,061</u>
Net Position:		
Unexpended appropriations - other funds	-	-
Cumulative results of operations - other funds	<u>15,904,042</u>	<u>9,635,287</u>
Total Net Position	<u>15,904,042</u>	<u>9,635,287</u>
Total Liabilities and Net Position	<u>\$ 20,998,707</u>	<u>\$ 14,842,348</u>

The accompanying notes are an integral part of the financial statements.

APPRAISAL SUBCOMMITTEE

Statements of Net Cost

For the Years Ended September 30,

	<u>2021</u>	<u>2020</u>
Program Costs:		
Public costs	\$ 3,605,383	\$ 3,442,300
Less: Earned revenue from public	<u>(9,874,138)</u>	<u>(7,786,343)</u>
Net public costs	<u>\$ (6,268,755)</u>	<u>\$ (4,344,043)</u>

The accompanying notes are an integral part of the financial statements.

APPRAISAL SUBCOMMITTEE

Statements of Changes in Net Position

For the Years Ended September 30,

	<u>2021</u>	<u>2020</u>
Cumulative Results of Operations:		
Beginning Balance	\$ <u>9,635,287</u>	\$ 5,291,244
Beginning Balance, As Adjusted	<u>9,635,287</u>	<u>5,291,244</u>
Budgetary Financing Sources:		
Appropriations used	-	-
Other Financing Sources:		
Imputed financing	<u>-</u>	<u>-</u>
Total Financing Sources	-	-
Net Cost of Operations (+/-)	<u>6,268,755</u>	<u>4,344,043</u>
Net Change	<u>6,268,755</u>	<u>4,344,043</u>
Cumulative Results of Operations	<u>\$ 15,904,042</u>	<u>\$ 9,635,287</u>
Unexpended Appropriations:		
Beginning Balance	\$ <u>-</u>	\$ <u>-</u>
Beginning Balance, As Adjusted	<u>-</u>	<u>-</u>
Budgetary Financing Sources:		
Appropriations received	10,162,019	5,771,951
Other adjustments	-	-
Appropriations used	<u>(10,162,019)</u>	<u>(5,771,951)</u>
Total Budgetary Financing Sources	<u>-</u>	<u>-</u>
Total Unexpended Appropriations	<u>-</u>	<u>-</u>
Net Position	<u>\$ -</u>	<u>\$ -</u>

The accompanying notes are an integral part of the financial statements.

APPRAISAL SUBCOMMITTEE

Statements of Budgetary Resources

For the Years Ended September 30,

	<u>2021</u>	<u>2020</u>
	<u>Budgetary</u>	<u>Budgetary</u>
Budgetary Resources:		
Unobligated balance brought forward, October 1	\$ 6,474,486	\$ 4,398,005
Unobligated balance brought forward, October 1, as adjusted	6,474,486	4,398,005
Recoveries from prior year unpaid obligations	84,362	140,711
Recoveries from prior year paid obligations	290	-
Other changes in unobligated balance	-	-
Unobligated balance from prior year budget authority, net	6,559,138	4,538,716
Appropriations (Discretionary and Mandatory)	<u>10,162,019</u>	<u>5,771,951</u>
Total Budgetary Resources	<u>\$ 16,721,157</u>	<u>\$ 10,310,667</u>
Status of Budgetary Resources:		
New obligations and upward adjustments (total)	\$ 4,358,455	\$ 3,836,181
Unobligated balance, end of year		
Apportioned, unexpired accounts	-	-
Unapportioned, unexpired accounts	<u>12,362,702</u>	<u>6,474,486</u>
Unexpired unobligated balance, end of year	12,362,702	6,474,486
Expired unobligated balance, end of year	-	-
Unobligated balance, end of year	12,362,702	6,474,486
Total Status of Budgetary Resources	<u>\$ 16,721,157</u>	<u>\$ 10,310,667</u>
Change in Obligated Balance:		
Unpaid obligations:		
Unpaid obligations, brought forward, October 1	\$ 363,459	\$ 581,675
New obligations and upward adjustments	4,358,455	3,836,181
Outlays (gross) (-)	<u>(4,112,588)</u>	<u>(3,913,686)</u>
Recoveries of prior year unpaid obligations	(84,362)	(140,711)
Unpaid obligations, end of year	524,964	363,459
Uncollected payments:		
Uncollected payments, Fed sources, brought forward, October 1 (-)	-	-
Change in uncollected payments, Fed sources (+/-)	-	-
Uncollected payments, Fed sources, end of year (-)	-	-
Memorandum (non-add) entries		
Obligated balance, start of year (+/-)	<u>\$ 363,459</u>	<u>\$ 581,675</u>
Obligated balance, end of year (+/-)	<u>\$ 524,964</u>	<u>\$ 363,459</u>
Budget Authority and Outlays, Net:		
Budget authority, gross (discretionary and mandatory)	\$ 10,162,019	\$ 5,771,951
Actual offsetting collections (discretionary and mandatory)	-	-
Recoveries of prior year paid obligations (discretionary and mandatory)	-	-
Budget authority, net (total) (discretionary and mandatory)	10,162,019	5,771,951
Outlays (gross) (discretionary and mandatory)	<u>(4,112,298)</u>	<u>(3,913,686)</u>
Actual offsetting collections (discretionary and mandatory)	-	-
Outlays, net (total) (discretionary and mandatory)	<u>(4,112,298)</u>	<u>(3,913,686)</u>
Agency Outlays, net (discretionary and mandatory)	<u>\$ (4,112,298)</u>	<u>\$ (3,913,686)</u>

The accompanying notes are an integral part of the financial statements.

APPRAISAL SUBCOMMITTEE

Notes to the Financial Statements

September 30, 2021 and 2020

Note 1 - **Summary of Significant Accounting Policies**

Organization

The Appraisal Subcommittee of the Federal Financial Institutions Examination Council (the “Appraisal Subcommittee” or “ASC”) was created by Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (“FIRREA”) of 1989. The mission of the Appraisal Subcommittee is to monitor the certification and licensing programs of the States to determine compliance with Title XI of FIRREA. The purpose of this title is to ensure that the federal financial and public policy interests in real estate-related transactions will be protected by requiring that real estate appraisals utilized in connection with federally related transactions are performed in writing, in accordance with uniform standards, by individuals whose competency has been demonstrated and whose professional conduct will be subject to effective supervision. In accordance with Title XI of FIRREA, an appraiser must be registered to perform appraisals connected to federal transactions. Effective January 1, 2012, ASC raised the annual fee assessed to the States from \$25 per registered appraiser to \$40.

The federal financial institutions regulatory agencies include the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Consumer Financial Protection Bureau (“CFPB”), the Office of the Comptroller of the Currency, and the National Credit Union Administration. The member agencies of the Appraisal Subcommittee include the federal financial institutions regulatory agencies, the Department of Housing and Urban Development, and the Federal Housing Finance Agency (“FHFA”). The CFPB and FHFA were added as members to the ASC as a result of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (“Dodd-Frank Act”).

Effective November 24, 2017, the ASC adopted a final rule to implement collection and transmission of appraisal management company (“AMC”) annual registry fees under the Dodd-Frank Act. The first full year of collection of AMC fees began on October 1, 2018. The ASC adopted Section 1102.402. Section 1102.402 establishes the annual AMC registry fee for States that elect to register and supervise AMCs as follows:

APPRAISAL SUBCOMMITTEE

Notes to the Financial Statements - Continued

September 30, 2021 and 2020

In the case of an AMC that has been in existence for more than a year, \$25 multiplied by the number of appraisers who have performed an appraisal for the AMC on a covered transaction in such date during the previous year. If an AMC has not been in existence for more than a year, \$25 multiplied by the number of appraisers who have performed an appraisal for the AMC on a covered transaction in such State since the AMC commenced doing business.

The COVID-19 crisis has created volatility in the financial markets and a significant decrease in the overall economy. Operations of ASC were minimally impacted by the novel corona virus (COVID-19) pandemic as ASC employees had already been teleworking. The full adverse impact and duration of COVID-19 on the ASC's finances and operations cannot be determined.

Basis of Accounting and Presentation

These financial statements have been prepared from the accounting records of ASC in accordance with Generally Accepted Accounting Principles ("GAAP"), and the form and content for entity financial statements specified by the Office of Management and Budget ("OMB") in OMB Circular No. A-136, as amended. GAAP for federal entities are standards prescribed by the Federal Accounting Standards Advisory Board ("FASAB"), which has been designated the official accounting standards-setting body for the Federal Government by the American Institute of Certified Public Accountants.

OMB Circular No. A-136 requires agencies to prepare financial statements, which include Balance Sheets, Statements of Net Cost, Statement of Changes in Net Position, and Statements of Budgetary Resources. The Balance Sheets present, as of September 30, 2021 and 2020, amounts of future economic benefits owned or managed by ASC (assets), amounts owed by ASC (liabilities), and amounts, which comprise the difference (net position). The Statements of Net Cost report the full cost of the program, both direct and indirect costs of the output, and the costs of identifiable supporting services provided by other segments within ASC and other reporting entities. The Statements of Budgetary Resources report an agency's budgetary activity.

Transactions are recorded on the accrual accounting basis in accordance with OMB Circular No. A-136. Under the accrual basis of accounting, revenues are recognized when earned, and expenses are recognized when a liability is incurred, without regard to receipt or payment of cash. The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities at the date of

APPRAISAL SUBCOMMITTEE

Notes to the Financial Statements - Continued

September 30, 2021 and 2020

the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results may differ from those estimates.

Significant assumptions made in these financial statements include future collection of receivables and deferring revenue on the receipt of 25% of the incremental fee from \$25 to \$40.

The accompanying financial statements have been prepared to report the financial position, net cost, changes in net position, and budgetary resources of the ASC as required by the Accountability of Tax Dollars Act of 2002. These financial statements have been prepared from the books and records of the ASC in accordance with U.S. generally accepted accounting principles (GAAP) and the accounting standards issued by the Federal Accounting Standards Advisory Board (FASAB) in the format prescribed by the Office of Management and Budget (OMB) Circular No. A-136, *Financial Reporting Requirements, as amended*. GAAP for federal entities are the standards prescribed by the Federal Accounting Standards Advisory Board (FASAB), which is the official standard-setting body for the Federal government.

The ASC's financial statements should be read with the realization that they are for a component of the U.S. Government whose liabilities not covered by budgetary resources cannot be liquidated without the enactment of an appropriation, and that the payment of all liabilities other than for contracts can be abrogated by the Federal Government acting in its capacity.

Budgetary Basis of Accounting

The ASC'S programs and activities are funded through annual appropriations and appraisal fees. Congress annually adopts a budget appropriation that provides the ASC with authority to use funds from the U.S. Department of the Treasury (Treasury) to meet operating expense requirements. The ASC has single year budgetary authority and all unobligated amounts at year-end expire. At the end of the fifth year following the year of execution, all amounts not expended are canceled and returned to Treasury. Additionally, all revenue received from other sources must be returned to the Treasury.

Budgetary accounting measures appropriation and consumption of budget/spending authority and facilitates compliance with legal constraints and controls over the use of federal funds. Under budgetary reporting principles, budgetary resources are consumed at the time an obligation is incurred. Only those liabilities for which valid obligations have been established are considered to consume budgetary resources.

APPRAISAL SUBCOMMITTEE

Notes to the Financial Statements - Continued

September 30, 2021 and 2020

Fund Balance with U.S. Treasury

Fund Balance with the U.S. Treasury is the aggregate amount of the ASC's funds with Treasury in expenditure, receipt, and revolving fund accounts. Appropriated funds recorded in expenditure accounts are available to pay current liabilities and finance authorized purchases. The ASC does not maintain bank accounts of its own, has no disbursing authority, and does not maintain cash held outside of Treasury. Treasury disburses funds for the agency upon request.

Restricted Fund Balance with U.S. Treasury

Restricted fund balance with the U.S. Treasury are amounts restricted by law that the Appraisal Subcommittee received in conjunction with the \$15 fee increase, as permitted by the Dodd-Frank Act. As part of the fee increase that was effective January 1, 2012, Congress specifically required the ASC to set aside 25% of the increase without specifications as to how it could be used. Accordingly, these funds have been classified as a liability on the balance sheets.

Accounts Receivable

Accounts receivable consist of amounts due to the Appraisal Subcommittee for registry fees. As of September 30, 2021 and 2020, management is of the opinion that an allowance for doubtful accounts is not necessary.

Property and Equipment

Property and equipment is stated at cost. Depreciation is computed using the straight-line method over the estimated useful lives ranging from three to ten years. The capitalization threshold is \$5,000 for assets with a useful life of three or more years. For bulk purchases, items will be capitalized when the individual useful lives are at least three years and have an aggregate value of \$15,000 or more.

Annual and Sick Leave Program

Annual leave is accrued as it is earned by employees and is included in personnel compensation and benefits cost. An unfunded liability is recognized as earned but unused annual leave since, from a budgetary standpoint, this annual leave will be paid from future funding sources when the leave is used by employees. The amount accrued is based upon current pay rates of the employees. Sick leave is expensed when used and no liability is recognized as employees have no right to be paid for unused sick leave.

Unearned Revenues

Registry fees received in advance are deferred and recognized as earned during the applicable fee year.

APPRAISAL SUBCOMMITTEE

Notes to the Financial Statements - Continued

September 30, 2021 and 2020

Tax Status

The Appraisal Subcommittee is a federal governmental agency and is therefore generally exempt from income taxes under Section 115 of the Internal Revenue Code.

Note 2 - **Property and Equipment, Net**

Property and equipment at September 30, consist of the following:

	<u>2021</u>	<u>2020</u>
Property and equipment not depreciated:		
Work in progress	\$ 866,754	\$ 379,241
Property and equipment depreciated:		
Computer equipment	<u>531,692</u>	<u>489,806</u>
Total property and equipment	<u>1,398,446</u>	<u>869,047</u>
Less: accumulated depreciation	<u>497,953</u>	<u>466,631</u>
Net Property and Equipment	<u>\$ 900,493</u>	<u>\$ 402,416</u>

During FY2020, the ASC disposed of fully depreciated software and equipment no longer in use with an original cost of \$355,317.

Note 3 - **Appraisal Foundation Grant**

Title XI of FIRREA provides that amounts appropriated for, or collected by, the Appraisal Subcommittee be used to make grants to The Appraisal Foundation (the "Foundation") to help defray costs of the Foundation relating to the activities of its Appraisal Standards Board ("ASB"), Appraiser Qualifications Board ("AQB"), and State Investigator Training Grants. Since inception of the Appraisal Subcommittee on August 9, 1989, it has made grants to the Foundation under which approximately \$21,264,000 was expended through September 30, 2021. As of September 30, 2021 and 2020, the Appraisal Subcommittee has \$0 and \$18,182, respectively, in undistributed grant funding available to the Foundation for the grant years ending September 30, 2021 and 2020, which is recorded in grants payable.

APPRAISAL SUBCOMMITTEE

Notes to the Financial Statements - Continued

September 30, 2021 and 2020

Note 4 - Retirement and Benefit Plans

The Appraisal Subcommittee contributes to the Civil Service Retirement System and the Federal Employees' Retirement System administered by the Office of Personnel Management for the benefit of U.S. Government employees. The retirement plans are participatory. Under the Civil Service Retirement System, the employer and employee each contribute amounts ranging from 7-8 percent of salary to the plan. Under the Federal Employees' Retirement System, 13 percent of salary is contributed by the Appraisal Subcommittee and 1 percent of salary is contributed by the employee.

The Appraisal Subcommittee contributes up to 5 percent of base pay for participants in the Thrift Savings Plan under the Federal Employees Retirement System. Contributions by the Appraisal Subcommittee during fiscal years 2021 and 2020 for the Civil Service Retirement System and the Federal Employees' Retirement System plans aggregated approximately \$394,000 and \$368,000, respectively.

Although the Appraisal Subcommittee contributes a portion of pension benefits for its employees participating in the retirement plans and withholds the necessary payroll deductions from them, it has no liability for future payments to employees under those programs and is not accountable for the assets of the Civil Service and Federal Employees' Retirement Systems, nor does the Appraisal Subcommittee have actuarial data concerning the accumulated plan benefits or the unfunded pension liability relating to its employees. These amounts are reported by the Office of Personnel Management for the retirement systems and are not allocated to the individual employers. The Office of Personnel Management also accounts for all health and life insurance programs for retired federal employees.

Note 5 - Interagency Transactions

In conducting its administrative operations, the Appraisal Subcommittee uses the services of various other federal agencies. The largest of the administrative service arrangements is with the U.S. General Services Administration for certain accounting and reporting functions, and processing of payroll and related benefits. Operating expenses of the Appraisal Subcommittee for fiscal years ended 2021 and 2020 include approximately \$130,000 and \$119,000, respectively, for these services.

APPRAISAL SUBCOMMITTEE

Notes to the Financial Statements - Continued

September 30, 2021 and 2020

Note 6 - **Reconciliation of Net Cost of Operations to Budget**

	<u>2021</u>	<u>2020</u>
Net Cost	\$ 3,605,383	\$ 3,442,300
<i>Components of Net Cost that are not part of Net Outlays:</i>		
Property and equipment depreciation	(31,322)	(113,547)
Change in budgetary resources obligated for goods, services, and benefits ordered but not yet provided	125,239	(5,997)
<i>(Increase) / Decrease in Liabilities</i>		
Accounts payable	(127,031)	45,200
Grants payable	18,182	242,024
Salaries and benefits	(7,262)	(75,535)
<i>Components of Net Outlays that are not part of Net Cost:</i>		
Acquisition of capital assets	<u>529,399</u>	<u>379,241</u>
Net Outlays	<u>\$ 4,112,588</u>	<u>\$ 3,913,686</u>

A reconciliation of net cost of operations to budget is presented above to show the relationship between accrual-based (financial accounting) information in the statement of net cost and obligation-based (budgetary accounting) information in the statement of budgetary resources. This reconciliation ensures that the proprietary and budgetary accounts in the financial management system are in balance. For FY 2021 and 2020, the ASC reconciled the difference between the \$4.1 million and \$3.9 million in obligated resources and the \$3.6 million and \$3.4 million in the net cost of operations, respectively, by adjusting for offsetting collections, adjustments, recoveries, financing resources not part of the net cost of operations, and depreciation. The details of these reconciliations are as listed above.

APPRAISAL SUBCOMMITTEE

Notes to the Financial Statements - Continued

September 30, 2021 and 2020

Note 7 - **Management's Acceptance of Financial Statements**

Subsequent Events

Management has evaluated subsequent events through March 8, 2022, the date for which the financial statements were available for issuance. Management has accepted the financial statements and did not identify any events subsequent to September 30, 2021 requiring disclosure in the financial statements.

APPENDIX B

NATIONAL REGISTRY STATISTICS

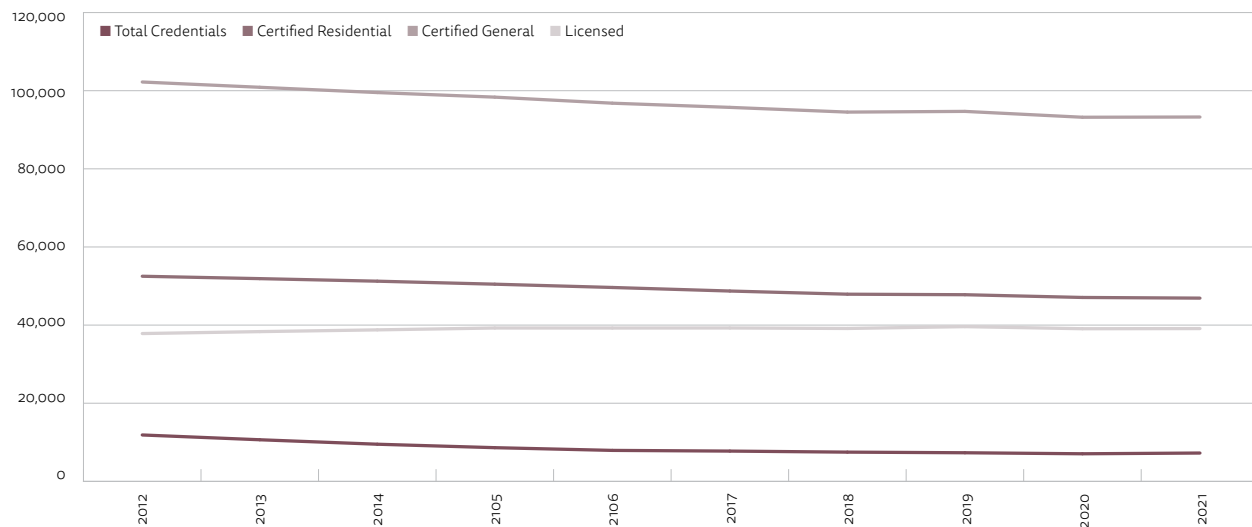
Appraiser Registry Credentials—Year-End 2012–2021

Note: These statistics reflect the number of appraiser credentials, not the number of appraisers, listed on the National Registry. It is not uncommon for the same appraiser to hold multiple State credentials.

Year-End	Certified General	Certified Residential	Licensed	Transitional	Total Credentials
2012	37,834	52,504	11,875	12	102,225
2013	38,332	51,893	10,648	1	100,874
2014	38,777	51,240	9,507	0	99,524
2015	39,257	50,472	8,622	0	98,351
2016	39,246	49,631	7,926	0	96,803
2017	39,262	48,720	7,749	0	95,731
2018	39,135	47,908	7,481	0	94,524
2019	39,606	47,776	7,321	0	94,703
2020	39,070	47,073	7,061	0	93,204
2021	39,110	46,903	7,249	0	93,262

Note: Transitional licensing enabled persons to become licensed when they passed the appropriate examination but lacked either the educational or the experience requirements adopted by the State. Effective July 1, 2013, transitional credentials were no longer eligible for listing on the Appraiser Registry.

Yearly Appraiser Credential Trends



APPENDIX C

TOOLS FOR MONITORING STATE COMPLIANCE WITH TITLE XI

Monitoring Tool	Description	Frequency
Routine Compliance Reviews	Full on-site Reviews of State appraiser and AMC regulatory Programs.	Every 2 years or annually if ASC determines a State needs closer monitoring.
Follow-up Compliance Reviews	On-site Reviews focused on areas of non-compliance identified during routine Compliance Reviews.	6 to 12 months after previous Compliance Review.
Priority Contact Visits	On-site visits, usually to States with large populations of appraisers, to discuss potentially problematic emerging issues and maintain a close working relationship with the State agency.	As needed.
Off-site Monitoring	Telephone or e-mail contacts with State agencies regarding emerging compliance issues and progress in addressing previously identified issues.	Continuous.
State Off-Site Assessments	Off-site assessment of appraiser and AMC regulatory programs limited to data available remotely.	Replaces Routine Compliance Reviews when travel is restricted.

APPENDIX D

DISCIPLINARY ACTIONS REPORTED BY STATES¹

Appraiser

January 1, 2012 through December 31, 2021

State	Additional Education	Downgrade	Limited	Monetary Fine	Official Reprimand	Other	Probation	Revocation	Suspension	TP Action	Voluntary Surrender	Warning, Corrective Action, and/or Disciplinary Action	Total
Alabama	23	0	0	88	17	42	2	3	6	0	5	13	199
Alaska	4	0	0	8	1	10	2	0	0	0	0	4	29
Arizona	42	0	1	3	0	27	31	8	9	0	9	2	132
Arkansas	33	0	2	27	0	1	36	0	5	0	6	14	124
California	550	0	23	550	1	14	144	50	95	0	49	0	1476
Colorado	31	2	0	46	5	4	2	18	13	0	34	49	204
Connecticut	1	0	0	102	0	0	1	1	5	0	5	1	116
Delaware	18	0	0	24	57	3	10	4	6	0	0	0	122
District Of Columbia	6	0	0	10	5	0	0	2	2	0	0	0	25
Florida	151	0	0	188	1	55	131	55	40	0	3	0	624
Georgia	0	0	0	0	7	316	0	51	29	0	0	0	403
Guam	0	0	0	0	0	0	0	0	0	0	0	0	0
Hawaii	2	0	0	11	0	0	1	3	0	0	0	0	17
Idaho	16	0	0	51	0	33	24	3	2	0	1	3	133
Illinois	19	0	1	176	23	14	13	39	95	0	9	46	435
Indiana	1	0	0	3	4	0	24	2	9	0	2	1	46
Iowa	20	0	2	7	4	6	2	2	8	0	13	31	95
Kansas	29	2	0	15	0	0	4	3	1	0	2	0	56
Kentucky	57	2	0	48	2	21	0	3	15	0	2	0	150
Louisiana	20	0	0	30	29	0	0	0	0	0	0	0	79
Maine	32	0	0	44	18	2	5	7	5	0	2	23	138
Maryland	54	0	0	104	10	1	0	4	20	0	11	0	204
Massachusetts	60	0	0	83	22	0	63	11	7	0	10	0	256
Michigan	38	0	0	133	6	3	16	17	11	0	4	0	228
Minnesota	15	0	0	112	0	9	2	17	6	0	1	149	311
Mississippi	30	0	0	0	0	3	2	0	4	0	3	0	42
Missouri	0	0	0	0	0	23	61	26	29	0	11	0	150
Montana	15	0	0	19	1	2	7	4	14	0	4	0	66
Nebraska	23	1	1	12	0	9	2	0	4	0	2	4	58
Nevada	75	0	0	23	0	1	0	11	6	0	10	3	129
New Hampshire	18	0	0	17	18	3	0	5	2	0	2	0	65
New Jersey	40	0	0	123	14	1	6	3	31	0	18	0	236
New Mexico	23	0	0	6	1	0	0	8	1	0	1	29	69
New York	155	0	0	259	10	0	0	35	45	0	0	10	514
North Carolina	81	0	3	0	43	0	1	1	47	0	10	0	186
North Dakota	11	0	0	14	1	3	2	2	3	0	1	1	38
Ohio	82	0	0	82	15	1	0	3	58	0	2	0	243
Oklahoma	93	1	5	201	1	70	54	11	223	0	13	25	697
Oregon	91	0	0	116	4	7	1	5	9	0	14	14	261
Pennsylvania	85	0	0	111	8	3	14	9	17	0	15	5	267
Puerto Rico	0	0	0	14	0	0	0	1	2	0	0	2	19
Rhode Island	3	0	0	3	4	0	1	0	1	0	0	2	14
South Carolina	52	0	0	53	59	1	4	1	6	0	15	0	191
South Dakota	23	0	1	26	19	1	0	0	5	0	4	3	82
Tennessee	93	1	0	68	0	2	1	3	25	0	8	22	223
Texas	258	0	5	172	8	191	119	29	84	0	58	23	947
Utah	23	1	0	34	0	1	1	4	4	0	5	1	74
Vermont	0	0	0	1	1	0	0	0	4	0	1	2	9
Virginia	54	0	0	84	0	1	9	13	23	0	1	89	274
Washington	44	0	0	60	0	0	55	13	15	0	3	0	190
West Virginia	11	0	0	9	4	7	0	3	6	0	2	2	44
Wisconsin	108	0	21	5	123	7	0	3	70	0	28	0	365
Wyoming	7	0	0	7	0	2	1	0	0	0	0	0	17
Total	2720	10	65	3382	546	900	854	496	1127	0	399	573	11072

¹ Public disciplinary actions on the Appraiser Registry are those State actions currently in effect that affect an appraiser's ability to appraise: revocations, suspensions or voluntary surrenders in lieu of discipline. No disciplinary actions have been reported by Guam, Mariana Islands or Virgin Islands.

APPRAISAL MANAGEMENT COMPANY DISCIPLINARY ACTIONS REPORTED BY STATES

August 10, 2018 through December 31, 2021

State	Additional Education	Downgrade	Limited	Monetary Fine	Official Reprimand	Other	Probation	Revocation	Suspension	TP Action	Voluntary Surrender	Warning, Corrective Action, and/or Disciplinary Action	Total
Iowa	0	0	0	3	0	0	0	0	0	0	0	3	6
Kansas	0	0	0	0	0	0	0	1	0	0	0	0	1
Kentucky	0	0	0	0	0	0	0	0	0	0	0	0	0
Minnesota	0	0	0	0	0	0	0	1	0	0	0	1	2
Missouri	0	0	0	0	0	0	0	0	0	0	0	0	0
Montana	0	0	0	1	0	0	0	0	0	0	0	0	1
Nebraska	0	0	0	2	0	0	2	0	0	0	0	0	4
Oregon	0	0	0	0	0	0	0	0	0	0	4	0	4
Pennsylvania	0	0	0	6	3	0	0	0	0	0	0	0	9
South Carolina	0	0	0	0	0	0	0	0	0	0	0	0	0
Tennessee	0	0	0	0	0	0	0	0	0	0	1	0	1
Virginia	0	0	0	1	0	0	0	0	0	0	0	0	1
Total	0	0	0	13	3	0	2	2	0	0	5	4	29

APPENDIX E

APPRAISAL COMPLAINT NATIONAL HOTLINE

January-December 2021

In-Bound Source	Calendar Year 2021 Totals
Call Center Calls	554
Call Center Referrals	n/a
Email Referral	15
Website Hits/Visits	7580
Federal Agency Referrals	59
State Agency Referrals	671

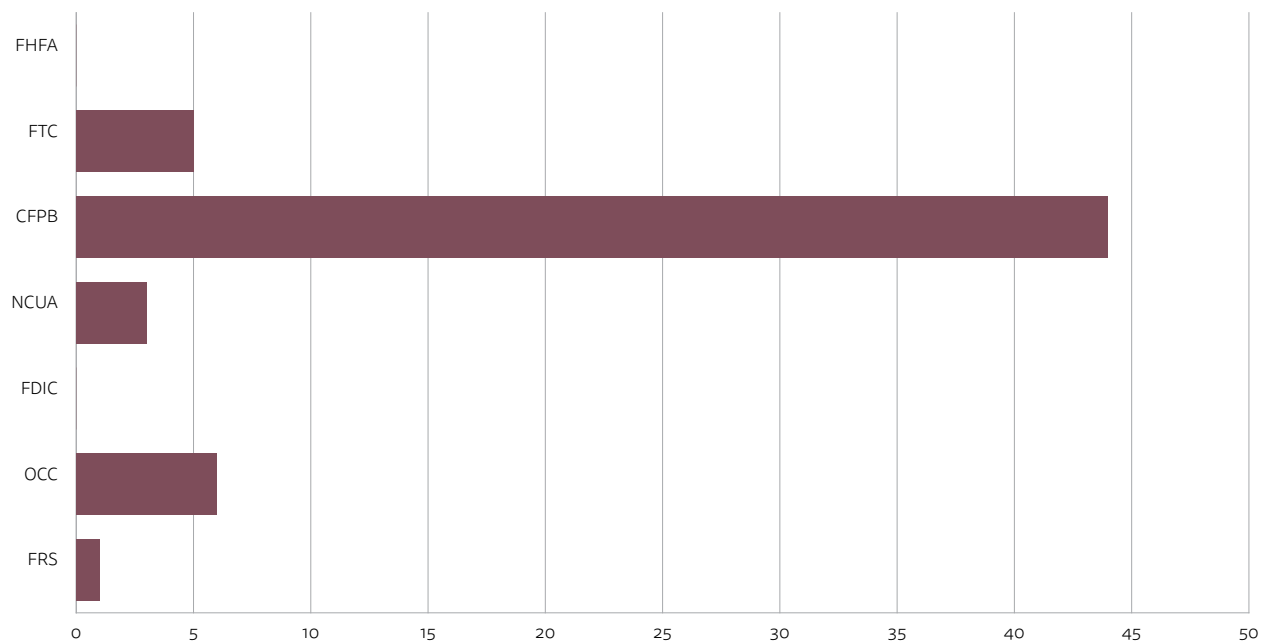
Member Agency Referrals

Agency	Calendar Year 2021 Totals
FRS	1
OCC	6
FDIC	0
NCUA	3
CFPB	44
FTC	5
FHFA	0

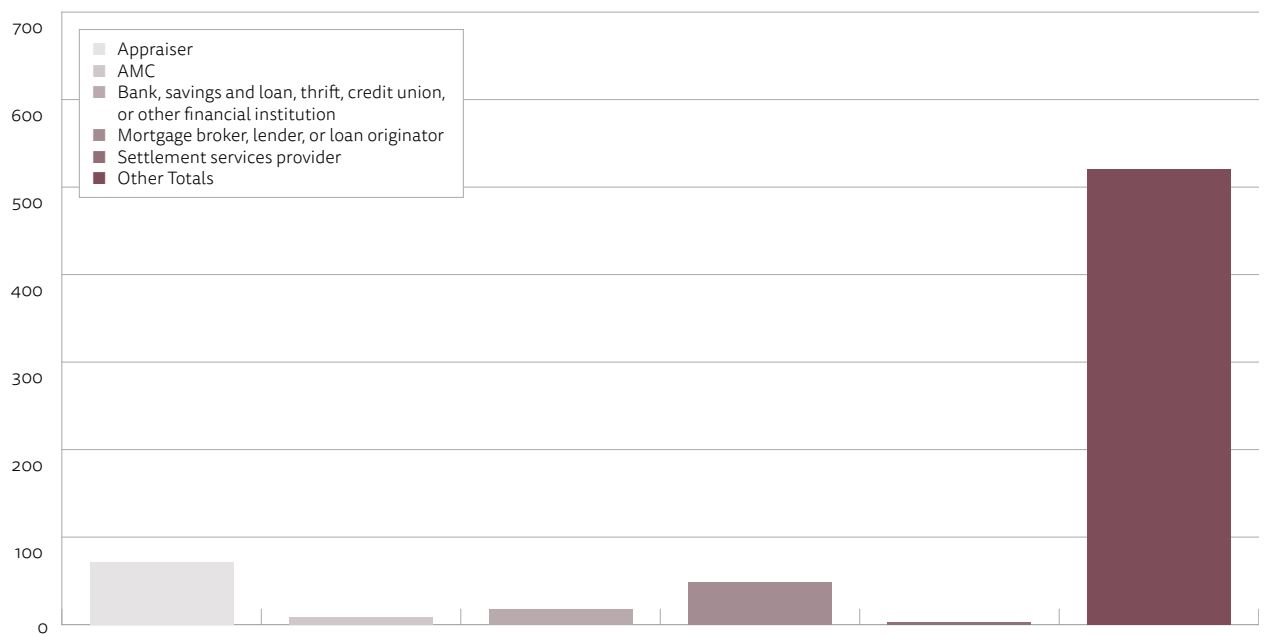
Description	Calendar Year 2021 Totals
Complainant	
Appraiser	71
AMC	9
Bank, savings and loan, thrift, credit union, or other financial institution	18
Mortgage broker, lender, or loan originator	49
Settlement services provider	3
Other Totals	521
Consumer*	473
Real Estate Agent	45
Attorney	2
Insurance Agent	0
Federal Entity	0
Blank/Undefined	1
Complaint	
USPAP	494
Appraisal Independence	177
Complaint Against	
Appraiser	610
AMC	22
Bank, savings and loan, thrift, credit union, or other financial institution	22
Mortgage broker, lender, or loan originator	10
Settlement services provider	0
Other	7
Property Type	
1-4 Unit Residential	613
Commercial	37
No Property	21
Federal Loan Type	
FHA	120
VA	72
USDA	10
None	469

*Consumer consists of the following self-identified categories: Property Owner, Homeowner, Buyer, Borrower, Seller and Loan Applicant.

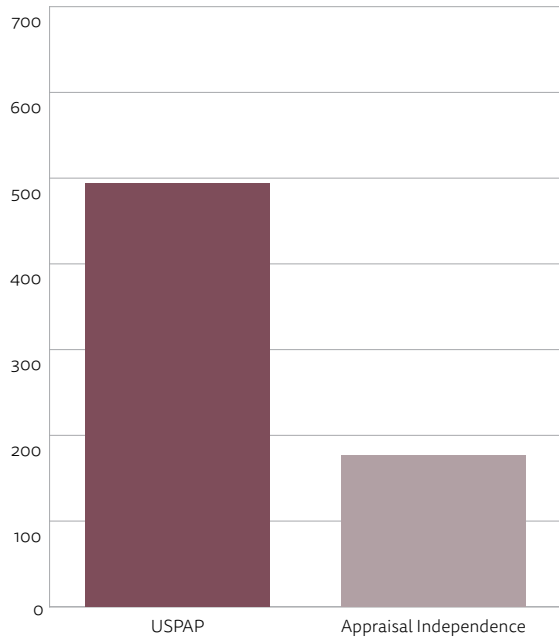
Complaint Type



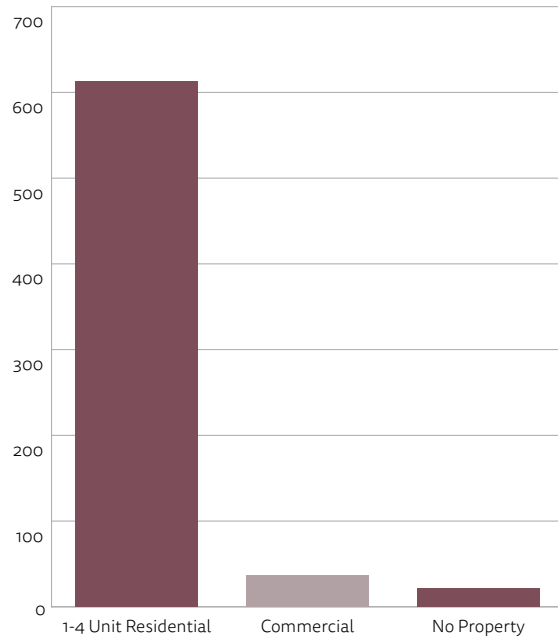
Complainant Type



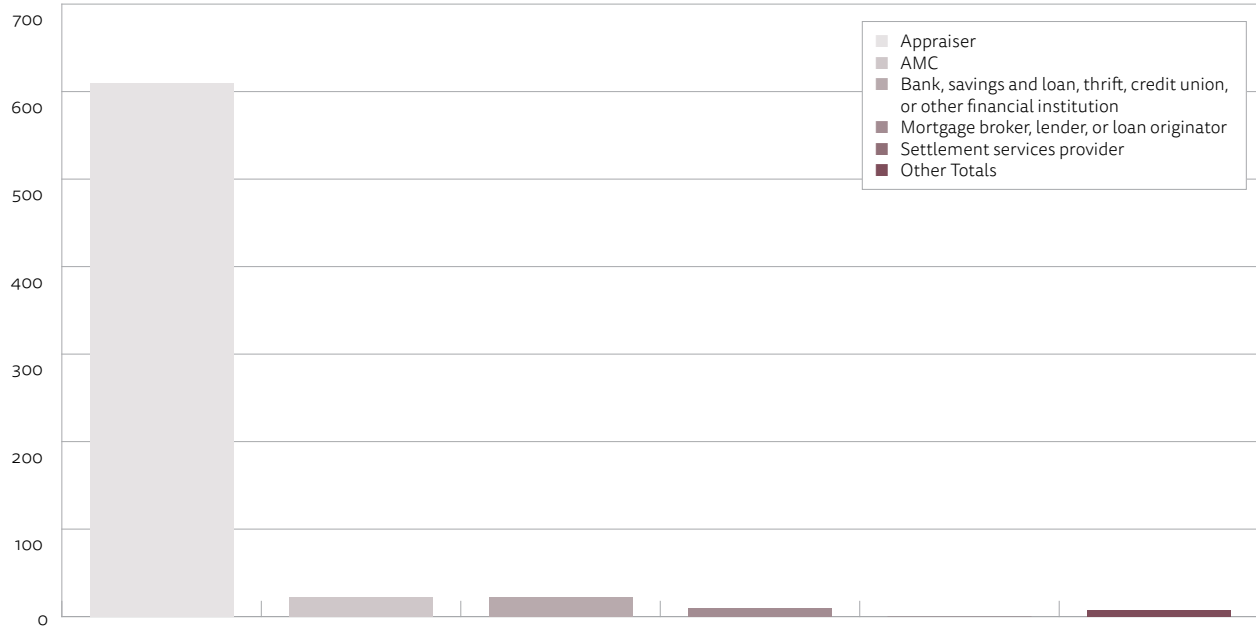
Complaint Type



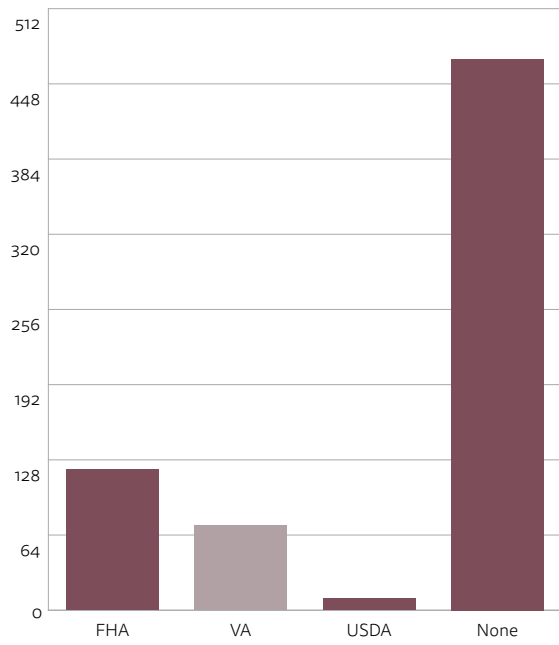
Property Type



Complaint Against



Federal Loan Type



APPENDIX F

AGENCY COMPLAINT DATA

January-December 2021

Description	FDIC	FRB	NCUA	OCC	CFPB	Total
Complainant						
Appraiser	4	1	0	2	4	11
Appraisal Management Company	0	0	0	0	0	0
Business Property Owner	11	3	1	3	2	20
Financial Institution Lender	1	0	0	0	0	1
Individual Property Owner	35	3	2	32	145	217
Mortgage Broker	2	0	0	0	0	2
Non-Financial Institution Lender	0	0	0	1	0	1
Other	4	0	0	7	16	27
Complaint Against						
Appraiser	24	1	3	14	68	110
Appraisal Management Company	6	0	0	1	8	15
Lender	41	6	0	30	91	168
Other	1	0	0	0	1	2
Complaint Type						
Non-Compliance with USPAP	24	2	1	10	112	149
Appraisal Independence	12	0	1	2	27	42
Other	21	5	2	33	28	89

Notes:

OCC referred 21 complaints to CFPB and 1 complaint to NCUA which are not included in the OCC counts above.

The CFPB referred 25 complaints to other government agencies that are not included in the CFPB totals.

One complaint received by CFPB was against two entities, as a result "the complaint against" category has a higher number of complaints than the other categories.

APPENDIX G

REFERENCE MATERIALS

STATUTORY REFERENCES

Unofficial Staff Version of Title XI of FIRREA Real Estate Appraisal Reform [12 U.S.C. 3331-3356] as amended by the Dodd-Frank Act and the Economic Growth, Regulatory Relief and Consumer Protection Act

§ 1101. Purpose

[12 U.S.C. 3331]

The purpose of this title is to provide that Federal financial and public policy interests in real estate related transactions will be protected by requiring that real estate appraisals utilized in connection with federally related transactions are performed in writing, in accordance with uniform standards, by individuals whose competency has been demonstrated and whose professional conduct will be subject to effective supervision.

§ 1102. Establishment of Appraisal Subcommittee of the Federal Financial Institutions Examination Council

[12 U.S.C. 3310]

The Federal Financial Institutions Examination Council Act of 1978 (12 U.S.C. 3301 et seq.) is amended by adding at the end thereof the following new section:

§ 1101. Establishment of Appraisal Subcommittee

There shall be within the Council a subcommittee to be known as the Appraisal Subcommittee, which shall consist of the designees of the heads of the Federal financial institutions regulatory agencies, the Consumer Financial Protection Bureau, and the Federal Housing Finance Agency. Each such designee shall be a person who has demonstrated knowledge and competence concerning the appraisal profession. At all times at least one member of the Appraisal Subcommittee shall have demonstrated knowledge and competence through licensure, certification, or professional designation within the appraisal profession.

§ 1103. Functions of Appraisal Subcommittee

[12 U.S.C. 3332]

- (a) *In general.* The Appraisal Subcommittee shall—
- (1) monitor the requirements established by States—

- (A) for the certification and licensing of individuals who are qualified to perform appraisals in connection with federally related transactions, including a code of professional responsibility; and
 - (B) for the registration and supervision of the operations and activities of an appraisal management company;
- (2) monitor the requirements established by the Federal financial institutions regulatory agencies [and the Resolution Trust Corporation] with respect to—
 - (A) appraisal standards for federally related transactions under their jurisdiction, and
 - (B) determinations as to which federally related transactions under their jurisdiction require the services of a State certified appraiser and which require the services of a State licensed appraiser;
 - (3) maintain a National Registry of State certified and licensed appraisers who are eligible to perform appraisals in federally related transactions;
 - (4) [Omitted] terminated effective May 15, 2000, pursuant to § 3003 of Act Dec. 21, 1995, P.L. 10-466, which appears as 31 USCS § 1113 note (*see also* page 170 of House Document No. 103-7);
 - (5) transmit an annual report to the Congress not later than June 15 of each year that describes the manner in which each function assigned to the Appraisal Subcommittee has been carried out during the preceding year. The report shall also detail the activities of the Appraisal Subcommittee, including the results of all audits of State appraiser regulatory agencies, and provide an accounting of disapproved actions and warnings taken in the previous year, including a description of the conditions causing the disapproval and actions taken to achieve compliance; and

- (6) maintain a national registry of appraisal management companies that either are registered with and subject to supervision of a State appraiser certifying and licensing agency or are operating subsidiaries of a Federally regulated financial institution.

- (b) *Monitoring and reviewing Foundation.* The Appraisal Subcommittee shall monitor and review the practices, procedures, activities, and organizational structure of the Appraisal Foundation.

§ 1104. Chairperson of Appraisal Subcommittee; term of Chairperson; meetings [12 U.S.C. 3333]

- (a) *Chairperson.* The Council shall select the Chairperson of the subcommittee. The term of the Chairperson shall be 2 years.
- (b) *Meetings; quorum; voting.* The Appraisal Subcommittee shall meet in public session after notice in the *Federal Register*, but may close certain portions of these meetings related to personnel and review of preliminary State audit reports at the call of the Chairperson or a majority of its members when there is business to be conducted. A majority of members of the Appraisal Subcommittee shall constitute a quorum but 2 or more members may hold hearings. Decisions of the Appraisal Subcommittee shall be made by the vote of a majority of its members. The subject matter discussed in any closed or executive session shall be described in the *Federal Register* notice of the meeting.

§ 1105. Officers and staff [12 U.S.C. 3334]

The Chairperson of the Appraisal Subcommittee shall appoint such officers and staff as may be necessary to carry out the functions of this title consistent with the appointment and compensation practices of the Council.

§ 1106. Powers of Appraisal Subcommittee [12 U.S.C. 3335]

The Appraisal Subcommittee may, for the purpose of carrying out this title, establish advisory committees, hold hearings, prescribe regulations in accordance with chapter 5 of title 5, *United States Code* (commonly referred to as the Administrative Procedures Act) after notice and opportunity for comment, sit and act at times and places, take testimony, receive evidence, provide information, and perform research, as the Appraisal Subcommittee considers appropriate. Any regulations prescribed by the Appraisal Subcommittee shall (unless otherwise provided in this title) be limited to the following functions: temporary practice, national registry, information sharing, and enforcement. For purposes of prescribing regulations, the Appraisal Subcommittee shall establish an advisory committee of industry participants, including appraisers, lenders, consumer advocates, real estate agents, and government agencies, and hold meetings as necessary to support the development of regulations.

§ 1107. Procedures for establishing appraisal standards and requiring the use of certified and licensed appraisers [12 U.S.C. 3336]

Appraisal standards and requirements for using State certified and licensed appraisers in federally related transactions pursuant to this title shall be prescribed in accordance with procedures set forth in section 553 of title 5, *United States Code*, including the publication of notice and receipt of written comments or the holding of public hearings with respect to any standards or requirements proposed to be established.

§ 1108. Startup funding [12 U.S.C. 3337]

- (a) *In general.* For purposes of this title, the Secretary of the Treasury shall pay to the Appraisal Subcommittee a one-time payment of \$ 5,000,000 on the date of the enactment of this Act [enacted Aug. 9, 1989]. Thereafter, expenses of the subcommittee shall be funded through the collection of registry fees from certain certified and licensed appraisers pursuant to section 1109 [12 USCS § 3338] or, if required, pursuant to section 1122(b) of this title [12 USCS § 3351(b)].
- (b) *Additional funds.* Except as provided in section 1122(c) of this title [12 USCS § 3351(b)], funds in addition to the funds provided under subsection (a) may be made available to the Appraisal Subcommittee only if authorized and appropriated by law.

- (c) *Repayment of Treasury loan.* Not later than September 30, 1998, the Appraisal Subcommittee shall repay to the Secretary of the Treasury the unpaid portion of the \$5,000,000 paid to the Appraisal Subcommittee pursuant to this section.

§ 1109. Roster of State certified or licensed appraisers; authority to collect and transmit fees [12 U.S.C. 3338]

- (a) *In general.* Each State with an appraiser certifying and licensing agency whose certifications and licenses comply with this title, shall—
- (1) transmit to the Appraisal Subcommittee, no less than annually, a roster listing individuals who have received a State certification or license in accordance with this title;
 - (2) transmit reports on the issuance and renewal of licenses and certifications, sanctions, disciplinary actions, license and certification revocations, and license and certification suspensions on a timely basis to the national registry of the Appraisal Subcommittee;
 - (3) transmit reports on a timely basis of supervisory activities involving appraisal management companies or other third-party providers of appraisals and appraisal management services, including investigations initiated and disciplinary actions taken; and
 - (4) collect—
 - (A) from such individuals who perform or seek to perform appraisals in federally related transactions, an annual registry fee of not more than \$40, such fees to be transmitted by the State agencies to the Council on an annual basis; and
 - (B) from an appraisal management company that either has registered with a State appraiser certifying and licensing agency in accordance with this title or operates as a subsidiary of a federally regulated financial institution, an annual registry fee of—
 - (i) in the case of such a company that has been in existence for more than a year, \$25 multiplied by the number of appraisers working for or contracting with such company in such State during the previous year, but where such \$25 amount may be adjusted, up to a maximum of \$50, at the discretion of the Appraisal Subcommittee, if necessary to carry out the Subcommittee's functions under this title; and

- (ii) in the case of such a company that has not been in existence for more than a year, \$25 multiplied by an appropriate number to be determined by the Appraisal Subcommittee, and where such number will be used for determining the fee of all such companies that were not in existence for more than a year, but where such \$25 amount may be adjusted, up to a maximum of \$50, at the discretion of the Appraisal Subcommittee, if necessary to carry out the Subcommittee's functions under this title.

Subject to the approval of the Council, the Appraisal Subcommittee may adjust the dollar amount of registry fees under paragraph (4)(A), up to a maximum of \$80 per annum, as necessary to carry out its functions under this title. The Appraisal Subcommittee shall consider at least once every 5 years whether to adjust the dollar amount of the registry fees to account for inflation. In implementing any change in registry fees, the Appraisal Subcommittee shall provide flexibility to the States for multi-year certifications and licenses already in place, as well as a transition period to implement the changes in registry fees.

In establishing the amount of the annual registry fee for an appraisal management company, the Appraisal Subcommittee shall have the discretion to impose a minimum annual registry fee for an appraisal management company to protect against the under reporting of the number of appraisers working for or contracted by the appraisal management company.

- (b) *Use of amounts appropriated or collected.* Amounts appropriated for or collected by the Appraisal Subcommittee under this section shall be used—
- (1) to maintain a registry of individuals who are qualified and eligible to perform appraisals in connection with federally related transactions;
 - (2) to support its activities under this title;
 - (3) to reimburse the general fund of the Treasury for amounts appropriated to and expended by the Appraisal Subcommittee during the 24-month startup period following the date of the enactment of this title [enacted Aug. 9, 1989];
 - (4) to make grants in such amounts as it deems appropriate to the Appraisal Foundation, to help defray those costs of the foundation relating to the activities of its Appraisal Standards and Appraiser Qualification Boards;

- (5) to make grants to State appraiser certifying and licensing agencies, in accordance with policies to be developed by the Appraisal Subcommittee, to support the efforts of such agencies to comply with this title, including—
- (A) the complaint process, complaint investigations, and appraiser enforcement activities of such agencies; and
- (B) the submission of data on State licensed and certified appraisers and appraisal management companies to the National appraisal registry, including information affirming that the appraiser or appraisal management company meets the required qualification criteria and formal and informal disciplinary actions; and
- (6) to report to all State appraiser certifying and licensing agencies when a license or certification is surrendered, revoked, or suspended.

§ 1110. Functions of Federal financial institutions regulatory agencies relating to appraisal standards
[12 U.S.C. 3339]

Each Federal financial institutions regulatory agency and the Resolution Trust Corporation shall prescribe appropriate standards for the performance of real estate appraisals in connection with federally related transactions under the jurisdiction of each such agency or instrumentality. These rules shall require, at a minimum—

- (1) that real estate appraisals be performed in accordance with generally accepted appraisal standards as evidenced by the appraisal standards promulgated by the Appraisal Standards Board of the Appraisal Foundation;
- (2) that such appraisals shall be written appraisals. Each such agency or instrumentality may require compliance with additional standards if it makes a determination in writing that such additional standards are required in order to properly carry out its statutory responsibilities; and
- (3) that such appraisals shall be subject to appropriate review for compliance with the *Uniform Standards of Professional Appraisal Practice*.

§ 1111. Time for proposal and adoption of standards
[12 U.S.C. 3340]

Appraisal standards established under this title shall be proposed not later than 6 months and shall be adopted in final form and become effective not later than 12 months after the date of the enactment of this Act [enacted Aug. 9, 1989].

§ 1112. Functions of Federal financial institutions regulatory agencies relating to appraiser qualifications
[12 U.S.C. 3341]

- (a) *In general.* Each Federal financial institutions regulatory agency and the Resolution Trust Corporation shall prescribe, in accordance with sections 1113 and 1114 of this title [12 USCS §§ 3342, 3343], which categories of federally related transactions should be appraised by a State certified appraiser and which by a State licensed appraiser under this title.
- (b) *Threshold level.* Each Federal financial institutions regulatory agency and the Resolution Trust Corporation may establish a threshold level at or below which a certified or licensed appraiser is not required to perform appraisals in connection with federally related transactions, if such agency determines in writing that such threshold level does not represent a threat to the safety and soundness of financial institutions and receives concurrence from the Consumer Financial Protection Bureau that such threshold level provides reasonable protection for consumers who purchase 1–4 unit single family residences.
- (c) *GAO study of appraisals in connection with real estate related financial transactions below the threshold level.*
- (1) *GAO studies.* The Comptroller General of the United States may conduct, under such conditions as the Comptroller General determines appropriate, studies on the adequacy and quality of appraisals or evaluations conducted in connection with real estate related financial transactions below the threshold level established under subsection (b), taking into account—
- (A) the cost to any financial institution involved in any such transaction;
- (B) the possibility of losses to the Deposit Insurance Fund or the National Credit Union Share Insurance Fund;
- (C) the cost to any customer involved in any such transaction; and
- (D) the effect on low-income housing.

- (2) *Reports to Congress and the appropriate Federal financial institutions regulatory agencies.* Upon completing each of the studies referred to in paragraph (1), the Comptroller General shall submit a report on the Comptroller General’s findings and conclusions with respect to such study to the Federal financial institutions regulatory agencies, the Committee on Banking, Finance and Urban Affairs of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs of the Senate, together with such recommendations for legislative or administrative action as the Comptroller General determines to be appropriate.

§ 1113. Transactions requiring the services of a State certified appraiser [12 U.S.C. 3342]

In determining whether an appraisal in connection with a federally related transaction shall be performed by a State certified appraiser, an agency or instrumentality under this title shall consider whether transactions, either individually or collectively, are of sufficient financial or public policy importance to the United States that an individual who performs an appraisal in connection with such transactions should be a State certified appraiser, except that—

- (a) a State certified appraiser shall be required for all federally related transactions having a value of \$1,000,000 or more; and
- (b) 1-to-4 unit, single family residential appraisals may be performed by State licensed appraisers unless the size and complexity requires a State certified appraiser, where a complex 1-to-4 unit single family residential appraisal means an appraisal for which the property to be appraised, the form of ownership, the property characteristics, or the market conditions are atypical.

§ 1114. Transactions requiring the services of a State licensed appraiser [12 U.S.C. 3343]

All federally related transactions not requiring the services of a State certified appraiser shall be performed by either a State certified or licensed appraiser.

§ 1115. Time for proposal and adoption of rules [12 U.S.C. 3344]

As appropriate, rules issued under sections 1113 and 1114 [12 USCS §§ 3342 and 3343] shall be proposed not later than 6 months and shall be effective upon adoption in final form not later than 12 months after the date of the enactment of this Act [enacted Aug. 9, 1989].

§ 1116. Certification and licensing requirements [12 U.S.C. 3345]

- (a) *In general.* For purposes of this title, the term “State certified real estate appraiser” means any individual who has satisfied the requirements for State certification in a State or territory whose criteria for certification as a real estate appraiser currently meets the minimum criteria for certification issued by the Appraiser Qualification Board of the Appraisal Foundation.
- (b) *Restriction.* No individual shall be a State certified real estate appraiser under this section unless such individual has achieved a passing grade upon a suitable examination administered by a State or territory that is consistent with and equivalent to the Uniform State Certification Examination issued or endorsed by the Appraiser Qualification Board of the Appraisal Foundation.
- (c) *“State licensed appraiser” defined.* As used in this section, the term “State licensed appraiser” means an individual who has satisfied the requirements for State licensing in a State or territory whose criteria for the licensing of a real estate appraiser currently meet or exceed the minimum criteria issued by the Appraisal Qualifications Board of The Appraisal Foundation for the licensing of real estate appraisers.
- (d) *Additional qualification criteria.* Nothing in this title shall be construed to prevent any Federal agency or instrumentality under this title from establishing such additional qualification criteria as may be necessary or appropriate to carry out the statutory responsibilities of such department, agency, or instrumentality.
- (e) *Minimum Qualification Requirements.* Any requirements established for individuals in the position of ‘Trainee Appraiser’ and ‘Supervisory Appraiser’ shall meet or exceed the minimum qualification requirements of the Appraiser Qualifications Board of The Appraisal Foundation. The Appraisal Subcommittee shall have the authority to enforce these requirements.

§ 1117. Establishment of State appraiser certifying and licensing agencies [12 U.S.C. 3346]

To assure the availability of State certified and licensed appraisers for the performance in a State of appraisals in federally related transactions and to assure effective supervision of the activities of certified and licensed appraisers, a State may establish a State appraiser certifying and licensing agency. The duties of such agency may additionally include the registration and supervision of appraisal management companies and the addition of information about the appraisal management company to the national registry.

§ 1118. Monitoring of State appraiser certifying and licensing agencies [12 U.S.C. 3347]

- (a) *In general.* The Appraisal Subcommittee shall monitor each State appraiser certifying and licensing agency for the purposes of determining whether such agency—
- (1) has policies, practices, funding, staffing, and procedures that are consistent with this title;
 - (2) processes complaints and completes investigations in a reasonable time period;
 - (3) appropriately disciplines sanctioned appraisers and appraisal management companies;
 - (4) maintains an effective regulatory program; and
 - (5) reports complaints and disciplinary actions on a timely basis to the national registries on appraisers and appraisal management companies maintained by the Appraisal Subcommittee.

The Appraisal Subcommittee shall have the authority to remove a State licensed or certified appraiser or a registered appraisal management company from a national registry on an interim basis, not to exceed 90 days, pending State agency action on licensing, certification, registration, and disciplinary proceedings. The Appraisal Subcommittee and all agencies, instrumentalities, and Federally recognized entities under this title shall not recognize appraiser certifications and licenses from States whose appraisal policies, practices, funding, staffing, or procedures are found to be inconsistent with this title.

The Appraisal Subcommittee shall have the authority to impose sanctions, as described in this section, against a State agency that fails to have an effective appraiser regulatory program. In determining whether such a program is effective, the Appraisal Subcommittee shall include an analysis of the licensing and certification of appraisers, the registration of appraisal management companies, the issuance of temporary licenses and certifications for appraisers, the receiving and tracking of submitted complaints against appraisers and appraisal management companies, the investigation of complaints, and enforcement actions against appraisers and appraisal management companies. The Appraisal Subcommittee shall have the authority to impose interim actions and suspensions against a State agency as an alternative to, or in advance of the derecognition of a State agency.

- (b) *Disapproval by Appraisal Subcommittee.* The Federal financial institutions regulatory agencies, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Resolution Trust Corporation shall accept certifications and licenses awarded by a State appraiser certifying the licensing agency unless the Appraisal Subcommittee issues a written finding that—
- (1) the State agency fails to recognize and enforce the standards, requirements, and procedures prescribed pursuant to this title;
 - (2) the State agency is not granted authority or sufficient funding by the State which is adequate to permit the agency to carry out its functions under this title; or
 - (3) decisions concerning appraisal standards, appraiser qualifications and supervision of appraiser practices are not made in a manner that carries out the purposes of this title.
- (c) *Rejection of State certifications and licenses.*
- (1) *Opportunity to be heard or correct conditions.* Before refusing to recognize a State's appraiser certifications or licenses, the Appraisal Subcommittee shall provide that State's certifying and licensing agency a written notice of its intention not to recognize the State's certified or licensed appraisers and ample opportunity to provide rebuttal information or to correct the conditions causing the refusal.
 - (2) *Adoption of procedures.* The Appraisal Subcommittee shall adopt written procedures for taking actions described in this section.
 - (3) *Judicial review.* A decision of the subcommittee under this section shall be subject to judicial review.

§ 1119. Recognition of State certified and licensed appraisers for purposes of this title [12 U.S.C. 3348]

- (a) *Effective date for use of certified or licensed appraisers only.*
- (1) *In general.* Not later than December 31, 1992, all appraisals performed in connection with federally related transactions shall be performed only by individuals certified or licensed in accordance with the requirements of this title.

- (2) *Extension of effective date.* Subject to the approval of the Council, the Appraisal Subcommittee may extend, until December 31, 1991, the effective date for the use of certified or licensed appraisers if it makes a written finding that a State has made substantial progress in establishing a State certification and licensing system that appears to conform to the provisions of this title.
- (b) *Temporary waiver of appraiser certification or licensing requirements for State having scarcity of qualified appraisers.* Subject to the approval of the Council, the Appraisal Subcommittee may waive any requirement relating to certification or licensing of a person to perform appraisals under this title if the Appraisal Subcommittee or a State agency whose certifications and licenses are in compliance with this title, makes a written determination that there is a scarcity of certified or licensed appraisers to perform appraisals in connection with federally related transactions in a State, or in any geographical political subdivision of a State, leading to significant delays in the performance of such appraisals. The waiver terminates when the Appraisal Subcommittee determines that such significant delays have been eliminated.
- (c) *Reports to State certifying and licensing agencies.* The Appraisal Subcommittee, any other Federal agency or instrumentality, or any federally recognized entity shall report any action of a State certified or licensed appraiser that is contrary to the purposes of this title to the appropriate State agency for a disposition of the subject of the referral. The State agency shall provide the Appraisal Subcommittee or the other Federal agency or instrumentality with a report on its disposition of the matter referred. Subsequent to such disposition, the subcommittee or the agency or instrumentality may take such further action, pursuant to written procedures, it deems necessary to carry out the purposes of this title.
- (2) for the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, or the Resolution Trust Corporation to knowingly contract for the performance of any appraisal by a person who is not a State certified or licensed appraiser in connection with a real estate related financial transaction defined in section 1121(5) [12 USCS § 3350(5)] to which such association or corporation is a party.
- (b) *Penalties.* A financial institution that violates subsection (a)(1) shall be subject to civil penalties under section 8(i)(2) of the Federal Deposit Insurance Act or section 206(k)(2) of the Federal Credit Union Act [12 USCS § 1818(i)(2) or 1786(k)(2)], as appropriate.
- (c) *Proceeding.* A proceeding with respect to a violation of this section shall be an administrative proceeding which may be conducted by a Federal financial institutions regulatory agency in accordance with the procedures set forth in subchapter II of chapter 5 of title 5, United States Code [5 USCS §§ 551 et seq.].

§ 1121. Definitions [12 U.S.C. 3350]

For purposes of this title:

- (1) *State appraiser certifying and licensing agency.* The term “State appraiser certifying and licensing agency” means a State agency established in compliance with this title.
- (2) *Appraisal Subcommittee; subcommittee.* The terms “Appraisal Subcommittee” and “subcommittee” mean the Appraisal Subcommittee of the Federal Financial Institutions Examination Council.
- (3) *Council.* The term “Council” means the Federal Financial Institutions Examination Council.
- (4) *Federally related transaction.* The term “federally related transaction” means any real estate-related financial transaction which—
- (A) a Federal financial institutions regulatory agency or the Resolution Trust Corporation engages in, contracts for, or regulates; and
- (B) requires the services of an appraiser.
- (5) *Real estate related financial transaction.* The term “real estate-related financial transaction” means any transaction involving—
- (A) the sale, lease, purchase, investment in or exchange of real property, including interests in property, or the financing thereof;
- (B) the refinancing of real property or interests in real property; and

§ 1120. Violations in obtaining and performing appraisals in federally related transactions [12 U.S.C. 3349]

- (a) *Violations.* Except as authorized by the Appraisal Subcommittee in exercising its waiver authority pursuant to section 1119(b) [12 USCS § 3348(b)], it shall be a violation of this section—
- (1) for a financial institution to seek, obtain, or give money or any other thing of value in exchange for the performance of an appraisal by a person who the institution knows is not a State certified or licensed appraiser in connection with a federally related transaction; and

- (C) the use of real property or interests in property as security for a loan or investment, including mortgage-backed securities.
- (6) *Federal financial institutions regulatory agencies*. The term “Federal financial institutions regulatory agencies” means the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the Office of Thrift Supervision, and the National Credit Union Administration.
- (7) *Financial institution*. The term “financial institution” means an insured depository institution as defined in section 3 of the Federal Deposit Insurance Act [12 USCS § 1813] or an insured credit union as defined in section 101 of the Federal Credit Union Act [12 USCS § 1752].
- (8) *Chairperson*. The term “Chairperson” means the Chairperson of the Appraisal Subcommittee selected by the Council.
- (9) *Foundation*. The terms “Appraisal Foundation” and “Foundation” means [mean] the Appraisal Foundation established on November 30, 1987, as a not for profit corporation under the laws of Illinois.
- (10) *Written appraisal*. The term “written appraisal” means a written statement used in connection with a federally related transaction that is independently and impartially prepared by a licensed or certified appraiser setting forth an opinion of defined value of an adequately described property as of a specific date, supported by presentation and analysis of relevant market information.
- (11) *Appraisal Management Company*. The term ‘appraisal management company’ means, in connection with valuing properties collateralizing mortgage loans or mortgages incorporated into a securitization, any external third party authorized either by a creditor of a consumer credit transaction secured by a consumer’s principal dwelling or by an underwriter of or other principal in the secondary mortgage markets, that oversees a network or panel of more than 15 certified or licensed appraisers in a State or 25 or more nationally within a given year—
- (A) to recruit, select, and retain appraisers;
- (B) to contract with licensed and certified appraisers to perform appraisal assignments;
- (C) to manage the process of having an appraisal performed, including providing administrative duties such as receiving appraisal orders and appraisal reports, submitting completed appraisal reports to creditors and underwriters, collecting fees from creditors and underwriters for services provided, and reimbursing appraisers for services performed; or
- (D) to review and verify the work of appraisers.
- § 1122. Miscellaneous provisions [12 U.S.C. 3351]**
- (a) *Temporary practice*.
- (1) *In general*. A State appraiser certifying or licensing agency shall recognize on a temporary basis the certification or license of an appraiser issued by another State if—
- (A) the property to be appraised is part of a federally related transaction,
- (B) the appraiser’s business is of a temporary nature, and
- (C) the appraiser registers with the appraiser certifying or licensing agency in the State of temporary practice.
- (2) *Fees for temporary practice*. A State appraiser certifying or licensing agency shall not impose excessive fees or burdensome requirements, as determined by the Appraisal Subcommittee, for temporary practice under this subsection.
- (b) *Reciprocity*. Notwithstanding any other provisions of this title, a federally related transaction shall not be appraised by a certified or licensed appraiser unless the State appraiser certifying or licensing agency of the State certifying or licensing such appraiser has in place a policy of issuing a reciprocal certification or license for an individual from another State when—
- (1) the appraiser licensing and certification program of such other State is in compliance with the provisions of this title; and
- (2) the appraiser holds a valid certification from a State whose requirements for certification or licensing meet or exceed the licensure standards established by the State where an individual seeks appraisal licensure.
- (c) *Supplemental funding*. Funds available to the Federal financial institutions regulatory agencies may be made available to the Federal Financial Institutions Examination Council to support the Council’s functions under this title.

- (d) *Prohibition against discrimination.* Criteria established by the Federal financial institutions regulatory agencies, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Resolution Trust Corporation for appraiser qualifications in addition to State certification or licensing may include education achieved, experience, sample appraisals, and references from prior clients. Membership in a nationally recognized professional appraisal organization may be a criteria considered, though lack of membership therein shall not be the sole bar against consideration for an assignment under these criteria.
- (e) *Other requirements.* A corporation, partnership, or other business entity may provide appraisal services in connection with federally related transactions if such appraisal is prepared by individuals certified or licensed in accordance with the requirements of this title. An individual who is not a State certified or licensed appraiser may assist in the preparation of an appraisal if—
- (1) the assistant is under the direct supervision of a licensed or certified individual; and
 - (2) the final appraisal document is approved and signed by an individual who is certified or licensed.
- (f) *Studies.*
- (1) *Study.* The Appraisal Subcommittee shall—
 - (A) conduct a study to determine whether real estate sales and financing information and data that is available to real estate appraisers in the States is sufficient to permit appraisers to properly estimate the values of properties in connection with federally related transactions; and
 - (B) study the feasibility and desirability of extending the provisions of this title to the function of personal property appraising and to personal property appraisers in connection with Federal financial and public policy interests.
 - (2) *Report.* The Appraisal Subcommittee shall— (A) report its findings to the Congress with respect to the study described in paragraph (1)(A) no later than 12 months after the date of the enactment of this title [enacted Aug. 9, 1989], and (B) report its findings with respect to the study described in paragraph (1) (B) to Congress not later than 18 months after the date of the enactment of this title [enacted Aug. 9, 1989].
- (g) *Appraiser Independence Monitoring.* The Appraisal Subcommittee shall monitor each State appraiser certifying and licensing agency for the purpose of determining whether such agency’s policies, practices, and procedures are consistent with the purposes of maintaining appraiser independence and whether such State has adopted and maintains effective laws, regulations, and policies aimed at maintaining appraiser independence.
- (h) *Approved Education.* The Appraisal Subcommittee shall encourage the States to accept courses approved by the Appraiser Qualification Board’s Course Approval Program.
- (i) *Appraisal Complaint National Hotline.* If, 6 months after the date of the enactment of this subsection, the Appraisal Subcommittee determines that no national hotline exists to receive complaints of non-compliance with appraisal independence standards and *Uniform Standards of Professional Appraisal Practice*, including complaints from appraisers, individuals, or other entities concerning the improper influencing or attempted improper influencing of appraisers or the appraisal process, the Appraisal Subcommittee shall establish and operate such a national hotline, which shall include a toll-free telephone number and an email address. If the Appraisal Subcommittee operates such a national hotline, the Appraisal Subcommittee shall refer complaints for further action to appropriate governmental bodies, including a State appraiser certifying and licensing agency, a financial institution regulator, or other appropriate legal authorities. For complaints referred to State appraiser certifying and licensing agencies or to Federal regulators, the Appraisal Subcommittee shall have the authority to follow up such complaint referrals in order to determine the status of the resolution of the complaint.

§ 1123. Emergency exceptions for disaster areas

[12 U.S.C. 3352]

- (a) *In general.* Each Federal financial institutions regulatory agency may, by regulation or order, make exceptions to this title, and to standards prescribed pursuant to this title, for transactions involving institutions for which the agency is the primary Federal regulator with respect to real property located within a disaster area if the agency—
- (1) makes the exception not later than 30 months after the date on which the President determines, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act [42 USC § 5170], that a major disaster exists in the area; and

- (2) determines that the exception—
 - (A) would facilitate recovery from the major disaster; and
 - (B) is consistent with safety and soundness.
- (b) *3-year limit on exceptions.* Any exception made under this section shall expire not later than 3 years after the date of the determination referred to in subsection (a) (1).
- (c) *Publication required.* Any Federal financial institutions regulatory agency shall publish in the *Federal Register* a statement that—
 - (1) describes any exception made under this section; and
 - (2) explains how the exception—
 - (A) would facilitate recovery from the major disaster; and
 - (B) is consistent with safety and soundness.
- (d) *“Disaster area” defined.* For purposes of this section, the term “disaster area” means an area in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act [42 USCS § 5170], has determined that a major disaster exists.

**§ 1124. Appraisal Management Company
Minimum Requirements [12 U.S.C. 3353]**

- (a) *In general.* The Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the National Credit Union Administration Board, the Federal Housing Finance Agency, and the Consumer Financial Protection Bureau shall jointly, by rule, establish minimum requirements to be applied by a State in the registration of appraisal management companies. Such requirements shall include a requirement that such companies—
 - (1) register with and be subject to supervision by a State appraiser certifying and licensing agency in each State in which such company operates;
 - (2) verify that only licensed or certified appraisers are used for federally related transactions;
 - (3) require that appraisals coordinated by an appraisal management company comply with the *Uniform Standards of Professional Appraisal Practice*; and
 - (4) require that appraisals are conducted independently and free from inappropriate influence and coercion pursuant to the appraisal independence standards established under section 129E of the Truth in Lending Act.
- (b) *Relation to State Law.* Nothing in this section shall be construed to prevent States from establishing requirements in addition to any rules promulgated under subsection (a).
- (c) *Federally Regulated Financial Institutions.* The requirements of subsection (a) shall apply to an appraisal management company that is a subsidiary owned and controlled by a financial institution and regulated by a Federal financial institution regulatory agency. An appraisal management company that is a subsidiary owned and controlled by a financial institution regulated by a Federal financial institution regulatory agency shall not be required to register with a State.
- (d) *Registration Limitations.* An appraisal management company shall not be registered by a State or included on the national registry if such company, in whole or in part, directly or indirectly, is owned by any person who has had an appraiser license or certificate refused, denied, cancelled, surrendered in lieu of revocation, or revoked in any State. Additionally, each person that owns more than 10 percent of an appraisal management company shall be of good moral character, as determined by the State appraiser certifying and licensing agency, and shall submit to a background investigation carried out by the State appraiser certifying and licensing agency.
- (e) *Reporting.* The Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the National Credit Union Administration Board, the Federal Housing Finance Agency, and the Consumer Financial Protection Bureau shall jointly promulgate regulations for the reporting of the activities of appraisal management companies to the Appraisal Subcommittee in determining the payment of the annual registry fee.
- (f) *Effective Date.*
 - (1) In general. No appraisal management company may perform services related to a federally related transaction in a State after the date that is 36 months after the date on which the regulations required to be prescribed under subsection (a) are prescribed in final form unless such company is registered with such State or subject to oversight by a Federal financial institutions regulatory agency.

- (2) *Extension of Effective Date.* Subject to the approval of the Council, the Appraisal Subcommittee may extend by an additional 12 months the requirements for the registration and supervision of appraisal management companies if it makes a written finding that a State has made substantial progress in establishing a State appraisal management company registration and supervision system that appears to conform with the provisions of this title.

§ 1125. Automated Valuation Models Used to Estimate Collateral Value for Mortgage Lending Purposes.

[12 U.S.C. 3354]

- (a) *In general.* Automated valuation models shall adhere to quality control standards designed to—
- (1) ensure a high level of confidence in the estimates produced by automated valuation models;
 - (2) protect against the manipulation of data;
 - (3) seek to avoid conflicts of interest;
 - (4) require random sample testing and reviews; and
 - (5) account for any other such factor that the agencies listed in subsection (b) determine to be appropriate.
- (b) *Adoption of Regulations.* The Board, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the National Credit Union Administration Board, the Federal Housing Finance Agency, and the Consumer Financial Protection Bureau, in consultation with the staff of the Appraisal Subcommittee and the Appraisal Standards Board of the Appraisal Foundation, shall promulgate regulations to implement the quality control standards required under this section.
- (c) *Enforcement.* Compliance with regulations issued under this subsection shall be enforced by—
- (1) with respect to a financial institution, or subsidiary owned and controlled by a financial institution and regulated by a Federal financial institution regulatory agency, the Federal financial institution regulatory agency that acts as the primary Federal supervisor of such financial institution or subsidiary; and
 - (2) with respect to other participants in the market for appraisals of 1-to-4 unit single family residential real estate, the Federal Trade Commission, the Consumer Financial Protection Bureau, and a State attorney general.

- (d) *Automated Valuation Model Defined.* For purposes of this section, the term ‘automated valuation model’ means any computerized model used by mortgage originators and secondary market issuers to determine the collateral worth of a mortgage secured by a consumer’s principal dwelling.

§ 1126. Broker Price Opinions

[12 U.S.C. 3355]

- (a) *General Prohibition.* In conjunction with the purchase of a consumer’s principal dwelling, broker price opinions may not be used as the primary basis to determine the value of a piece of property for the purpose of a loan origination of a residential mortgage loan secured by such piece of property.
- (b) *Broker Price Opinion Defined.* For purposes of this section, the term ‘broker price opinion’ means an estimate prepared by a real estate broker, agent, or sales person that details the probable selling price of a particular piece of real estate property and provides a varying level of detail about the property’s condition, market, and neighborhood, and information on comparable sales, but does not include an automated valuation model, as defined in section 1125(c).

§ 1127. Exemption From Appraisals of Real Estate Located in Rural Areas

[12 U.S.C. 3356]

- (a) *Definitions.* In this section—
- (1) the term ‘mortgage originator’ has the meaning given the term in section 103 of the Truth in Lending Act (15 U.S.C. 1602); and
 - (2) the term ‘transaction value’ means the amount of a loan or extension of credit, including a loan or extension of credit that is part of a pool of loans or extensions of credit.
- (b) *Appraisal Not Required.* Except as provided in subsection (d), notwithstanding any other provision of law, an appraisal in connection with a federally related transaction involving real property or an interest in real property is not required if—
- (1) the real property or interest in real property is located in a rural area, as described in section 1026.35(b) (2)(iv)(A) of title 12, Code of Federal Regulations;

- (2) not later than 3 days after the date on which the Closing Disclosure Form, made in accordance with the final rule of the Consumer Financial Protection Bureau entitled ‘Integrated Mortgage Disclosures Under the Real Estate Settlement Procedures Act (Regulation X) and the Truth in Lending Act (Regulation Z)’ (78 Fed. Reg. 79730 (December 31, 2013)), relating to the federally related transaction is given to the consumer, the mortgage originator or its agent, directly or indirectly—
- (A) has contacted not fewer than 3 State certified appraisers or State licensed appraisers, as applicable, on the mortgage originator’s approved appraiser list in the market area in accordance with part 226 of title 12, Code of Federal Regulations; and
- (B) has documented that no State certified appraiser or State licensed appraiser, as applicable, was available within 5 business days beyond customary and reasonable fee and timeliness standards for comparable appraisal assignments, as documented by the mortgage originator or its agent;
- (3) the transaction value is less than \$400,000; and
- (4) the mortgage originator is subject to oversight by a Federal financial institutions regulatory agency.
- (c) *Sale, Assignment, or Transfer.* A mortgage originator that makes a loan without an appraisal under the terms of subsection (b) shall not sell, assign, or otherwise transfer legal title to the loan unless—
- (1) the loan is sold, assigned, or otherwise transferred to another person by reason of the bankruptcy or failure of the mortgage originator;
- (2) the loan is sold, assigned, or otherwise transferred to another person regulated by a Federal financial institutions regulatory agency, so long as the loan is retained in portfolio by the person;
- (3) the sale, assignment, or transfer is pursuant to a merger of the mortgage originator with another person or the acquisition of the mortgage originator by another person or of another person by the mortgage originator; or
- (4) the sale, loan, or transfer is to a wholly owned subsidiary of the mortgage originator, provided that, after the sale, assignment, or transfer, the loan is considered to be an asset of the mortgage originator for regulatory accounting purposes.
- (d) *Exception.* Subsection (b) shall not apply if—
- (1) a Federal financial institutions regulatory agency requires an appraisal under section 225.63(c), 323.3(c), 34.43(c), or 722.3(e) of title 12, Code of Federal Regulations; or
- (2) the loan is a high-cost mortgage, as defined in section 103 of the Truth in Lending Act (15 U.S.C. 1602).
- (e) *Anti-Evasion.* Each Federal financial institutions regulatory agency shall ensure that any mortgage originator that the Federal financial institutions regulatory agency oversees that makes a significant amount of loans under subsection (b) is complying with the requirements of subsection (b)(2) with respect to each loan.

Department of Housing and Urban Development Reform Act of 1989

§ 142 FHA Operations

[12 U.S.C. § 1708(g)]

- (a) *Appraisal standards.*
- (1) The Secretary shall prescribe standards for the appraisal of all property to be insured by the Federal Housing Administration. Such appraisals shall be performed in accordance with uniform standards, by individuals who have demonstrated competence and whose professional conduct is subject to effective supervision. These standards shall require at a minimum—
- (A) that the appraisals of properties to be insured by the Federal Housing Administration shall be performed in accordance with generally accepted appraisal standards promulgated by the Appraisal Foundation a not-for-profit corporation established on November 30, 1987 under the laws of Illinois; and
- (B) that each appraisal is a written statement used in connection with a real estate transaction that is independently and impartially prepared by a licensed or certified appraiser setting forth an opinion of defined value of an adequately described property as of a specific date, supported by presentation and analysis of relevant market information.
- (2) The Appraisal Subcommittee of the Federal Financial Institutions Examination Council shall include the Secretary or his designee.

POLICY STATEMENTS

Requirements and Guidance to State Appraiser Certifying and Licensing Agencies For Compliance with Title XI

CONTENTS

77 Introduction and Purpose

PART A: APPRAISER PROGRAM

78 Policy Statement 1
Statutes, Regulations, Policies and Procedures Governing State Appraiser Programs

78 A. State Regulatory Structure

78 B. Funding and Staffing

78 C. Minimum Criteria

78 D. Federally Recognized Appraiser Classifications

79 E. Non-federally Recognized Credentials

79 F. Appraisal Standards

80 G. Exemptions

80 H. ASC Staff Attendance at State Board Meetings

80 I. Summary of Requirements

81 Policy Statement 2
Temporary Practice

81 A. Requirement for Temporary Practice

81 B. Excessive Fees or Burdensome Requirements

82 C. Summary of Requirements

82 Policy Statement 3
National Registry of Appraisers (Appraiser Registry)

82 A. Requirements for the Appraiser Registry

83 B. Registry Fee and Invoicing Policies

83 C. Access to Appraiser Registry Data

84 D. Information Sharing

84 E. Summary of Requirements

85 Policy Statement 4
Application Process

85 A. Processing of Applications

86 B. Qualifying Education for Initial or Upgrade Applications

86 C. Continuing Education for Reinstatement and Renewal Applications

87 D. Experience for Initial or Upgrade Applications

88 E. Examination

88 F. Summary of Requirements

90 Policy Statement 5
Reciprocity

90 A. Reciprocity Policy

90 B. Application of Reciprocity Policy

91 C. Appraiser Compliance Requirements

91 D. Well-Documented Application Files

91 E. Summary of Requirements

91 Policy Statement 6
Education

91 A. Course Approval

91 B. Distance Education

92 C. Summary of Requirements

92 Policy Statement 7
State Agency Enforcement

92 A. State Agency Regulatory Program

92 B. Enforcement Process

94 C. Summary of Requirements

PART B: AMC PROGRAM

95 Policy Statement 8
Statutes, Regulations, Policies and Procedures Governing State AMC Programs

95 A. Participating States and ASC Oversight

95 B. Relation to State Law

95 C. Funding and Staffing

95 D. Minimum Requirements for Registration and Supervision of AMCs as Established by the AMC Rule

97 E. Summary of Requirements

97 Policy Statement 9
National Registry of AMCs (AMC Registry)

97 A. Requirements for the AMC Registry

98 B. Registry Fee and Invoicing Policies

98 C. Reporting Requirements

98 D. Access to AMC Registry Data

98 E. Summary of Requirements

99 Policy Statement 10
State Agency Enforcement

99 A. State Agency Regulatory Program

99 B. Enforcement Process

100 C. Summary of Requirements

100 Policy Statement 11
Statutory Implementation Period

PART C: INTERIM SANCTIONS

101 Policy Statement 12
Interim Sanctions

101 A. Authority

101 B. Opportunity to be Heard or Correct Conditions

101 C. Procedures

APPENDIX A

103 Compliance Review Process

APPENDIX B

105 Glossary of Terms

INTRODUCTION AND PURPOSE

Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 as amended (Title XI) established the Appraisal Subcommittee of the Federal Financial Institutions Examination Council (ASC).¹ The purpose of Title XI is to provide protection of Federal financial and public policy interests by upholding Title XI requirements for appraisals performed for federally related transactions. Specifically, those appraisals shall be performed in writing, in accordance with uniform standards, by individuals whose competency has been demonstrated and whose professional conduct will be subject to effective supervision.

Pursuant to Title XI, one of the ASC’s core functions is to monitor the requirements established by the States² for certification and licensing of appraisers qualified to perform appraisals in connection with federally related transactions.³ Title XI as amended by the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (Dodd-Frank Act)⁴ expanded the ASC’s core functions to include monitoring of the requirements established by States that elect to register and supervise the operations and activities of appraisal management companies⁵ (AMCs).⁶

The ASC performs periodic Compliance Reviews⁷ of each State appraiser regulatory program (Appraiser Program) to determine compliance or lack thereof with Title XI, and to assess implementation of minimum requirements for credentialing of appraisers as adopted by the Appraiser Qualifications Board (*The Real Property Appraiser Qualification Criteria* or AQB Criteria). As a result of the Dodd-Frank Act amendments to Title XI, States with an AMC regulatory program (AMC Program) will be evaluated during the Compliance Review to determine compliance or lack thereof with Title XI, and to assess implementation of the minimum requirements for State registration and supervision of AMCs as established by the AMC Rule.⁸

The ASC is issuing these revised Policy Statements⁹ in three parts to provide States with the necessary information to maintain their Appraiser Programs and AMC Programs in compliance with Title XI:

- Part A, *Appraiser Program*—Policy Statements 1 through 7 correspond with the categories that are: (a) evaluated during the Appraiser Program Compliance Review; and (b) included in the ASC’s *Compliance Review Report of the Appraiser Program*.
- Part B, *AMC Program*—Policy Statements 8 through 10 correspond with the categories that are: (a) evaluated during the AMC Program Compliance Review; and (b) included in the ASC’s *Compliance Review Report of the AMC Program*.
- Part C, *Interim Sanctions*—Policy Statement 12 sets forth required procedures in the event that interim sanctions are imposed against a State by the ASC for non-compliance in either the Appraiser Program or the AMC Program.

1 The ASC Board is made up of seven members. Five members are designated by the heads of the FFIEC agencies (Board of Governors of the Federal Reserve System, Consumer Financial Protection Bureau, Federal Deposit Insurance Corporation, Office of the Comptroller of the Currency, and National Credit Union Administration). The other two members are designated by the heads of the Department of Housing and Urban Development and the Federal Housing Finance Agency.

2 See Appendix B, *Glossary of Terms*, for the definition of “State.”

3 See Appendix B, *Glossary of Terms*, for the definition of “federally related transaction.”

4 Pub. L. 111-203, 124 Stat. 1376.

5 Title XI § 1103 (a)(1)(B), 12 U.S.C. § 3332.

6 See Appendix B, *Glossary of Terms*, for the definition of “appraisal management company” or AMC.

7 See Appendix A, *Compliance Review Process*.

8 The Dodd-Frank Act required the Office of the Comptroller of the Currency; Board of Governors of the Federal Reserve System; Federal Deposit Insurance Corporation; National Credit Union Administration; Consumer Financial Protection Bureau; and Federal Housing Finance Agency to establish, by rule, minimum requirements to be imposed by a participating State appraiser certifying and licensing agency on AMCs doing business in the State. (Title XI § 1124 (a), 12 U.S.C. 3353(a)). Those rules were finalized and published on June 9, 2015, at 80 *Federal Register* 32658 with an effective date of August 10, 2015. (12 CFR 34.210 – 34.216; 12 CFR 225.190 – 225.196; 12 CFR 323.8 – 323.14; 12 CFR 1222.20 – 1222.26).

9 These Policy Statements, adopted February 14, 2018, supersede all previous Policy Statements adopted by the ASC.

Part A: Appraiser Program

POLICY STATEMENT 1

Statutes, Regulations, Policies and Procedures Governing State Appraiser Programs

A. State Regulatory Structure

Title XI requires the ASC to monitor each State appraiser certifying and licensing agency for the purpose of determining whether each such agency has in place policies, practices and procedures consistent with the requirements of Title XI.¹⁰ The ASC recognizes that each State may have legal, fiscal, regulatory or other factors that may influence the structure and organization of its Appraiser Program. Therefore, a State has flexibility to structure its Appraiser Program so long as it meets its Title XI-related responsibilities.

States should maintain an organizational structure for appraiser certification, licensing and supervision that avoids conflicts of interest. A State agency may be headed by a board, commission or an individual. State board¹¹ or commission members, or employees in policy or decision-making positions, should understand and adhere to State statutes and regulations governing performance of responsibilities consistent with the highest ethical standards for public service. In addition, Appraiser Programs using private entities or contractors should establish appropriate internal policies, procedures and safeguards to promote compliance with the State agency's responsibilities under Title XI and these Policy Statements.

B. Funding and Staffing

The Dodd-Frank Act amended Title XI to require the ASC to determine whether States have sufficient funding and staffing to meet their Title XI requirements. Compliance with this provision requires that a State must provide its Appraiser Program with funding and staffing sufficient to carry out its Title XI-related duties. The ASC evaluates the sufficiency of funding and staffing as part of its review of all aspects of an Appraiser Program's effectiveness, including the adequacy of State boards, committees, or commissions responsible for carrying out Title XI-related duties.

C. Minimum Criteria

Title XI requires States to adopt and/or implement all relevant AQB Criteria. Requirements established by a State for certified residential or certified general appraisers, as well as requirements established for licensed appraisers, trainee appraisers and supervisory appraisers must meet or exceed applicable AQB Criteria.

D. Federally Recognized Appraiser Classifications

State Certified Appraisers

"State certified appraisers" means those individuals who have satisfied the requirements for residential or general certification in a State whose criteria for certification meet or exceed the applicable minimum AQB Criteria. Permitted scope of practice and designation for State certified residential or certified general appraisers must be consistent with State and Federal laws, including regulations and supplementary guidance.

¹⁰ Title XI § 1118 (a), 12 U.S.C. § 3347.

¹¹ See Appendix B, *Glossary of Terms*, for the definition of "State board."

State Licensed Appraisers

“State licensed appraisers” means those individuals who have satisfied the requirements for licensing in a State whose criteria for licensing meet or exceed the applicable minimum AQB Criteria. The permitted scope of practice and designation for State licensed appraisers must be consistent with State and Federal laws, including regulations and supplementary guidance.

Trainee Appraisers

“Trainee appraisers” means those individuals who have satisfied the requirements for credentialing in a State whose criteria for credentialing meet or exceed the applicable minimum AQB Criteria. Any minimum qualification requirements established by a State for individuals in the position of “trainee appraiser” or “supervisory appraiser” must meet or exceed the applicable minimum AQB Criteria. ASC staff will evaluate State designations such as “registered appraiser,” “apprentice appraiser,” “provisional appraiser,” or any other similar designation to determine if, in substance, such designation is consistent with a “trainee appraiser” designation and, therefore, administered to comply with Title XI. The permitted scope of practice and designation for trainee appraisers must be consistent with State and Federal laws, including regulations and supplementary guidance.

Any State or Federal agency may impose additional appraiser qualification requirements for trainee, State licensed, certified residential or certified general classifications, if they consider such requirements necessary to carry out their responsibilities under Federal and/or State statutes and regulations, so long as the additional qualification requirements do not preclude compliance with AQB Criteria.

E. Non-federally Recognized Credentials

States using non-federally recognized credentials or designations¹² must ensure that they are easily distinguished from the federally recognized credentials.

F. Appraisal Standards

Title XI and the Federal financial institutions regulatory agencies’ regulations mandate that all appraisals performed in connection with federally related transactions be in written form, prepared in accordance with generally accepted appraisal standards as promulgated by the Appraisal Standards Board (ASB) in the *Uniform Standards of Professional Appraisal Practice* (USPAP), and be subject to appropriate review for compliance with USPAP.¹³ States that have incorporated USPAP into State law should ensure that statutes or regulations are updated timely to adopt the current version of USPAP, or if State law allows, automatically incorporate the latest version of USPAP as it becomes effective. States should consider ASB Advisory Opinions, Frequently Asked Questions, and other written guidance issued by the ASB regarding interpretation and application of USPAP.

Any State or Federal agency may impose additional appraisal standards if they consider such standards necessary to carry out their responsibilities, so long as additional appraisal standards do not preclude compliance with USPAP or the Federal financial institutions regulatory agencies’ appraisal regulations for work performed for federally related transactions.

¹² See Appendix B, *Glossary of Terms*, for the definition of “non-federally recognized credentials or designations.”

¹³ See Appendix B, *Glossary of Terms*, for the definition of “Uniform Standards of Professional Appraisal Practice.”

The Federal financial institutions regulatory agencies' appraisal regulations define "appraisal" and identify which real estate-related financial transactions require the services of a State certified or licensed appraiser. These regulations define "appraisal" as a "written statement independently and impartially prepared by a qualified appraiser setting forth an opinion as to the market value of an adequately described property as of a specific date(s) supported by the presentation and analysis of relevant market information." Per these regulations, an appraiser performing an appraisal review which includes the reviewer providing his or her own opinion of value constitutes an appraisal. Under these same regulations, an appraisal review that does not include the reviewer providing his or her own opinion of value does not constitute an appraisal. Therefore, under the Federal financial institutions regulatory agencies' regulations, only those transactions that involve appraisals for federally related transactions require the services of a State certified or licensed appraiser.

G. Exemptions

Title XI and the Federal financial institutions regulatory agencies' regulations specifically require the use of State certified or licensed appraisers in connection with the appraisal of certain real estate-related financial transactions.¹⁴ A State may not exempt any individual or group of individuals from meeting the State's certification or licensing requirements if the individual or group member performs an appraisal when Federal statutes and regulations require the use of a certified or licensed appraiser.

For example, an individual who has been exempted by the State from its appraiser certification or licensing requirements because he or she is an officer, director, employee or agent of a federally regulated financial institution would not be permitted to perform an appraisal in connection with a federally related transaction.

H. ASC Staff Attendance at State Board Meetings

The efficacy of the ASC's Compliance Review process rests on the ASC's ability to obtain reliable information about all areas of a State's Appraiser Program. ASC staff regularly attends open State board meetings as part of the on-site Compliance Review process. States are expected to make available for review by ASC staff minutes of closed meetings and executive sessions. States are encouraged to allow ASC staff to attend closed and executive sessions of State board meetings where such attendance would not violate State law or regulation or be inconsistent with other legal obligations of the State board. ASC staff is obligated to protect information obtained during the Compliance Review process concerning the privacy of individuals and any confidential matters.

I. Summary of Requirements

1. States must require that appraisals be performed in accordance with the latest version of USPAP.¹⁵
2. States must, at a minimum, adopt and/or implement all relevant AQB Criteria.¹⁶
3. States must have policies, practices and procedures consistent with Title XI.¹⁷
4. States must have funding and staffing sufficient to carry out their Title XI-related duties.¹⁸
5. States must use proper designations and permitted scope of practice for certified residential; certified general; licensed; and trainee classifications.¹⁹

¹⁴ Title XI § 1112, 12 U.S.C. § 3341; Title XI § 1113, 12 U.S.C. § 3342; Title XI § 1114, 12 U.S.C. § 3343.

¹⁵ Title XI § 1101, 12 U.S.C. § 3331; Title XI § 1118 (a), 12 U.S.C. § 3347; AQB *Real Property Appraiser Qualification Criteria*.

¹⁶ Title XI §§ 1116 (a), (c) and (e), 12 U.S.C. § 3345; Title XI § 1118 (a), 12 U.S.C. § 3347.

¹⁷ Title XI § 1118 (a), 12 U.S.C. § 3347.

¹⁸ *Id.*; Title XI § 1118 (b), 12 U.S.C. § 3347.

¹⁹ Title XI §§ 1116 (a), (c) and (e), 12 U.S.C. § 3345; Title XI § 1118 (a), 12 U.S.C. § 3347; Title XI § 1113, 12 U.S.C. § 3342; AQB *Real Property Appraiser Qualification Criteria*.

6. State board members, and any persons in policy or decision-making positions, must perform their responsibilities consistent with Title XI.²⁰
7. States' certification and licensing requirements must meet the minimum requirements set forth in Title XI.²¹
8. State requirements for trainee appraisers and supervisory appraisers must meet or exceed the AQB Criteria.
9. State agencies must be granted adequate authority by the State to maintain an effective regulatory Appraiser Program in compliance with Title XI.²²

POLICY STATEMENT 2

Temporary Practice

A. Requirement for Temporary Practice

Title XI requires State agencies to recognize, on a temporary basis, the certification or license of an out-of-State appraiser entering the State for the purpose of completing an appraisal assignment²³ for a federally related transaction. States are not, however, required to grant temporary practice permits to trainee appraisers. The out-of-State appraiser must register with the State agency in the State of temporary practice (Host State). A State may determine the process necessary for "registration" provided such process complies with Title XI and does not impose "excessive fees or burdensome requirements," as determined by the ASC.²⁴ Thus, a credentialed appraiser²⁵ from State A has a statutory right to enter State B (the Host State) to perform an assignment concerning a federally related transaction, so long as the appraiser registers with the State agency in State B prior to performing the assignment. Though Title XI contemplates reasonably free movement of credentialed appraisers across State lines, an out-of-State appraiser must comply with the Host State's real estate appraisal statutes and regulations and is

subject to the Host State's full regulatory jurisdiction. States should utilize the National Registry of Appraisers to verify credential status on applicants for temporary practice.

B. Excessive Fees or Burdensome Requirements

Title XI prohibits States from imposing excessive fees or burdensome requirements, as determined by the ASC, for temporary practice.²⁶ Adherence by State agencies to the following mandates and prohibitions will deter the imposition of excessive fees or burdensome requirements.

Host State agencies must:

- a. issue temporary practice permits on an assignment basis;
- b. issue temporary practice permits within five business days of receipt of a completed application, or notify the applicant and document the file as to the circumstances justifying delay or other action;
- c. issue temporary practice permits designating the permit's effective date;
- d. take regulatory responsibility for a temporary practitioner's unethical, incompetent and/or fraudulent practices performed while in the State;
- e. notify the appraiser's home State agency²⁷ in the case of disciplinary action concerning a temporary practitioner;
- f. allow at least one temporary practice permit extension through a streamlined process;
- g. track all temporary practice permits using a permit log which includes the name of the applicant, date application received, date completed application received, date of issuance, and date of expiration, if any (States are strongly encouraged to maintain this information in an electronic, sortable format); and
- h. maintain documentation sufficient to demonstrate compliance with this Policy Statement.

²⁰ Title XI § 1118 (a), 12 U.S.C. § 3347.

²¹ Title XI §§ 1116 (a), (c) and (e), 12 U.S.C. § 3345.

²² Title XI § 1118 (b), 12 U.S.C. § 3347.

²³ See Appendix B, *Glossary of Terms*, for the definition of "assignment."

²⁴ Title XI § 1122 (a) (2), 12 U.S.C. § 3351.

²⁵ See Appendix B, *Glossary of Terms*, for the definition of "credentialed appraisers."

²⁶ Title XI § 1122 (a) (2), 12 U.S.C. § 3351.

²⁷ See Appendix B, *Glossary of Terms*, for the definition of "home State agency."

Host State agencies may not:

- a. limit the valid time period of a temporary practice permit to less than 6 months (unless the applicant requests a specific end date and the applicant is allowed an extension if required to complete the assignment, the applicant’s credential is no longer in active status during that period of time);
- b. limit an appraiser to one temporary practice permit per calendar year;²⁸
- c. charge a temporary practice permit fee exceeding \$250, including one extension fee;
- d. impose State appraiser qualification requirements for education, experience and/or exam upon temporary practitioners;
- e. require temporary practitioners to obtain a certification or license in the State of temporary practice;
- f. require temporary practitioners to affiliate with an in-State licensed or certified appraiser;
- g. refuse to register licensed or certified appraisers seeking temporary practice in a State that does not have a licensed or certified level credential; or
- h. prohibit temporary practice.

Home State agencies may not:

- a. delay the issuance of a written “letter of good standing” or similar document for more than five business days after receipt of a request; or
- b. fail to consider and, if appropriate, take disciplinary action when one of its certified or licensed appraisers is disciplined by another State.

C. Summary of Requirements

1. States must recognize, on a temporary basis, appraiser credentials issued by another State if the property to be appraised is part of a federally related transaction.²⁹

2. States must adhere to mandates, prohibitions and documentation requirements as set forth above in Section B above, titled *Excessive Fees or Burdensome Requirements*.³⁰

POLICY STATEMENT 3**National Registry of Appraisers (Appraiser Registry)****A. Requirements for the Appraiser Registry**

Title XI requires the ASC to maintain a National Registry of State certified and licensed appraisers who are eligible to perform appraisals in federally related transactions.³¹ Title XI further requires the States to transmit to the ASC: (1) a roster listing individuals who have received a State certification or license in accordance with Title XI; (2) reports on the issuance and renewal of licenses and certifications, sanctions, disciplinary actions, revocations and suspensions; and (3) the registry fee as set by the ASC³² from individuals who have received certification or licensing. States must notify the ASC as soon as practicable if a credential holder listed on the Appraiser Registry does not qualify for the credential held.

Roster and registry fee requirements apply to all individuals who receive State certifications or licenses, originally or by reciprocity, whether or not the individuals are, in fact, performing or planning to perform appraisals in federally related transactions. If an appraiser is certified or licensed in more than one State, the appraiser is required to be on each State’s roster of certified or licensed appraisers, and a registry fee is due from each State in which the appraiser is certified or licensed.

28 State agencies may establish by statute or regulation a policy that places reasonable limits on the number of times an out-of-State certified or licensed appraiser may exercise his or her temporary practice rights in a given year. If such a policy is not established, a State agency may choose not to honor an out-of-State certified or licensed appraiser’s temporary practice rights if it has made a determination that the appraiser is abusing his or her temporary practice rights and is regularly engaging in real estate appraisal services within the State.

29 Title XI § 1122 (a) (1), 12 U.S.C. § 3351.

30 Title XI § 1122 (a) (2), 12 U.S.C. § 3351.

31 Title XI § 1103 (a) (3), 12 U.S.C. § 3332.

32 Title XI § 1109, *Roster of State certified or licensed appraisers; authority to collect and transmit fees*, requires the ASC to consider at least once every 5 years whether to adjust the dollar amount of the registry fees to account for inflation. (Title XI § 1109 (a), 12 U.S.C. § 3338).

Only AQB-compliant certified and licensed appraisers in active status on the Appraiser Registry are eligible to perform appraisals in connection with federally related transactions. Only those appraisers whose registry fees have been transmitted to the ASC will be eligible to be on the Appraiser Registry for the period subsequent to payment of the fee.

Some States may give State certified or licensed appraisers an option to not pay the registry fee. If a State certified or licensed appraiser chooses not to pay the registry fee, then the Appraiser Program must ensure that any potential user of that appraiser's services is aware that the appraiser is not eligible to perform appraisals for federally related transactions. The Appraiser Program must place a conspicuous notice directly on the face of any evidence of the appraiser's authority to appraise stating, "Not Eligible To Appraise Federally Related Transactions," and the appraiser must not be listed in active status on the Appraiser Registry.

The ASC extranet application allows States to update their appraiser credential information directly to the Appraiser Registry. Only Authorized Registry Officials are allowed to request access for their State personnel (see section C below). The ASC will issue a User Name and Password to the designated State personnel responsible for that State's Appraiser Registry entries. Designated State personnel are required to protect the right of access, and not share their User Name or Password with anyone. States must adopt and implement a written policy to protect the right of access, as well as the ASC issued User Name and Password. The ASC will provide detailed specifications regarding the data elements on the Appraiser Registry.

B. Registry Fee and Invoicing Policies

Each State must remit to the ASC the annual registry fee, as set by the ASC, for State certified or licensed appraisers within the State to be listed on the Appraiser Registry. Requests to prorate refunds or partial-year registrations will not be granted. If a State collects multiple-year fees for multiple-year certifications or licenses, the State may choose to remit to the ASC the total amount of the multiple-year registry fees or the equivalent annual fee amount. The ASC will, however, record appraisers on the Appraiser Registry only for the number of years for which the ASC has received payment. Nonpayment by a State of an appraiser's registry fee may result in the status of that appraiser being listed as "inactive." States must reconcile and pay registry invoices in a timely manner (45 calendar days after the invoice date). When a State's failure to pay a past due invoice results in appraisers being listed as inactive, the ASC will not change those appraisers back to active status until payment is received from the State. An inactive status on the Appraiser Registry, for whatever the reason, renders an appraiser ineligible to perform appraisals in connection with federally related transactions.

C. Access to Appraiser Registry Data

The ASC website provides free access to the public portion of the Appraiser Registry at www.asc.gov. The public portion of the Appraiser Registry data may be downloaded using predefined queries or user-customized applications.

Access to the full database, which includes non-public data (*e.g.*, certain disciplinary action information), is restricted to authorized State and Federal regulatory agencies. States must designate a senior official, such as an executive director, to serve as the State's Authorized Registry Official, and provide to the ASC, in writing, information regarding the designated Authorized Registry Official. States must ensure that the authorization information provided to the ASC is updated and accurate.

D. Information Sharing

Information sharing (routine exchange of certain information among lenders, governmental entities, State agencies and the ASC) is essential for carrying out the purposes of Title XI. Title XI requires the ASC, any other Federal agency or instrumentality, or any federally recognized entity to report any action of a State certified or licensed appraiser that is contrary to the purposes of Title XI to the appropriate State agency for disposition. The ASC believes that full implementation of this Title XI requirement is vital to the integrity of the system of State appraiser regulation. States are encouraged to develop and maintain procedures for sharing of information among themselves.

The Appraiser Registry’s value and usefulness are largely dependent on the quality and frequency of State data submissions. Accurate and frequent data submissions from all States are necessary to maintain an up-to-date Appraiser Registry. States must submit appraiser data in a secure format to the ASC at least monthly. If there are no changes to the data, the State agency must notify the ASC of that fact in writing. States are encouraged to submit data as frequently as possible.

States must report all disciplinary action³³ taken against an appraiser to the ASC via the extranet application within 5 business days after the disciplinary action is final, as determined by State law.³⁴ States not reporting via the extranet application must provide, in writing to the ASC, a description of the circumstances preventing compliance with this requirement.³⁵ For the most serious disciplinary actions (i.e., voluntary surrenders, suspensions and revocations, or any action that interrupts a credential holder’s ability to practice), the appraiser’s status must be changed on the Appraiser Registry to “inactive,” thereby making the appraiser ineligible to perform appraisals for federally related transactions or other transactions requiring the use of State certified or licensed appraisers.³⁶

Title XI also contemplates the reasonably free movement of certified and licensed appraisers across State lines. This freedom of movement assumes, however, that certified and licensed appraisers are, in all cases, held accountable and responsible for their actions while performing appraisal activities.

E. Summary of Requirements

1. States must reconcile and pay registry invoices in a timely manner (45 calendar days after the invoice date).³⁷
2. States must report all disciplinary action taken against an appraiser to the ASC via the extranet application within 5 business days after the disciplinary action is final, as determined by State law.³⁸
3. States not reporting via the extranet application must provide, in writing to the ASC, a description of the circumstances preventing compliance with this requirement.³⁹

³³ See Appendix B, *Glossary of Terms*, for the definition of “disciplinary action.”

³⁴ *Id.*

³⁵ Title XI § 1118 (a), 12 U.S.C. § 3347.

³⁶ *Id.*

³⁷ Title XI § 1118 (a), 12 U.S.C. § 3347; Title XI § 1109 (a), 12 U.S.C. § 3338.

³⁸ *Id.*

³⁹ Title XI § 1118 (a), 12 U.S.C. § 3347.

4. For the most serious disciplinary actions (i.e., voluntary surrenders, suspensions and revocations, or any action that interrupts a credential holder’s ability to practice), the appraiser’s status must be changed on the Appraiser Registry to “inactive,” thereby making the appraiser ineligible to perform appraisals for federally related transactions or other transactions requiring the use of State certified or licensed appraisers.⁴⁰
5. States must designate a senior official, such as an executive director, who will serve as the State’s Authorized Registry Official, and provide to the ASC, in writing, information regarding the selected Authorized Registry Official, and any individual(s) authorized to act on their behalf.⁴¹
6. States must ensure that the authorization information provided to the ASC is updated and accurate.⁴²
7. States must adopt and implement a written policy to protect the right of access to the Appraiser Registry, as well as the ASC issued User Name and Password.⁴³
8. States must ensure the accuracy of all data submitted to the Appraiser Registry.⁴⁴
9. States must submit appraiser data (other than discipline) to the ASC at least monthly. If a State’s data does not change during the month, the State agency must notify the ASC of that fact in writing.⁴⁵
10. If a State certified or licensed appraiser chooses not to pay the registry fee, the State must ensure that any potential user of that appraiser’s services is aware that the appraiser’s certificate or license is limited to performing appraisals only in connection with nonfederally related transactions.⁴⁶

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ Includes applications for credentialing of trainee, licensed, certified residential or certified general classifications.

POLICY STATEMENT 4

Application Process

AQB Criteria sets forth the minimum education, experience and examination requirements applicable to all States for credentialing of real property appraisers (certified, licensed, trainee and supervisory). In the application process, States must, at a minimum, employ a reliable means of validating both education and experience credit claimed by applicants for credentialing.⁴⁷ Effective January 1, 2017, AQB Criteria also requires States to assess whether an applicant for a real property appraiser credential possesses a background that would not call into question public trust. The basis for such assessment shall be a matter left to the individual States, and must, at a minimum, be documented to the file.

A. Processing of Applications

States must process applications in a consistent, equitable and well-documented manner. Applications for credentialing should be timely processed by State agencies (within 90 calendar days after receipt of a completed application). Any delay in the processing of applications must be sufficiently documented in the file to explain the delay. States must ensure appraiser credential applications submitted for processing do not contain invalid examinations as established by AQB Criteria.

States must obtain and maintain sufficient relevant documentation pertaining to an application for issuance, upgrade and renewal of a credential so as to enable understanding of the facts and determinations in the matter and the reasons for those determinations. Documentation must include:

1. Application receipt date;
2. Education;
3. Experience;
4. Examination;

5. Continuing education; and
6. Any administrative or disciplinary action taken in connection with the application process, including results of any continuing education audit.

B. Qualifying Education for Initial or Upgrade Applications

States must verify that:

1. the applicant's claimed education courses are acceptable under AQB Criteria; and
2. the applicant has successfully completed courses consistent with AQB Criteria for the appraiser credential sought.

States may not accept an affidavit for claimed qualifying education from applicants for any federally recognized credential.⁴⁸ States must maintain adequate documentation to support verification of education claimed by applicants.

C. Continuing Education for Reinstatement and Renewal Applications

1. Reinstatement Applications

States must verify that:

1. the applicant's claimed continuing education courses are acceptable under AQB Criteria; and
2. the applicant has successfully completed all continuing education consistent with AQB Criteria for reinstatement of the appraiser credential sought.

States may not accept an affidavit for continuing education claimed from applicants for reinstatement. Applicants for reinstatement must submit documentation to support claimed continuing education and States must maintain adequate documentation to support verification of claimed education.

2. Renewal Applications

States must ensure that continuing education courses for renewal of an appraiser credential are consistent with AQB Criteria and that continuing education hours required for renewal of an appraiser credential were completed consistent with AQB Criteria. States may accept affidavits for continuing education credit claimed for credential renewal so long as the State implements a reliable validation procedure that adheres to the following objectives and requirements:

a. Validation Objectives

The State's validation procedures must be structured to permit acceptable projections of the sample results to the entire population of subject appraisers. Therefore, the sample must include an adequate number of affidavits selected from each federally recognized credential level to have a reasonable chance of identifying appraisers who fail to comply with AQB Criteria, and the sample must include a statistically relevant representation of the appraiser population being sampled.

b. Minimum Standards

1. Validation must include a prompt post-approval audit. Each audit of an affidavit for continuing education credit claimed must be completed within 60 business days from the date the credential is scheduled for renewal (based on the credential's expiration date). To ensure the audit is a statistically relevant representation, a sampling of credentials that were renewed after the scheduled expiration date and/or beyond the date the sample was selected, must also be audited to ensure that a credential holder may not avoid being selected for a continuing education audit by renewing early or late.
2. States must audit the continuing education-related affidavit for each credentialed appraiser selected in the sampling procedure.
3. States must determine that education courses claimed conform to AQB Criteria and that the appraiser successfully completed each course.

⁴⁸ If a State accepts education-related affidavits from applicants for initial licensure in any non-certified classification, upon the appraiser's application to upgrade to a certified classification, the State must require documentation to support the appraiser's educational qualification for the certified classification, not just the incremental amount of education required to move from the non-certified to the certified classification. This requirement applies to all federally recognized credentials.

4. When a State determines that an appraiser's continuing education does not meet AQB Criteria, and the appraiser has failed to complete any remedial action offered, the State must take appropriate action to suspend the appraiser's eligibility to perform appraisals in federally related transactions until such time that the requisite continuing education has been completed. The State must notify the ASC within five (5) business days after taking such action in order for the appraiser's record on the Appraiser Registry to be updated appropriately.
5. If a State determines that a renewal applicant knowingly falsely attested to completing the continuing education required by AQB Criteria, the State must take appropriate administrative and/or disciplinary action and report such action, if deemed to be discipline, to the ASC within five (5) business days.
6. If more than ten percent of the audited appraisers fail to meet the AQB Criteria, the State must take remedial action⁴⁹ to address the apparent weakness of its affidavit process. The ASC will determine on a case-by-case basis whether remedial actions are effective and acceptable.
7. In the case of a renewal being processed after the credential's expiration date, but within the State's allowed grace period for a late renewal, the State must establish a reliable process to audit affidavits for continuing education (e.g., requiring documentation of all continuing education).

c. Documentation

States must maintain adequate documentation to support its affidavit renewal and audit procedures and actions.

d. List of Education Courses

To promote accountability, the ASC encourages States accepting affidavits for continuing education credit claimed for credential renewal to require that the appraiser provide a list of courses to support the affidavit.

D. Experience for Initial or Upgrade Applications

States must ensure that appraiser experience logs conform to AQB Criteria. States may not accept an affidavit for experience credit claimed by applicants for any federally recognized credential.⁵⁰

1. Validation Required

States must implement a reliable validation procedure to verify that each applicant's experience meets AQB Criteria, including but not limited to, being USPAP compliant and containing the required number of hours and months.

2. Validation Procedures, Objectives and Requirements

a. Experience Hours Validation

States must determine the hours and time period claimed on the experience log are accurate. Appraiser Program staff or State board members must select the work product to validate the experience hours claimed; applicants may not have any role in this selection process.

b. USPAP Compliance

⁴⁹ For example:

- (1) a State may conduct an additional audit using a higher percentage of audited appraisers; or
- (2) a State may publicly post action taken to sanction non-compliant appraisers to increase awareness in the appraiser community of the importance of compliance with continuing education requirements.

⁵⁰ See Policy Statement 1D and E for discussion of "federally recognized credential" and "non-federally recognized credential." If prior to July 1, 2013, a State accepted experience-related affidavits from applicants for initial licensure in any non-certified classification, upon the appraiser's application to upgrade to a certified classification, the State must require experience documentation to support the appraiser's qualification for the certified classification, not just the incremental amount of experience required to move from the non-certified to the certified classification. For example, if a State accepted an experience affidavit from an appraiser to support the appraiser's initial hours to qualify for the licensed classification, and subsequently that appraiser applies to upgrade to the certified residential classification, the State must require documentation to support the full experience hours required for the certified residential classification, not just the difference in hours between the two classifications.

States must analyze a representative sample of the applicant's work product for compliance with USPAP. For appraisal experience to be acceptable under AQB Criteria, it must be USPAP compliant. States must exercise due diligence in determining whether submitted documentation of experience or work product demonstrates compliance with USPAP. Persons analyzing work product for USPAP compliance must be knowledgeable about appraisal practice and USPAP, and States must be able to document how such persons are so qualified.

c. Determination of Experience Time Periods

Experience time periods must conform to requirements set forth in the AQB Criteria for the credential sought.

d. Supporting Documentation

States must maintain adequate documentation to support validation methods. The applicant's file, either electronic or paper, must include the information necessary to identify each appraisal assignment selected to validate the experience hours claimed and each appraisal assignment analyzed by the State for USPAP compliance, notes, letters and/or reports prepared by the official(s) evaluating the report for USPAP compliance, and any correspondence exchanged with the applicant regarding the appraisals submitted. This supporting documentation may be discarded upon the completion of the first ASC Compliance Review performed after the credential issuance or denial for that applicant.

E. Examination

States must ensure that an appropriate AQB-approved qualifying examination is administered for each of the federally recognized appraiser classifications requiring an examination.

F. Summary of Requirements

Processing of Applications

1. States must process applications in a consistent, equitable and well-documented manner.⁵¹
2. States must ensure appraiser credential applications submitted for processing do not contain invalid examinations as established by AQB Criteria.⁵²
3. States must obtain and maintain sufficient relevant documentation pertaining to an application for issuance, upgrade or renewal of a credential so as to enable understanding of the facts and determinations in the matter and the reasons for those determinations.⁵³

Education

1. States must verify that the applicant's claimed education courses are acceptable under AQB Criteria, whether for initial credentialing, renewal, upgrade or reinstatement.⁵⁴
2. States must verify that the applicant has successfully completed courses consistent with AQB Criteria for the appraiser credential sought, whether for initial credentialing, renewal, upgrade or reinstatement.⁵⁵
3. States must maintain adequate documentation to support verification.⁵⁶
4. States may not accept an affidavit for education claimed from applicants for any federally recognized credential.⁵⁷
5. States may not accept an affidavit for continuing education claimed from applicants for reinstatement.⁵⁸
6. States may accept affidavits for continuing education credit claimed for credential renewal so long as the State implements a reliable validation procedure.⁵⁹

⁵¹ Title XI § 1118 (a), 12 U.S.C. § 3347.

⁵² Title XI § 1118 (a), 12 U.S.C. § 3347; AQB Real Property Appraiser Qualification Criteria.

⁵³ Title XI § 1118 (a), 12 U.S.C. § 3347.

⁵⁴ *Id.*

⁵⁵ *Id.*

⁵⁶ Title XI § 1118 (a), 12 U.S.C. § 3347.

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ Title XI § 1118 (a), 12 U.S.C. § 3347; AQB Real Property Appraiser Qualification Criteria.

7. Audits of affidavits for continuing education credit claimed must be completed within sixty (60) business days from the date the credential is scheduled for renewal (based on the credential's expiration date).⁶⁰
8. In the case of a renewal being processed after the credential's expiration date, but within the State's allowed grace period for a late renewal, the State must establish a reliable process to audit affidavits for continuing education (*e.g.*, requiring documentation of all continuing education).⁶¹
9. States are required to take remedial action when it is determined that more than ten percent of audited appraiser's affidavits for continuing education credit claimed fail to meet the minimum AQB Criteria.⁶²
10. States are required to take appropriate administrative and/or disciplinary action when it is determined that an applicant knowingly falsely attested to completing continuing education.⁶³
11. When a State determines that an appraiser's continuing education does not meet AQB Criteria, and the appraiser has failed to complete any remedial action offered, the State must take appropriate action to suspend the appraiser's eligibility to perform appraisals in federally related transactions until such time that the requisite continuing education has been completed.

The State must notify the ASC within five (5) business days after taking such action in order for the appraiser's record on the Appraiser Registry to be updated appropriately.⁶⁴

⁶⁰ Title XI § 1118 (a), 12 U.S.C. § 3347.

⁶¹ *Id.*

⁶² *Id.*

⁶³ *Id.*

⁶⁴ *Id.*

⁶⁵ *Id.*

⁶⁶ Title XI § 1118 (a), 12 U.S.C. § 3347; AQB Real Property Appraiser Qualification Criteria.

⁶⁷ Title XI § 1118 (a), 12 U.S.C. § 3347.

⁶⁸ Title XI § 1118 (a), 12 U.S.C. § 3347.

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² Title XI § 1118 (a), 12 U.S.C. § 3347; AQB Real Property Appraiser Qualification Criteria.

⁷³ *Id.*

Experience

1. States may not accept an affidavit for experience credit claimed from applicants for any federally recognized credential.⁶⁵
2. States must ensure that appraiser experience logs conform to AQB Criteria.⁶⁶
3. States must use a reliable means of validating appraiser experience claims on all initial or upgrade applications for appraiser credentialing.⁶⁷
4. States must select the work product to validate the experience hours claimed on all initial or upgrade applications for appraiser credentialing.⁶⁸
5. States must analyze a representative sample of the applicant's work product for compliance with USPAP on all initial or upgrade applications for appraiser credentialing.⁶⁹
6. States must exercise due diligence in determining whether submitted documentation of experience or work product demonstrates compliance with USPAP on all initial or upgrade applications for appraiser credentialing.⁷⁰
7. Persons analyzing work product for USPAP compliance must be knowledgeable about appraisal practice and USPAP, and States must be able to document how such persons are so qualified.⁷¹
8. Experience time periods must conform to requirements set forth in the AQB Criteria for the credential sought.⁷²

Examination

1. States must ensure that an appropriate AQB-approved qualifying examination is administered for each of the federally recognized credentials requiring an examination.⁷³

POLICY STATEMENT 5

Reciprocity

A. Reciprocity Policy

Title XI contemplates the reasonably free movement of certified and licensed appraisers across State lines. The ASC monitors Appraiser Programs for compliance with the reciprocity provision of Title XI as amended by the Dodd-Frank Act.⁷⁴ Title XI requires that in order for a State’s appraisers to be eligible to perform appraisals for federally related transactions, the State must have a policy in place for issuing reciprocal credentials IF:

- a. the appraiser is coming from a State (Home State) that is “in compliance” with Title XI as determined by the ASC; AND
- b. (i) the appraiser holds a valid credential from the Home State; AND
(ii) the credentialing requirements of the Home State⁷⁵ meet or exceed those of the reciprocal credentialing State (Reciprocal State).⁷⁶

An appraiser relying on a credential from a State that does not have such a policy in place may not perform appraisals for federally related transactions. A State may be more lenient in the issuance of reciprocal credentials by implementing a more open door policy. However, States cannot impose additional impediments to obtaining reciprocal credentials.

For purposes of implementing the reciprocity policy, States with an ASC Finding⁷⁷ of “Poor” do not satisfy the “in compliance” provision for reciprocity. Therefore, States are not required to recognize, for purposes of granting a reciprocal credential, the license or certification of an appraiser credentialed in a State with an ASC Finding of “Poor.”

B. Application of Reciprocity Policy

The following examples illustrate application of reciprocity in a manner that complies with Title XI. The examples refer to the reciprocity policy requiring issuance of a reciprocal credential IF:

- a. the appraiser is coming from a State that is “in compliance”; AND
- b. (i) the appraiser holds a valid credential from that State; AND
(ii) the credentialing requirements of that State (as they currently exist) meet or exceed those of the reciprocal credentialing State (as they currently exist).

Example 1. Additional Requirements Imposed on Applicants

State A requires that prior to issuing a reciprocal credential the applicant must certify that disciplinary proceedings are not pending against that applicant in any jurisdiction. Under b (ii) above, if this requirement is not imposed on all of its own applicants for credentialing, STATE A cannot impose this requirement on applicants for reciprocal credentialing.

Example 2. Credentialing Requirements

An appraiser is seeking a reciprocal credential in STATE A. The appraiser holds a valid credential in STATE Z, even though it was issued in 2007. This satisfies b (i) above. However, in order to satisfy b (ii), STATE A would evaluate STATE Z’s credentialing requirements as they currently exist to determine whether they meet or exceed STATE A’s current requirements for credentialing.

Example 3. Multiple State Credentials

An appraiser credentialed in several States is seeking a reciprocal credential in State A. That appraiser’s initial credentials were obtained through examination in the original credentialing State and through reciprocity in the additional States. State A requires the applicant to provide a “letter of good standing” from the State of original credentialing as a condition of granting a reciprocal credential. State A may not impose such a requirement since Title XI does not distinguish between credentials obtained by examination and credentials obtained by reciprocity for purposes of granting reciprocal credentials.

⁷⁴ Title XI § 1122 (b), 12 U.S.C. § 3351.

⁷⁵ As they exist at the time of application for reciprocal credential.

⁷⁶ *Id.*

⁷⁷ See Appendix A, *Compliance Review Process*, for an explanation of ASC Findings.

C. Appraiser Compliance Requirements

In order to maintain a credential granted by reciprocity, appraisers must comply with the credentialing State's policies, rules and statutes governing appraisers, including requirements for payment of certification and licensing fees, as well as continuing education.⁷⁸

D. Well-Documented Application Files

States must obtain and maintain sufficient relevant documentation pertaining to an application for issuance of a credential by reciprocity so as to enable understanding of the facts and determinations in the matter and the reasons for those determinations.

E. Summary of Requirements

1. States must have a reciprocity policy in place for issuing a reciprocal credential to an appraiser from another State under the conditions specified in Title XI in order for the State's appraisers to be eligible to perform appraisals for federally related transactions.⁷⁹
2. States may be more lenient in the issuance of reciprocal credentials by implementing a more open door policy; however, States may not impose additional impediments to issuance of reciprocal credentials.⁸⁰
3. States must obtain and maintain sufficient relevant documentation pertaining to an application for issuance of a credential by reciprocity so as to enable understanding of the facts and determinations in the matter and the reasons for those determinations.⁸¹

⁷⁸ A State may offer to accept continuing education (CE) for a renewal applicant who has satisfied CE requirements of a home State; however, a State may not impose this as a requirement for renewal, thereby imposing a requirement for the renewal applicant to retain a home State credential.

⁷⁹ Title XI § 1122 (b), 12 U.S.C. § 3351.

⁸⁰ *Id.*

⁸¹ Title XI § 1118 (a), 12 U.S.C. § 3347.

⁸² For example:

- (1) consent agreements requiring additional education should not specify a particular course provider when there are other providers on the State's approved course listing offering the same course; and
- (2) courses from professional organizations should not be automatically approved and/or approved in a manner that is less burdensome than the State's normal approval process.

POLICY STATEMENT 6

Education

AQB Criteria sets forth minimum requirements for appraiser education courses. This Policy Statement addresses proper administration of education requirements for compliance with AQB Criteria. (For requirements concerning qualifying and continuing education in the application process, see Policy Statement 4, *Application Process*.)

A. Course Approval

States must ensure that approved appraiser education courses are consistent with AQB Criteria and maintain sufficient documentation to support that approved appraiser education courses conform to AQB Criteria.

States should ensure that course approval expiration dates assigned by the State coincide with the endorsement period assigned by the AQB's Course Approval Program or any other AQB-approved organization providing approval of course design and delivery. States may not continue to accept AQB approved courses after the AQB's expiration date unless the course content is reviewed and approved by the State.

States should ensure that educational providers are afforded equal treatment in all respects.⁸²

States are encouraged to accept courses approved by the AQB's Course Approval Program.

B. Distance Education

States must ensure that distance education courses meet AQB Criteria and that the delivery mechanism for distance education courses offered by a non-academic provider, including secondary providers, has been approved by an AQB-approved organization providing approval of course design and delivery.

States may not continue to accept courses after the AQB-approved organization's approval of course design and delivery date has expired.

C. Summary of Requirements

1. States must ensure that appraiser education courses are consistent with AQB Criteria.⁸³
2. States must maintain sufficient documentation to support that approved appraiser courses conform to AQB Criteria.⁸⁴
3. States must ensure the delivery mechanism for distance education courses offered by a non-academic provider, including secondary providers, has been approved by an AQB-approved organization providing approval of course design and delivery.⁸⁵

POLICY STATEMENT 7

State Agency Enforcement

A. State Agency Regulatory Program

Title XI requires the ASC to monitor the States for the purpose of determining whether the State processes complaints and completes investigations in a reasonable time period, appropriately disciplines sanctioned appraisers and maintains an effective regulatory program.⁸⁶

B. Enforcement Process

States must ensure that the system for processing and investigating complaints⁸⁷ and sanctioning appraisers is administered in a timely, effective, consistent, equitable, and well-documented manner.

1. Timely Enforcement

States must process complaints of appraiser misconduct or wrongdoing in a timely manner to ensure effective supervision of appraisers, and when appropriate, that incompetent or unethical appraisers are not allowed to continue their appraisal practice. Absent special documented circumstances, final administrative decisions regarding complaints must occur within one year (12 months) of the complaint filing date.⁸⁸ Special documented circumstances are those extenuating circumstances (fully documented) beyond the control of the State agency that delays normal processing of a complaint such as: complaints involving a criminal investigation by a law enforcement agency when the investigative agency requests that the State refrain from proceeding; final disposition that has been appealed to a higher court; documented medical condition of the respondent; ancillary civil litigation; and complex cases that involve multiple individuals and reports. Such special documented circumstances also include those periods when State rules require referral of a complaint to another State entity for review and the State agency is precluded from further processing of the complaint until it is returned. In that circumstance, the State agency should document the required referral and the time period during which the complaint was not under its control or authority.

2. Effective Enforcement

Effective enforcement requires that States investigate allegations of appraiser misconduct or wrongdoing, and if allegations are proven, take appropriate disciplinary or remedial action. Dismissal of an alleged violation solely due to an "absence of harm to the public" is inconsistent with Title XI. Financial loss or the lack thereof is not an element in determining whether there is a violation. The extent of such loss, however, may be a factor in determining the appropriate level of discipline.

⁸³ Title XI § 1118 (a), 12 U.S.C. § 3347; AQB *Real Property Appraiser Qualification Criteria*.

⁸⁴ Title XI § 1118 (a), 12 U.S.C. § 3347.

⁸⁵ Title XI § 1118 (a), 12 U.S.C. § 3347; AQB *Real Property Appraiser Qualification Criteria*.

⁸⁶ Title XI § 1118 (a), 12 U.S.C. § 3347.

⁸⁷ See Appendix B, *Glossary of Terms*, for the definition of "complaint."

⁸⁸ The one-year period for resolution of complaints is not intended to have the impact of a statute of limitation or statute of repose.

Persons analyzing complaints for USPAP compliance must be knowledgeable about appraisal practice and USPAP and States must be able to document how such persons are so qualified.

States must analyze each complaint to determine whether additional violations, especially those relating to USPAP, should be added to the complaint.

Closure of a complaint based solely on a State's statute of limitations that results in dismissal of a complaint without the investigation of the merits of the complaint is inconsistent with the Title XI requirement that States assure effective supervision of the activities of credentialed appraisers.⁸⁹

3. *Consistent and Equitable Enforcement*

Absent specific documented facts or considerations, substantially similar cases within a State should result in similar dispositions.

4. *Well-Documented Enforcement*

States must obtain and maintain sufficient relevant documentation pertaining to a matter so as to enable understanding of the facts and determinations in the matter and the reasons for those determinations.

a. *Complaint Files*

Complaint files must:

- include documentation outlining the progress of the investigation;
- demonstrate that appraisal reports are analyzed and any USPAP violations are identified and considered, whether or not they were the subject of the complaint;
- include rationale for the final outcome of the case (i.e., dismissal or imposition of discipline);
- include documentation explaining any delay in processing, investigation or adjudication;
- contain documentation that all ordered or agreed upon discipline, such as probation, fine, or completion of education is tracked and that completion of all terms is confirmed; and
- be organized in a manner that allows understanding of the steps taken throughout the complaint, investigation, and adjudicatory process.

b. *Complaint Logs*

States must track all complaints using a complaint log. The complaint log must record all complaints, regardless of their procedural status in the investigation and/or resolution process, including complaints pending before the State board, Office of the Attorney General, other law enforcement agencies, and/or offices of administrative hearings.

The complaint log must include the following information (States are strongly encouraged to maintain this information in an electronic, sortable format):

1. Case number
2. Name of respondent
3. Actual date the complaint was received by the State
4. Source of complaint (e.g., consumer, lender, AMC, bank regulator, appraiser, hotline) or name of complainant
5. Current status of the complaint
6. Date the complaint was closed (e.g., final disposition by the administrative hearing agency, Office of the Attorney General, State Appraiser Regulatory Agency or Court of Appeals)
7. Method of disposition (e.g., dismissal, letter of warning, consent order, final order)

⁸⁹ Title XI § 1117, 12 U.S.C. § 3346.

C. Summary of Requirements

1. States must maintain relevant documentation to enable understanding of the facts and determinations in the matter and the reasons for those determinations.⁹⁰
2. States must resolve all complaints filed against appraisers within one year (12 months) of the complaint filing date, except for special documented circumstances.⁹¹
3. States must ensure that the system for processing and investigating complaints and sanctioning appraisers is administered in an effective, consistent, equitable, and well-documented manner.⁹²
4. States must track complaints of alleged appraiser misconduct or wrongdoing using a complaint log.⁹³
5. States must appropriately document enforcement files and include rationale.⁹⁴
6. States must regulate, supervise and discipline their credentialed appraisers.⁹⁵
7. Persons analyzing complaints for USPAP compliance must be knowledgeable about appraisal practice and USPAP, and States must be able to document how such persons are so qualified.⁹⁶

⁹⁰ Title XI § 1118 (a), 12 U.S.C. § 3347.

⁹¹ *Id.*

⁹² *Id.*

⁹³ *Id.*

⁹⁴ *Id.*

⁹⁵ *Id.*

⁹⁶ *Id.*

Part B: AMC Program

POLICY STATEMENT 8

Statutes, Regulations, Policies and Procedures Governing State AMC Programs

A. Participating States and ASC Oversight

States are not required to establish an AMC registration and supervision program. For those States electing to participate in the registration and supervision of AMCs (participating States), ASC staff will informally monitor the State's progress to implement the requirements of Title XI and the AMC Rule.⁹⁷ Formal ASC oversight of State AMC Programs will begin at the next regularly scheduled Compliance Review of a State after a State elects to register and supervise AMCs pursuant to the AMC Rule. Formal ASC oversight will consist of evaluating AMC Programs in participating States during the Compliance Review process to determine compliance or lack thereof with Title XI, and to assess implementation of the minimum requirements for State registration and supervision of AMCs as established by the AMC Rule. Upon expiration of the statutory implementation period (see Policy Statement 11, *Statutory Implementation Period*), Compliance Reviews will include ASC oversight of AMC Programs for any participating State.

B. Relation to State Law

Participating States may establish requirements in addition to those in the AMC Rule.

Participating States may also have a more expansive definition of AMCs.⁹⁸ However, if a participating State has a more expansive definition of AMCs than in Title XI (thereby encompassing State regulation of AMCs that are not within the Title XI definition of AMC), the State must ensure such AMCs are identified as such in the State database, just as States currently do for non-federally recognized credentials or designations. Only those AMCs that meet the Federal definition of AMC will be eligible to be on the AMC Registry.

C. Funding and Staffing

The Dodd-Frank Act amended Title XI to require the ASC to determine whether participating States have sufficient funding and staffing to meet their Title XI requirements. Compliance with this provision requires that a State must provide its AMC Program with funding and staffing sufficient to carry out its Title XI-related duties. The ASC evaluates the sufficiency of funding and staffing as part of its review of all aspects of an AMC Program's effectiveness, including the adequacy of State boards, committees, or commissions responsible for carrying out Title XI-related duties.

D. Minimum Requirements for Registration and Supervision of AMCs as Established by the AMC Rule

1. AMC Registration and Supervision

If a State chooses to participate in the registration and supervision of AMCs in accordance with the AMC Rule, the State will be required to comply with the minimum requirements set forth in the AMC Rule. States should refer to the AMC Rule for compliance requirements⁹⁹ as this Policy Statement merely summarizes what the AMC Rule requires of participating States.

⁹⁷ Title XI § 1103 (a)(1)(B), 12 U.S.C. § 3332. AMC Rule means the inter-agency final rule on minimum requirements for State registration and supervision of AMCs (12 CFR 34.210 – 34.216; 12 CFR 225.190 – 225.196; 12 CFR 323.8 – 323.14; 12 CFR 1222.20 – 1222.26).

⁹⁸ Title XI as amended by the Dodd-Frank Act defines “appraisal management company” to mean, in part, an external third party that oversees a network or panel of more than 15 appraisers (State certified or licensed) in a State, or 25 or more appraisers nationally (two or more States) within a given year. (12 U.S.C. 3350(11)). Title XI as amended by the Dodd-Frank Act also allows States to adopt requirements in addition to those in the AMC Rule. (12 U.S.C. 3353(b)). For example, States may decide to supervise entities that provide appraisal management services, but do not meet the size thresholds of the Title XI definition of AMC. If a State has a more expansive regulatory framework that covers entities that provide appraisal management services but do not meet the Title XI definition of AMC, the State should only submit information regarding AMCs meeting the Title XI definition to the AMC Registry.

⁹⁹ See footnote 97.

a. The AMC Rule includes requirements for participating States to establish and maintain within the State appraiser certifying and licensing agency an AMC Program with the legal authority and mechanisms to:

- (1) Review and approve or deny AMC initial registration applications and/or renewals for registration;
- (2) Examine records of AMCs and require AMCs to submit information;
- (3) Verify that appraisers on AMCs' panels hold valid State credentials;
- (4) Conduct investigations of AMCs to assess potential violations of appraisal-related laws, regulations, or orders;
- (5) Discipline, suspend, terminate, or deny renewal of the registration of an AMC that violates appraisal related laws, regulations, or orders; and
- (6) Report an AMC's violation of appraisal-related laws, regulations, or orders, as well as disciplinary and enforcement actions and other relevant information about an AMC's operations, to the ASC.

b. The AMC Rule includes requirements for participating States to impose requirements on AMCs that are not Federally regulated AMCs¹⁰⁰ to:

- (1) Register with and be subject to supervision by the State appraiser certifying and licensing agency;
- (2) Engage only State-certified or State-licensed appraisers for federally related transactions in conformity with any federally related transaction regulations;
- (3) Establish and comply with processes and controls reasonably designed to ensure that the AMC, in engaging an appraiser, selects an appraiser who is independent of the transaction and who has the requisite education, expertise, and experience necessary to competently complete the appraisal assignment for the particular market and property type;

(4) Direct the appraiser to perform the assignment in accordance with USPAP; and

(5) Establish and comply with processes and controls reasonably designed to ensure that the AMC conducts its appraisal management services in accordance with the requirements of section 129E(a) through (i) of the Truth in Lending Act, 15 U.S.C. 1639e(a) through (i), and regulations thereunder.

2. Ownership Limitations for State-registered AMCs

A. Appraiser certification or licensing of Owners

An AMC subject to State registration shall not be registered by a State or included on the AMC Registry if such AMC, in whole or in part, directly or indirectly, is owned by any person who has had an appraiser license or certificate refused, denied, cancelled, surrendered in lieu of revocation, or revoked in any State for a substantive cause,¹⁰¹ as determined by the State appraiser certifying and licensing agency. A State's process for review could, for example, be by questionnaire, or affidavit, or background screening, or otherwise. States must document to the file the State's method of review and the result.

B. Good Moral Character of Owners

An AMC shall not be registered by a State if any person that owns more than 10 percent of the AMC—

1. Is determined by the State not to have good moral character; or
2. Fails to submit to a background investigation carried out by the State.

A State's process for review could, for example, be by questionnaire, or affidavit, or background screening, or otherwise. The ASC would expect written documentation of the State's method of review and the result.

¹⁰⁰ "Federally regulated AMCs," meaning AMCs that are subsidiaries owned and controlled by an insured depository institution or an insured credit union and regulated by a Federal financial institutions regulatory agency, are not required to register with the State (Title XI § 1124 (c), 12 U.S.C. § 3353(c)).

¹⁰¹ An AMC subject to State registration is not barred from being registered by a State or included on the AMC Registry of AMCs if the license or certificate of the appraiser with an ownership interest was not revoked for a substantive cause and has been reinstated by the State or States in which the appraiser was licensed or certified. (12 CFR 34.210 – 34.216; 12 CFR 225.190 – 225.196; 12 CFR 323.8 -323.14; 12 CFR 1222.20 – 1222.26.

3. Requirements for Federally Regulated AMCs

Participating States are not required to identify Federally regulated AMCs¹⁰² operating in their States, but rather the Federal financial institution regulatory agencies are responsible for requiring such AMCs to identify themselves to participating States and report required information.

A Federally regulated AMC shall not be included on the AMC Registry if such AMC, in whole or in part, directly or indirectly, is owned by any person who has had an appraiser license or certificate refused, denied, cancelled, surrendered in lieu of revocation, or revoked in any State for a substantive cause, as determined by the ASC.

E. Summary of Requirements

1. Participating States must establish and maintain an AMC Program with the legal authority and mechanisms consistent with the AMC Rule.¹⁰³
2. Participating States must impose requirements on AMCs consistent with the AMC Rule.¹⁰⁴
3. Participating States must enforce and document ownership limitations for State-registered AMCs.¹⁰⁵
4. Only those AMCs that meet the Federal definition of AMC will be eligible to be on the AMC Registry. Therefore, participating States that have a more expansive definition of AMCs than in the AMC Rule must ensure such non-Federally recognized AMCs are identified as such in the State database.¹⁰⁶
5. States must have funding and staffing sufficient to carry out their Title XI-related duties.¹⁰⁷

¹⁰² See footnote 97.

¹⁰³ 12 CFR 34.210 – 34.216; 12 CFR 225.190 – 225.196; 12 CFR 323.8 – 323.14; 12 CFR 1222.20 – 1222.26.

¹⁰⁴ *Id.*

¹⁰⁵ *Id.*

¹⁰⁶ Title XI § 1118 (b), 12 U.S.C. § 3347.

¹⁰⁷ *Id.*

¹⁰⁸ Title XI § 1103 (a) (6), 12 U.S.C. § 3332.

¹⁰⁹ Title XI § 1109 (a) (4), 12 U.S.C. § 3338.

¹¹⁰ Title XI § 1109 (a) (3) and (4), 12 U.S.C. § 3338.

POLICY STATEMENT 9

National Registry of AMCs (AMC Registry)

A. Requirements for the AMC Registry

Title XI requires the ASC to maintain the AMC Registry of AMCs that are either registered with and subject to supervision of a participating State or are operating subsidiaries of a Federally regulated financial institution.¹⁰⁸ Title XI further requires the States to transmit to the ASC: (1) reports on a timely basis of supervisory activities involving AMCs, including investigations resulting in disciplinary action being taken; and (2) the registry fee as set by the ASC¹⁰⁹ from AMCs that are either registered with a participating State or are Federally regulated AMCs.¹¹⁰

As with appraiser registry fees, Title XI, § 1109(a) (4) (b) requires the AMC registry fee to be collected by each participating State and transmitted to the ASC. Therefore, as with appraisers, an AMC will pay a registry fee in each participating State in which the AMC operates. As with appraisers, an AMC operating in multiple participating States will pay a registry fee in multiple States in order to be on the AMC Registry for each State.

States must notify the ASC as soon as practicable if an AMC listed on the AMC Registry is no longer registered with or operating in the State. The ASC extranet application allows States to update their AMC information directly to the AMC Registry.

B. Registry Fee and Invoicing Policies

Each State must remit to the ASC the annual registry fee, as set by the ASC, for AMCs to be listed on the AMC Registry. Requests to prorate refunds or partial-year registrations will not be granted. If a State collects multiple-year fees for multiple-years, the State may choose to remit to the ASC the total amount of the multiple-year registry fees or the equivalent annual fee amount. The ASC will, however, record AMCs on the AMC Registry only for the number of years for which the ASC has received payment.

States must reconcile and pay registry invoices in a timely manner (45 calendar days after receipt of the invoice).

C. Reporting Requirements

State agencies must report all disciplinary action¹¹¹ taken against an AMC to the ASC via the extranet application within 5 business days after the disciplinary action is final, as determined by State law. States not reporting via the extranet application must provide, in writing to the ASC, a description of the circumstances preventing compliance with this requirement. For the most serious disciplinary actions (*e.g.*, any action that interrupts an AMCs ability to provide appraisal management services), the AMCs status must be changed on the AMC Registry to “inactive.” A Federally regulated AMC operating in a State must report to the State the information required to be submitted by the State to the ASC, pursuant to the ASC’s policies regarding the determination of the AMC registry fee.

D. Access to AMC Registry Data

The ASC website provides free access to the public portion of the AMC Registry at www.asc.gov. The public portion of the AMC Registry data may be downloaded using predefined queries or user-customized applications.

Access to the full database, which includes non-public data (*e.g.*, certain disciplinary action information), is restricted to authorized State and Federal regulatory agencies. States must designate a senior official, such as an executive director, to serve as the State’s Authorized Registry Official, and provide to the ASC, in writing, information regarding the designated Authorized Registry Official. States must ensure that the authorization information provided to the ASC is updated and accurate.

States must adopt and implement a written policy to protect the right of access, as well as the ASC issued User Name and Password.

E. Summary of Requirements

1. States must reconcile and pay registry invoices in a timely manner (45 calendar days after receipt of the invoice).¹¹²
2. State agencies must report all disciplinary action taken against an AMC to the ASC via the extranet application within 5 business days after the disciplinary action is final, as determined by State law.¹¹³
3. States not reporting via the extranet application must provide, in writing to the ASC, a description of the circumstances preventing compliance with this requirement.¹¹⁴
4. For the most serious disciplinary actions (*e.g.*, any action that interrupts an AMC’s ability to provide appraisal management services), the AMC’s status must be changed on the AMC Registry to “inactive.”¹¹⁵
5. States must notify the ASC as soon as practicable if an AMC listed on the AMC Registry is no longer registered with or operating in the State.
6. States must designate a senior official, such as an executive director, who will serve as the State’s Authorized Registry Official, and provide to the ASC, in writing, information regarding the selected Authorized Registry Official, and any individual(s) authorized to act on their behalf.¹¹⁶

¹¹¹ See Appendix B, *Glossary of Terms*, for the definition of “disciplinary action.”

¹¹² Title XI § 1118 (a), 12 U.S.C. § 3347; Title XI § 1109 (a), 12 U.S.C. § 3338.

¹¹³ Title XI § 1118 (a), 12 U.S.C. § 3347.

¹¹⁴ *Id.*

¹¹⁵ *Id.*

¹¹⁶ *Id.*

7. States must adopt and implement a written policy to protect the right of access to the AMC Registry, as well as the ASC issued User Name and Password.¹¹⁷
8. States must ensure the accuracy of all data submitted to the AMC Registry.¹¹⁸

POLICY STATEMENT 10

State Agency Enforcement

A. State Agency Regulatory Program

Title XI requires the ASC to monitor the States for the purpose of determining whether the State processes complaints and completes investigations in a reasonable time period, appropriately disciplines sanctioned AMCs and maintains an effective regulatory program.¹¹⁹

B. Enforcement Process

States must ensure that the system for processing and investigating complaints¹²⁰ and sanctioning AMCs is administered in a timely, effective, consistent, equitable, and well-documented¹²¹ manner.

1. Timely Enforcement

States must process complaints against AMCs in a timely manner to ensure effective supervision of AMCs. Absent special documented circumstances, final administrative decisions regarding complaints must occur within one year (12 months) of the complaint filing date. Special documented circumstances are those extenuating circumstances (fully documented) beyond the control of the State agency that delays normal processing of a complaint such as: complaints involving a criminal investigation by a law enforcement agency when the investigative agency requests that the State refrain from proceeding; final disposition that has been appealed to a higher court; documented medical condition of the respondent; ancillary civil litigation; and complex fraud cases that involve multiple individuals and reports. Such special documented circumstances also include those periods when State

rules require referral of a complaint to another State entity for review and the State agency is precluded from further processing of the complaint until it is returned. In that circumstance, the State agency should document the required referral and the time period during which the complaint was not under its control or authority.

2. Effective Enforcement

Effective enforcement requires that States investigate complaints, and if allegations are proven, take appropriate disciplinary or remedial action.

3. Consistent and Equitable Enforcement

Absent specific documented facts or considerations, substantially similar cases within a State should result in similar dispositions.

4. Well-Documented Enforcement

States must obtain and maintain sufficient relevant documentation pertaining to a matter so as to enable understanding of the facts and determinations in the matter and the reasons for those determinations.

a. Complaint Files

Complaint files must:

- include documentation outlining the progress of the investigation;
- include rationale for the final outcome of the case (i.e., dismissal or imposition of discipline);
- include documentation explaining any delay in processing, investigation or adjudication;
- contain documentation that all ordered or agreed upon discipline is tracked and that completion of all terms is confirmed; and
- be organized in a manner that allows understanding of the steps taken throughout the complaint, investigation, and adjudicatory process.

¹¹⁷ *Id.*

¹¹⁸ *Id.*

¹¹⁹ Title XI § 1118 (a), 12 U.S.C. § 3347.

¹²⁰ See Appendix B, *Glossary of Terms*, for the definition of “complaint.”

¹²¹ See Appendix B, *Glossary of Terms*, for the definition of “well- documented.”

b. Complaint Logs

States must track all complaints using a complaint log. The complaint log must record all complaints, regardless of their procedural status in the investigation and/or resolution process, including complaints pending before the State board, Office of the Attorney General, other law enforcement agencies, and/or offices of administrative hearings. The complaint log must include the following information (States are strongly encouraged to maintain this information in an electronic, sortable format):

1. Case number
2. Name of respondent
3. Actual date the complaint was received by the State
4. Source of complaint (e.g., consumer, lender, AMC, bank regulator, appraiser, hotline) or name of complainant
5. Current status of the complaint
6. Date the complaint was closed (e.g., final disposition by the administrative hearing agency, Office of the Attorney General, State AMC Program or Court of Appeals)
7. Method of disposition (e.g., dismissal, letter of warning, consent order, final order)

C. Summary of Requirements

1. States must maintain relevant documentation to enable understanding of the facts and determinations in the matter and the reasons for those determinations.¹²²
2. States must resolve all complaints filed against AMCs within one year (12 months) of the complaint filing date, except for special documented circumstances.¹²³

3. States must ensure that the system for processing and investigating complaints and sanctioning AMCs is administered in an effective, consistent, equitable, and well-documented manner.¹²⁴
4. States must track complaints of alleged AMC misconduct or wrongdoing using a complaint log.¹²⁵
5. States must appropriately document enforcement files and include rationale.¹²⁶

POLICY STATEMENT 11

Statutory Implementation Period

Title XI and the AMC Rule set forth the statutory implementation period.¹²⁷ The AMC Rule was effective on August 10, 2015. As of 36 months from that date (August 10, 2018), an AMC may not provide appraisal management services for a federally related transaction in a non-participating State unless the AMC is a Federally regulated AMC. Appraisal management services may still be provided for federally related transactions in non-participating States by individual appraisers, by AMCs that are below the minimum statutory panel size threshold, and as noted, by Federally regulated AMCs.

The ASC, with the approval of the Federal Financial Institutions Examination Council (FFIEC), may extend this statutory implementation period for an additional 12 months if the ASC makes a finding that a State has made substantial progress toward implementing a registration and supervision program for AMCs that meets the standards of Title XI.¹²⁸

¹²² Title XI § 1118 (a), 12 U.S.C. § 3347.

¹²³ *Id.*

¹²⁴ *Id.*

¹²⁵ *Id.*

¹²⁶ *Id.*

¹²⁷ Title XI § 1124 (f)(1), 12 U.S.C. § 3353 and 12 CFR 34.210 – 34.216; 12 CFR 225.190 – 225.196; 12 CFR 323.8 -323.14; 12 CFR 1222.20 – 1222.26.

¹²⁸ Title XI § 1124 (f)(2), 12 U.S.C. § 3353.

Part C: Interim Sanctions

POLICY STATEMENT 12

Interim Sanctions

A. Authority

Title XI grants the ASC authority to impose sanctions on a State that fails to have an effective Appraiser or AMC Program.¹²⁹ The ASC may remove a State credentialed appraiser or a registered AMC from the Appraiser or AMC Registry on an interim basis, not to exceed 90 days, pending State agency action on licensing, certification, registration and disciplinary proceedings as an alternative to or in advance of a non-recognition proceeding.¹³⁰ In determining whether an Appraiser or AMC Program is effective, the ASC shall conduct an analysis as required by Title XI. An ASC Finding of Poor on the Compliance Review Report¹³¹ issued to a State at the conclusion of an ASC Compliance Review may trigger an analysis by the ASC for potential interim sanction(s). The following provisions apply to the exercise by the ASC of its authority to impose interim sanction(s) on State agencies.

B. Opportunity to be Heard or Correct Conditions

The ASC shall provide the State agency with:

1. written notice of intention to impose an interim sanction; and
2. opportunity to respond or to correct the conditions causing such notice to the State.

Notice and opportunity to respond or correct the conditions shall be in accordance with section C, *Procedures*.

C. Procedures

This section prescribes the ASC's procedures which will be followed in arriving at a decision by the ASC to impose an interim sanction against a State agency.

1. Notice

The ASC shall provide a written Notice of intention to impose an interim sanction (Notice) to the State agency. The Notice shall contain the ASC's analysis as required by Title XI of the State's licensing and certification of appraisers, the registration of AMCs, the issuance of temporary licenses and certifications for appraisers, the receiving and tracking of submitted complaints against appraisers and AMCs, the investigation of complaints, and enforcement actions against appraisers and AMCs.¹³² The ASC shall verify the State's date of receipt, and publish both the Notice and the State's date of receipt in the *Federal Register*.

2. State Agency Response

Within 15 days of receipt of the Notice, the State may submit a response to the ASC's Executive Director. Alternatively, a State may submit a Notice Not to Contest with the ASC's Executive Director. The filing of a Notice Not to Contest shall not constitute a waiver of the right to a judicial review of the ASC's decision, findings and conclusions. Failure to file a Response within 15 days shall constitute authorization for the ASC to find the facts to be as presented in the Notice and analysis. The ASC, for good cause shown, may permit the filing of a Response after the prescribed time.

3. Briefs, Memoranda and Statements

Within 45 days after the date of receipt by the State agency of the Notice as published in the *Federal Register*, the State agency may file with the ASC's Executive Director a written brief, memorandum or other statement providing factual data and policy and legal arguments regarding the matters set out in the Notice and analysis.

¹²⁹ Title XI § 1118 (a), 12 U.S.C. § 3347.

¹³⁰ *Id.*

¹³¹ See Appendix A—Compliance Review Process.

¹³² Title XI § 1118 (a), 12 U.S.C. § 3347.

4. Oral Presentations to the ASC

Within 45 days after the date of receipt by the State agency of the Notice as published in the *Federal Register*, the State may file a request with the ASC's Executive Director to make oral presentation to the ASC. If the State has filed a request for oral presentation, the matter shall be heard within 45 days. An oral presentation shall be considered as an opportunity to offer, emphasize and clarify the facts, policies and laws concerning the proceeding, and is not a Meeting¹³³ of the ASC. On the appropriate date and time, the State agency will make the oral presentation before the ASC. Any ASC member may ask pertinent questions relating to the content of the oral presentation. Oral presentations will not be recorded or otherwise transcribed. Summary notes will be taken by ASC staff and made part of the record on which the ASC shall decide the matter.

5. Conduct of Interim Sanction Proceedings

(a) Written Submissions

All aspects of the proceeding shall be conducted by written submissions, with the exception of oral presentations allowed under subsection 4 above.

(b) Disqualification

An ASC member who deems himself or herself disqualified may at any time withdraw. Upon receipt of a timely and sufficient affidavit of personal bias or disqualification of such member, the ASC will rule on the matter as a part of the record.

(c) Authority of ASC Chairperson

The Chairperson of the ASC, in consultation with other members of the ASC whenever appropriate, shall have complete charge of the proceeding and shall have the duty to conduct it in a fair and impartial manner and to take all necessary action to avoid delay in the disposition of proceedings.

(d) Rules of Evidence

Except as is otherwise set forth in this section, relevant material and reliable evidence that is not unduly repetitive is admissible to the fullest extent authorized by the Administrative Procedure Act (5 U.S.C. §§ 551-559) and other applicable law.

6. Decision of the ASC and Judicial Review

Within 90 days after the date of receipt by the State agency of the Notice as published in the *Federal Register*, or in the case of oral presentation having been granted, within 30 days after presentation, the ASC shall issue a final decision, findings and conclusions and shall publish the decision promptly in the *Federal Register*. The final decision shall be effective on issuance. The ASC's Executive Director shall ensure prompt circulation of the decision to the State agency. A final decision of the ASC is a prerequisite to seeking judicial review.

7. Computing Time

Time computation is based on business days. The date of the act, event or default from which the designated period of time begins to run is not included. The last day is included unless it is a Saturday, Sunday, or Federal holiday, in which case the period runs until the end of the next day which is not a Saturday, Sunday or Federal holiday.

8. Documents and Exhibits

Unless otherwise provided by statute, all documents, papers and exhibits filed in connection with any proceeding, other than those that may be withheld from disclosure under applicable law, shall be placed by the ASC's Executive Director in the proceeding's file and will be available for public inspection and copying.

9. Judicial Review

A decision of the ASC under this section shall be subject to judicial review. The form of proceeding for judicial review may include any applicable form of legal action, including actions for declaratory judgments or writs of prohibitory or mandatory injunction in a court of competent jurisdiction.¹³⁴

¹³³ The proceeding is more in the nature of a Briefing not subject to open meeting requirements. The presentation is an opportunity for the State to brief the ASC—to offer, emphasize and clarify the facts, policies and laws concerning the proceeding, and for the ASC members to ask questions. Additional consideration is given to the fact that this stage of the proceeding is pre-decisional.

¹³⁴ 5 U.S.C. § 703 - Form and venue of proceeding.

Appendix A

COMPLIANCE REVIEW PROCESS

The ASC monitors State Appraiser and AMC Programs for compliance with Title XI. The monitoring of State Programs is largely accomplished through on-site visits known as a Compliance Review (Review). A Review is conducted over a two- to four-day period, and is scheduled to coincide with a meeting of the Program’s decision-making body whenever possible. ASC staff reviews the Appraiser Program and the seven compliance areas addressed in Policy Statements 1 through 7. ASC staff reviews a participating State’s AMC Program and the three compliance areas addressed in Policy Statements 8 through 10. Sufficient documentation demonstrating compliance must be maintained by a State and made available for inspection during the Review. ASC staff reviews a sampling of documentation in each of the compliance areas. The sampling is intended to be representative of a State Program in its entirety.

Based on the Review, ASC staff provides the State with an ASC staff report for the Appraiser Program, and if applicable, an ASC staff report for the AMC Program, detailing preliminary findings. The State is given 60 days to respond to the ASC staff report(s). At the conclusion of the Review, a Compliance Review Report (Report) is issued to the State for the Appraiser Program, and if applicable, a Report is also issued for the AMC Program, with the ASC Finding on each Program’s overall compliance, or lack thereof, with Title XI. Deficiencies resulting in non-compliance in any of the compliance areas are cited in the Report. “Areas of Concern” which potentially expose a Program to compliance issues in the future are also addressed in the Report. The ASC’s final disposition is based upon the ASC staff report, the State’s response and staff’s recommendation.

The following chart provides an explanation of the ASC Findings and rating criteria for each ASC Finding category. The ASC Finding places particular emphasis on whether the State is maintaining an effective regulatory Program in compliance with Title XI.

The ASC has two primary Review Cycles: two-year and one-year. Most States are scheduled on a two-year Review Cycle. States may be moved to a one-year Review Cycle if the ASC determines more frequent on-site Reviews are needed to ensure that the State maintains an effective Program. Generally, States are placed on a one-year Review Cycle because of non-compliance issues or serious areas of concerns that warrant more frequent on-site visits. Both two-year and one-year Review Cycles include a review of all aspects of the State’s Program.

The ASC may conduct Follow-up Reviews and additional monitoring. A Follow-up Review focuses only on specific areas identified during the previous on-site Review. Follow-up Reviews usually occur within 6-12 months of the previous Review. In addition, as a risk management tool, ASC staff identifies State Programs that may have a significant impact on the nation’s appraiser regulatory system in the event of Title XI compliance issues. For States that represent a significant percentage of the credentials on the Appraiser Registry, ASC staff performs annual on-site Priority Contact visits. The primary purpose of the Priority Contact visit is to review topical issues, evaluate regulatory compliance issues, and maintain a close working relationship with the State. This is not a complete Review of the Program. The ASC will also schedule a Priority Contact visit for a State when a specific concern is identified that requires special attention. Additional monitoring may be required where a deficiency is identified and reports on required or agreed upon corrective actions are required monthly or quarterly. Additional monitoring may include on-site monitoring as well as off-site monitoring.

State Compliance Review Finding Descriptions

ASC FINDING	RATING CRITERIA	REVIEW CYCLE**
Excellent	<ul style="list-style-type: none"> • State meets all Title XI mandates and complies with requirements of ASC Policy Statements • State maintains a strong regulatory Program • Very low risk of Program failure 	2-year
Good	<ul style="list-style-type: none"> • State meets the majority of Title XI mandates and complies with the majority of ASC Policy Statement requirements • Deficiencies are minor in nature • State is adequately addressing deficiencies identified and correcting them in the normal course of business • State maintains an effective regulatory Program • Low risk of Program failure 	2-year
Needs Improvement	<ul style="list-style-type: none"> • State does not meet all Title XI mandates and does not comply with all requirements of ASC Policy Statements • Deficiencies are material but manageable and if not corrected in a timely manner pose a potential risk to the Program • State may have a history of repeated deficiencies but is showing progress toward correcting deficiencies • State regulatory Program needs improvement • Moderate risk of Program failure 	2-year with additional monitoring
Not Satisfactory	<ul style="list-style-type: none"> • State does not meet all Title XI mandates and does not comply with all requirements of ASC Policy Statements • Deficiencies present a significant risk and if not corrected in a timely manner pose a well-defined risk to the Program • State may have a history of repeated deficiencies and requires more supervision to ensure corrective actions are progressing • State regulatory Program has substantial deficiencies • Substantial risk of Program failure 	1-year
Poor¹³⁵	<ul style="list-style-type: none"> • State does not meet Title XI mandates and does not comply with requirements of ASC Policy Statements • Deficiencies are significant and severe, require immediate attention and if not corrected represent critical flaws in the Program • State may have a history of repeated deficiencies and may show a lack of willingness or ability to correct deficiencies • High risk of Program failure 	Continuous monitoring

* Program history or nature of deficiency may warrant a more accelerated Review Cycle.

¹³⁵ An ASC Finding of "Poor" may result in significant consequences to the State. See Policy Statement 5, *Reciprocity*; see also Policy Statement 12, *Interim Sanctions*.

Appendix B

GLOSSARY OF TERMS

Appraisal management company (AMC): Refers to, in connection with valuing properties collateralizing mortgage loans or mortgages incorporated into a securitization, any external third party authorized either by a creditor of a consumer credit transaction secured by a consumer’s principal dwelling or by an underwriter of or other principal in the secondary mortgage markets, that oversees a network or panel of more than 15 certified or licensed appraisers in a State or 25 or more nationally within a given year—

- a. to recruit, select, and retain appraisers;
- b. to contract with licensed and certified appraisers to perform appraisal assignments;
- c. to manage the process of having an appraisal performed, including providing administrative duties such as receiving appraisal orders and appraisal reports, submitting completed appraisal reports to creditors and underwriters, collecting fees from creditors and underwriters for services provided, and reimbursing appraisers for services performed; or
- d. to review and verify the work of appraisers.

AQB Criteria: Refers to the *Real Property Appraiser Qualification Criteria* as established by the Appraiser Qualifications Board of the Appraisal Foundation setting forth minimum education, experience and examination requirements for the licensure and certification of real property appraisers, and minimum requirements for “Trainee” and “Supervisory” appraisers.

Assignment: As referenced herein, for purposes of temporary practice, “assignment” means one or more real estate appraisals and written appraisal report(s) covered by a single contractual agreement.

Complaint: As referenced herein, any document filed with, received by, or serving as the basis for possible inquiry by the State agency regarding alleged violation of Title XI, Federal or State law or regulation, or USPAP by a credentialed appraiser or appraiser applicant, for allegations of unlicensed appraisal activity, or complaints involving AMCs. A complaint may be in the form of a referral, letter of inquiry, or other document alleging misconduct or wrongdoing.

Credentialed appraisers: Refers to State licensed, certified residential or certified general appraiser classifications.

Disciplinary action: As referenced herein, corrective or punitive action taken by or on behalf of a State agency which may be formal or informal, or may be consensual or involuntary, resulting in any of the following:

- a. revocation of credential or registration
- b. suspension of credential or registration
- c. written consent agreements, orders or reprimands
- d. probation or any other restriction on the use of a credential
- e. fine
- f. voluntary surrender¹³⁶
- g. other acts as defined by State statute or regulation as disciplinary

With the exception of voluntary surrender, suspension or revocation, such action may be exempt from reporting to the National Registry if defined by State statute, regulation or written policy as “non-disciplinary.”

Federally related transaction: Refers to any real estate related financial transaction which:

- a. a federal financial institutions regulatory agency engages in, contracts for, or regulates; and
- b. requires the services of an appraiser. (See Title XI § 1121 (4), 12 U.S.C. § 3350.)

¹³⁶ A voluntary surrender that is not deemed disciplinary by State law or regulation, or is not related to any disciplinary process need not be reported as discipline provided the individual’s Appraiser Registry record is updated to show the credential is inactive.

Federal financial institutions regulatory agencies: Refers to the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, and the National Credit Union Administration. (See Title XI § 1121 (6), 12 U.S.C. § 3350.)

Home State agency: As referenced herein, State agency or agencies that grant an appraiser a licensed or certified credential. Residency in the home State is not required. Appraisers may have more than one home State agency.

Non- federally recognized credentials or designations: Refers to any State appraiser credential or designation other than trainee, State licensed, certified residential or certified general classifications as defined in Policy Statement 1, and which is not recognized by Title XI.

Real estate related financial transaction: Any transaction involving:

- a. the sale, lease, purchase, investment in or exchange of real property, including interests in property, or the financing thereof;
- b. the refinancing of real property or interests in real property; and
- c. the use of real property or interests in property as security for a loan or investment, including mortgage-backed securities.

(See Title XI § 1121 (5), 12 U.S.C. 3350.)

State: Any State, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, and the United States Virgin Islands. (American Samoa does not have a Program.)

State board: As referenced herein, “State board” means a group of individuals (usually appraisers, AMC representatives, bankers, consumers, and/or real estate professionals) appointed by the Governor or a similarly positioned State official to assist or oversee State Programs. A State agency may be headed by a board, commission or an individual.

Uniform Standards of Professional Appraisal Practice (USPAP): Refers to appraisal standards promulgated by the Appraisal Standards Board of the Appraisal Foundation establishing minimum requirements for development and reporting of appraisals, including real property appraisal. Title XI requires appraisals prepared by State certified and licensed appraisers to be performed in conformance with USPAP.

Well-documented: Means that States obtain and maintain sufficient relevant documentation pertaining to a matter so as to enable understanding of the facts and determinations in the matter and the reasons for those determinations.

This page intentionally left blank.

Appraisal Subcommittee of the Federal Financial Institutions Examination Council
1325 G Street, NW
Suite 500
Washington, DC 20005
202-289-2735
<https://www.asc.gov>



Welcome

Search

- Home
- Resources For ▶
- About the ASC ▶
- Resources and Records ▶
- National Registries ▶
- Legal Framework ▶
- State Appraiser Regulatory Programs ▶
- Frequently Asked Questions
- About this Site ▶
- Appraisal Complaint National Hotline
- Advisory Committee ▶
- Board Members ▶
- Temporary Waiver Requests ▶
- ASC Grants ▶

[Home](#) > View whats new

ASC Quarterly Meeting - September 14, 2022

Wednesday June 08, 2022

The next ASC Quarterly Meeting is scheduled for Wednesday, September 14, 2022 at 10:00 a.m. ET. The Meeting agenda and location information will be posted here approximately two weeks before the Meeting.

Persons wishing to address the ASC members at a regular meeting may submit a request to the Chairman no less than 2 weeks in advance of a regular meeting date detailing the nature of the request. Such participation by public attendees is entirely at the Chairman's discretion, and if granted, is subject to time limitation as specified by the Chairman.



Welcome

Search

- Home
- Resources For ▶
- About the ASC ▶
- Resources and Records ▶
- National Registries ▶
- Legal Framework ▶
- State Appraiser Regulatory Programs ▶
- Frequently Asked Questions
- About this Site ▶
- Appraisal Complaint National Hotline
- Advisory Committee ▶
- Board Members ▶
- Temporary Waiver Requests ▶
- ASC Grants ▶

[Home](#) > View whats new

Request for Information for Data Development - due date June 24, 2022

Wednesday June 08, 2022

The Council on Licensure, Enforcement & Regulation (CLEAR) is requesting input from businesses and governmental agencies interested in providing data that will support CLEAR's study of appraiser supply and appraiser diversity issues, as described in this [Request for Information](#).

Informational meetings will be held via Zoom to answer any questions that respondents may have. These meetings will take place on Friday, June 10th at 1:00 p.m. ET and Tuesday, June 21st at 3:00 p.m. ET. Prospective respondents are welcome to attend either or both of these meetings. Please email David Byerman at dbyerman@clearhq.org for an invitation to the informational meetings.

**APPRAISAL SUBCOMMITTEE
QUARTERLY MEETING MINUTES
MARCH 9, 2022**

LOCATION: Zoom Conference

ATTENDEES

ASC MEMBERS: CFPB – Rohit Chopra/John Schroeder
FDIC – John Jilovec
FHFA – Julie Giesbrecht
FRB – Keith Coughlin
HUD – Brian Barnes
NCUA – Tim Segerson (Chair)
OCC – Enice Thomas

ASC STAFF: Executive Director – Jim Park
Deputy Executive Director – Denise Graves
General Counsel – Alice Ritter
Grants Director – Mark Abbott
Financial Manager – Girard Hull
Attorney-Advisor – Ada Bohorfoush
Management and Program Analyst – Lori Schuster
Administrative Officer – Brian Kelly
Regulatory Affairs Specialist – Maria Brown
Policy Manager – Claire Brooks
Policy Manager – Neal Fenochietti
Policy Manager – Jenny Tidwell

PRESENTER: Maureen Yap – National Fair Housing Alliance (NFHA)

OBSERVERS: See attached list.

The Meeting was called to order at 10:00 a.m. by Chair T. Segerson.

REPORTS

• **Chairman**

T. Segerson thanked observers for attending. He introduced new ASC member, CFPB Director Rohit Chopra and new NCUA alternate member JeanMarie Komyathy. R. Chopra said that he looks forward to working with the ASC members and staff. He thanked J. Schroeder for serving as the CFPB representative on the ASC and noted that J. Schroeder will stay on as the CFPB alternate member. (Following remarks, R. Chopra left the meeting.) T. Segerson added that there has been much attention recently on appraisal bias. Efforts are in process to reform the industry while listening to the concerns of appraisers.

- **Executive Director**

J. Park updated the ASC on recent staff activity as noted below.

- State Off-Site Assessments (SOA) will continue through 2022 with on-site Compliance Reviews resuming in 2023. SOAs have been performed on approximately 50% of States/Territories since mid-2020.
- The Task Force on Property Appraisal and Valuation Equity (PAVE) is finalizing its recommendations. The recommendations are tentatively scheduled for delivery to the President and public release on March 10th.

- **Grants Director**

M. Abbott provided an update of the grants program since the December 8, 2021 ASC Meeting.

- Three new grants have been approved thus far in 2022 for Connecticut, Montana and Vermont. Nine States with existing grants have submitted applications requesting funding for Year Two: Arizona, Illinois, Kentucky, Louisiana, Minnesota, Mississippi, South Dakota, Texas, and Utah. Due to COVID restrictions and staffing issues, three of those States (Minnesota, South Dakota and Utah) were not able to implement or fully implement their grants. They have elected to extend their initial grant for an additional year.
- As of the close of Fiscal Year 2021 (FY21) on September 30th, State grantees reported spending 48% of their Year One grants. Most States have elected to use unexpended funds to increase their programming in Year Two.
- Grant proposals received from Puerto Rico and South Carolina are being reviewed by ASC staff.
- ASC staff is working on a risk assessment to help set up an audit schedule starting later in 2022.
- The Council on Licensure, Enforcement and Regulation (CLEAR) is ten months into its first year of programming under the FY21 Cooperative Agreement. CLEAR successfully managed the review of the *Uniform Standards of Professional Appraisal Practice* (USPAP) and the *AQB Real Property Appraiser Qualification Criteria* through its contract with the NFHA. CLEAR also finalized the development of the Policy Statements and Appraisal Regulation Training Course that is scheduled to take place on May 12th prior to the Association of Appraiser Regulatory Officials Spring Conference in San Antonio, TX. This course will be offered to State Regulators. Other courses are in development. Course offerings will include training for new State board members, new courses for investigators and implicit bias training for State Regulators. CLEAR is also working on the Appraiser Census/Survey project

approved by the ASC last year. ASC staff anticipates adding an additional \$430,000 to the award which has already been budgeted to support these activities.

J. Jilovec asked for an update on the Appraiser Census/Survey. J. Park and D. Byerman responded that additional information will be available at the next ASC Quarterly Meeting on June 8th.

- **Financial Manager**

G. Hull reported that the FY21 financial audit is being finalized. The final audit report will be distributed to ASC members and included in the 2021 ASC Annual Report. He reported on activity in the first quarter of FY22. As of December 31, 2021, total revenue was \$3.5M representing a 55% increase over the FY22 budgeted amount of \$2.3M for the 1st quarter. Expenditures for the same period totaled \$2M representing 90% of the budgeted amount of \$2.3M. T. Segerson asked for clarification on revenue and whether this is cyclical. G. Hull responded that several States have renewals in December and he felt the increase was cyclical.

ACTION ITEMS

- **December 8, 2021 Open Session Special Minutes**

J. Schroeder made a motion to approve the December 8th open session special meeting minutes as presented. J. Jilovec seconded and all members present voted to approve.

- **Selection of Vice Chair**

T. Segerson said that the FFIEC will appoint a new ASC Chair later this month. He asked to table this item until the next ASC Meeting. E. Thomas made a motion to table selection of a Vice Chair. K. Coughlin seconded and all members present voted to approve.

- **Amendment to FY22 ASC Budget**

J. Park reported that due to increasing workloads, ASC staff is recommending hiring an additional Attorney Advisor. If approved, a start date in early June is anticipated. The position will be budgeted for the last four months of FY22 and will increase the budget by approximately \$79,000. He added that ASC staff is developing a reorganization plan as well. There were no questions or comments from ASC members. K. Coughlin made a motion to approve the request to hire an additional Attorney Advisor. E. Thomas seconded and all members present voted to approve.

- **7-Hour National USPAP Update Course**

J. Park introduced M. Yap, Senior Counsel with NFHA, who provided a presentation to ASC members and meeting attendees. The focus of her presentation was regarding the 7-Hour National USPAP Update Course. NFHA recommends that the Appraisal Standards Board (ASB) revise the course with the participation of fair housing experts to ensure the training is comprehensive and contains important elements needed to educate professionals on complying with the letter and spirit of applicable federal, state, and local fair housing laws. NFHA suggested that the course should clearly identify fact patterns that represent illegal discrimination and avoiding harm to consumers rather than raising questions about perception and reputational risk for appraisers. Advisory Opinion 16 (AO16) should also be amended regarding its discussion of fair housing laws. The course inaccurately focuses on intentional bias and unintentional bias rather than disparate treatment and disparate impact. The definitions and commentary also require revision to explain what constitutes disparate treatment and disparate impact and how appraisers can comply with legal requirements and follow best practices. T. Segerson agreed that the course should be amended and thanked NFHA for its work. He suggested that the ASC send a letter addressed to the Chairs of the Appraisal Foundation (TAF) Board of Trustees, the Appraiser Qualifications Board (AQB) and the ASB requesting that the 7-Hour National USPAP Update Course be revised. Those appraisers who have already taken the course should be provided with remedial material. Michelle Bradley, ASB Chair, was present and was approved to provide comments. She stated that she was not told in advance what would be presented today so her comments would be restricted to the findings in NFHA's Report. She noted that the course covers USPAP and is not a fair housing course. While TAF supports fair housing training for appraisers, the 7-hour National USPAP Update Course is not the appropriate course for this. The course objective is for appraisers to understand USPAP. TAF is willing to work with course providers to develop courses that cover fair housing laws. She added that TAF contacted NFHA last month to get a better understanding of what NFHA recommended and TAF welcomes the opportunity to work with NFHA on the development of these courses. She noted that AO16 is available for free on TAF's website. TAF is also designing a new page on its website to include materials on fair housing. She welcomed input from NFHA and the ASC. She hopes to be responsive and transparent in her role as ASB Chair. J. Park thanked M. Yap and M. Bradley for their presentation and comments. He said that the ASC is willing to work with the ASB. Based on issues raised in NFHA's Report, he is concerned that the 7-hour National USPAP Update Course that is currently on the market is harmful to appraisers, and suggested that this course be removed from the market immediately and revised to prevent further harm. He added that USPAP's Ethics Rule should also be revised. TAF should also describe how remedial information will be distributed to those who have already taken the course. J. Schroeder expressed appreciation to M. Yap and M. Bradley. He noted that it is not possible to separate USPAP from the law. USPAP and fair housing law wording should be consistent. The wording in the current course is confusing and may harm appraisers. T. Segerson added that appraisers should operate within fair housing laws. M. Bradley added that TAF sent a letter to federal agencies regarding preliminary changes to the Ethics Rule. As written, the Ethics Rule is unclear to those outside of the appraisal profession. TAF also met with members of the Appraisal Foundation Advisory Council,

USPAP instructors and other stakeholders to clarify the Ethics Rule. The ASB will use this research to prepare a Third Exposure Draft on revisions to AO16. The ASB is collaborating with a fair housing attorney/expert. She expects there will be collaboration with NFHA and other fair housing entities as well. J. Schroeder made a motion that the ASC send a letter to the Chairs of the TAF Board of Trustees, AQB and ASB requesting that the 7-Hour National USPAP Update Course be revised and that remedial information on fair housing law be sent to those who have already taken the course. E. Thomas seconded and all members present voted to approve.

The Open Session adjourned at 10:55 a.m. The next quarterly ASC Meeting is scheduled for June 8, 2022.

Attachment: Observer list

Meeting:	Appraisal Subcommittee Meeting	Meeting Date:	March 9, 2022
Time:	10:00 AM ET	Location:	Zoom Meeting

OBSERVERS	
Affiliation	Name
Appraisal Foundation	JoEllen Alberts
Appraisal Foundation	David Bunton
Appraisal Foundation	Kelly Davids
Appraisal Foundation	Lisa Desmarais
Appraisal Foundation	Edna Nkemngu
Appraisal Foundation	Amy Timmerman
Appraisal Foundation Board of Trustees	Jeremy Gray
Appraisal Foundation Board of Trustees	Tracy Johnston
Appraisal Foundation Board of Trustees	Randall Kopfer
Appraisal Institute	Brendan Donnelly
Appraisal Institute	Brian Rodgers
Appraisal Standards Board	Melissa Bond
Appraisal Standards Board	Michelle Bradley
Appraiser Qualifications Board	John Ryan
Appraiser Qualifications Board	Shawn Telford
Appraiser Qualifications Board	Donna VanderVries
Appraiser Qualifications Board	Jerry Yurek
Arkansas Appraiser Licensing & Certification Board	Diana Piechocki

Clear Capital	Dave Cherner
Colibri Group	Jo Traut
Conference of State Bank Supervisors	Daniel Berkland
Consumer Financial Protection Bureau	Deana Krumhansl
Consumer Financial Protection Bureau	Tim Lambert
Consumer Financial Protection Bureau	Orlando Orellano
Consumer Financial Protection Bureau	David Ueijo
Council on Licensure, Enforcement & Regulation	David Byerman
CRE Homes	Wallace Czekalski
DiSanto Appraisals	Carol DiSanto
District of Columbia Government	Andrew Sullivan
Federal Deposit Insurance Corporation	Richard Foley
Federal Deposit Insurance Corporation	Tom Lyons
Federal Deposit Insurance Corporation	Patrick Mancoske
Federal Deposit Insurance Corporation	Mark Mellon
Federal Deposit Insurance Corporation	Lauren Whitaker
Federal Financial Institutions Examination Council	Kaelin Browne
Federal Financial Institutions Examination Council	Rosanna Piccirilli
Federal Housing Finance Agency	Sara Todd
Federal Reserve Board	Carmen Holly
Federal Reserve Board	David Imhoff
Federal Reserve Board	Devyn Jeffereis

Federal Reserve Board	Keshia King
Federal Reserve Board	Matthew McQueeney
Federal Reserve Board	Derald Seid
Federal Reserve Board	Matthew Suntag
Federal Reserve Board	Suzanne Williams
HomeSight	Peter Gallo
Massachusetts Board of Real Estate Appraisers	Steve Sousa
McKissock	Dan Bradley
National Credit Union Administration	Rachel Ackmann
National Credit Union Administration	Gira Bose
National Credit Union Administration	JeanMarie Komyathy
National Credit Union Administration	Lisa Roberson
Office of the Comptroller of the Currency	Kevin Lawton
Office of the Comptroller of the Currency	Joanne Phillips
Office of the Comptroller of the Currency	James Rives
Office of the Comptroller of the Currency	Marta Stewart-Bates
Real Estate Valuation Advocacy Association	Mark Schiffman
Realist Appraisal Services	Eric Morse
Upstate Appraisals	Rebecca Jones
Wagar Appraisals	Marty Wagar
Wells Fargo	Maggie Vasquez
Woodland Appraisal Group	Louis Pitoni

	Beth Graham
--	-------------

Kohtz, Tyler

From: Dave Bunton <news@appraisalfoundation.org>
Sent: Wednesday, June 1, 2022 8:51 AM
To: Kohtz, Tyler
Subject: JUNE NEWSLETTER: Our newest trustees

NEWSLETTER



Dear Tyler,

At the end of April, the Board of Trustees met in San Diego, California, for their first in-person meeting since 2019.

For many of our trustees, this was the first in-person meeting they had the opportunity to attend, and it was the first time that public interviews for new trustees were able to be held in front of a live audience in three years.

This year's trustee nominating process implemented recommendations from the Task Force on Board Diversity to continue to improve the board application and interview process.

I am pleased to say that these changes resulted in the most diverse pool of trustee candidates the Foundation has ever seen, and the Board of Trustees will continue to implement improvements to the trustee nominating process aimed at promoting diversity, equity and inclusion within The Appraisal Foundation.

After careful consideration, the Board of Trustees named [Jillian White](#) and [Meredith Meuwly](#) (*pictured below*) as the newest trustees. They will begin their three-year terms in January 2023.

Please join me in welcoming Jillian and Meredith to the Board of Trustees!

Sincerely,

Dave Bunton
President

In This Newsletter

**From the President's Desk:
Our newest trustees**

Updates from the AQB

Appraiser Talk

Contact Us

T 202-347-7722

info@appraisalfoundation.org

www.appraisalfoundation.org

Follow Us



Share this Newsletter

Click [here](#) to get a shareable link of this month's newsletter to share on social media.



Updates from the AQB

The AQB held its most recent public meeting on May 19th. You can click [here](#) to watch the meeting until June 17th.

University of Central Florida and University of Missouri, Kansas City are the latest schools to have approved degrees through the Real Estate Degree Review Program. Click [here](#) to see the full list of schools.

Appraiser Talk

The Appraisal Foundation's podcast Appraiser Talk releases it's newest episode every Monday.

You can check out a full list of published podcasts and listen to each episode [here](#). Click [here](#) to sign up to receive a notification each time a new episode is published.

You can subscribe to Appraiser Talk on Spotify, Apple Podcasts or wherever you get your podcasts. If you have a question you'd like to hear answered on the show, email it to Amy Timmerman at amy@appraisalfoundation.org.

About The Appraisal Foundation

The Appraisal Foundation is the nation's foremost authority on the valuation profession. The organization sets the Congressionally authorized standards and qualifications for real estate appraisers, and provides voluntary guidance on recognized valuation methods and techniques for all valuation professionals. This work advances the profession by ensuring appraisals are independent, consistent, and objective. More information on The Appraisal Foundation is available at www.appraisalfoundation.org.

[Unsubscribe](#)

This message was sent to tyler.kohtz@nebraska.gov from news@appraisalfoundation.org

Dave Bunton
The Appraisal Foundation

From: Dave Bunton <news@appraisalfoundation.org>
Sent: Monday, June 6, 2022 2:54 PM
To: Kohtz, Tyler
Subject: Annual Call for Applicants is Now Open!



Call for Applicants

**The Appraisal Foundation Seeks Candidates for
the Appraiser Qualifications Board and the Appraisal Standards Board**

Application Deadline is August 1, 2022

The Appraisal Foundation has begun its annual search for qualified candidates to serve on the Appraiser Qualifications Board (AQB) and the Appraisal Standards Board (ASB).

Background and Qualifications:

The Appraiser Qualifications Board (AQB) is responsible for establishing the minimum education, experience, and examination qualification criteria for real estate appraisers to obtain a license or certification. Also, the AQB sets the minimum requirements for real estate appraisers to maintain their state credential. The AQB also establishes minimum requirements for personal property appraisers, and adherence to the personal property criteria is mandatory for Foundation Sponsors who confer personal property appraiser designations. Proficient understanding of appraiser qualifications and of the minimum knowledge, skills, and abilities needed by those entering the profession is a prerequisite of service on the AQB.

The Appraisal Standards Board (ASB) is charged with developing, interpreting, and amending the *Uniform Standards of Professional Appraisal Practice* (USPAP). Demonstrated proficiency in USPAP is a prerequisite of service on the ASB.

The AQB and ASB each hold in-person two-day work sessions twice a year, with additional work sessions held virtually as needs arise. The meetings

are typically held in Washington, DC, but, at times, are held in other locations in conjunction with meetings of Foundation stakeholders. The Boards also hold half-day virtual public meetings two to three times per year and monthly two-to-three-hour conference calls.

Individuals serving on the Boards are compensated for their time and are reimbursed for travel expenses. Those individuals selected for a position on the AQB or ASB will serve initial terms of one to three years commencing January 1, 2023.

How to Apply:

Click [here](#) to complete the online application or visit www.appraisalfoundation.org. Go to the [About Us](#) tab > [Get Involved](#) section to complete an online application.

Questions or More Information?

If you have questions, please feel free to contact Arika Cole at: arika@appraisalfoundation.org or via phone at 202-624-3072.



About The Appraisal Foundation

The Appraisal Foundation is the nation's foremost authority on the valuation profession. The organization sets the Congressionally-authorized standards and qualifications for real estate appraisers, and provides voluntary guidance on recognized valuation methods and techniques for all valuation professionals. This work advances the profession by ensuring appraisals are independent, consistent, and objective. More information on The Appraisal Foundation is available at www.appraisalfoundation.org.

[Unsubscribe](#)

This message was sent to tyler.kohtz@nebraska.gov from news@appraisalfoundation.org

Dave Bunton
The Appraisal Foundation
1155 15th Street NW STE 1111
Washington, DC 20005

Table of Contents

What is the role of the Mentor?	2
What are the required qualifications of a program Mentor?	3
How do Mentor requirements compare to the Supervisor requirements?	3
Does a Mentor provide significant real property appraisal assistance to the PAREA participants?.....	3
For the appraisal reports the PAREA participant will produce, must there be an actual subject property located in the state in which the participant plans to submit an application for a credential?	4
Is a Mentor required to act as a reviewer, as defined in USPAP, for the appraisal reports the participant produces in a PAREA program?	4
How do the appraisal reports completed in PAREA compare to an appraisal report prepared for a lender client, for example?	4
Is the only way to “ensure program participants produce appraisal reports that comply with USPAP” to have them reviewed by a certified appraiser whose credential is valid in the state the PAREA applicant plans to apply to become an appraiser?	5
Will a Mentor sign the appraisal reports?	5
Does a Mentor have to complete a Supervisory course?.....	5
Will the credentialing candidate be required to submit appraisal reports to the state regulatory board for review?	5
What can a state do if they want to see more evidence of a credentialing candidate's work?	6
Does a mentor need to be a USPAP instructor?.....	6

What is the role of the Mentor?

The role of the Mentor is to provide guidance and counseling as the program participant performs specific tasks. For example, the required tasks the Mentor will perform for the Licensed Residential Classification are as follows:

- **For Problem identification:**
 - Ensure the problem identification process was performed properly leading to an appropriate scope of work
- **For the Inspection Process:**
 - Ensure all elements of the inspection process have been performed properly, including neighborhood, site, and improvements
- **For Problem identification:**
 - Review research performed to evaluate suitability and that the quantity of information will be satisfactory for later development and analysis.
- **For Market Analysis and Highest and Best Use:**
 - Ensure key analytical issues related to market conditions and highest and best use are effectively addressed.
- **For Sales Analysis:**
 - Ensure all necessary steps in highest and best use analyses and market analysis were performed properly.
- **For Sales Analysis:**
 - Review data source material to ensure sufficient information has been identified for further application
- **For Valuation Approaches and Techniques**
 - Ensure all approaches to value were adequately considered and completed in supportable fashion (including cost and/or income approaches if performed)
- **For Final Reconciliation:**
 - Ensure final reconciliation was performed properly and determine appropriate reporting.
- **For Appraisal Report Development and Delivery:**
 - Ensure the key components of an appraisal report and report formats are appropriate for assignment(s)
- **For the Communication of Assignment Results:**
 - Ensure understanding of effective appraisal report presentation and required content.
 - Ensure compliance with Standards Rule 2-2.

Mentors will also ensure, by approving the work of individual program participants, that all required components of PAREA training have been successfully completed.

A Mentor is serving in the same capacity as an **advisor**: someone who directly interacts with the participant at various times, to ensure the participant is completing the assigned

work correctly. The assigned work can consist of exercises, examples, simulations, case studies and applications as are appropriate to create the practical experience to be gained by the program participant.

Note: A Mentor is not required to perform a Standard 3 and 4 review of any appraisal reports produced by the PAREA participant.

What are the required qualifications of a program Mentor?

A PAREA Program Mentor must meet or exceed the following qualifications:

- A Mentor shall be a state-certified appraiser.
- A Mentor shall be in “good standing” for a period of at least three (3) years prior to being eligible to become a Mentor.
- A Mentor shall not have been subject to any disciplinary action (within any jurisdiction) within the last three (3) years that affected the Mentor’s eligibility to engage in appraisal practice, or to act as a Supervisory Appraiser.
 - A Mentor subject to a disciplinary action would be considered to be in “good standing” three (3) years after the successful completion/termination of the imposed sanction.

How do Mentor requirements compare to the Supervisor requirements?

A Supervisor Appraiser must meet all the above requirements noted for a Mentor, and other requirements. While the Mentor requirements are fewer in number than the Supervisory requirements, the additional requirements for a Supervisory Appraiser relate to circumstances that **do not exist** in the PAREA content requirements, such as experience logs, the limit on the number of trainees the Supervisory Appraiser can have, etc.

Does a Mentor provide significant real property appraisal assistance to the PAREA participants?

No. To meet the minimum requirements of PAREA, the program participant, not the Mentor, must successfully complete all of the exercises, case studies, etc. Therefore, the Mentor would not be providing significant real property appraisal assistance to the participant.

For the appraisal reports the PAREA participant will produce, must there be an actual subject property located in the state in which the participant plans to submit an application for a credential?

No. While there is no restriction in the *Criteria* prohibiting a PAREA program from including subject properties that physically exist, having such subject properties exceeds the minimum requirements to meet the goals of a PAREA program. For a participant to become minimally qualified, there is no need for a PAREA program to have actual subject properties, and certainly not to have subject properties specifically located in each state that accepts PAREA for experience requirements.

Is a Mentor required to act as a reviewer, as defined in USPAP, for the appraisal reports the participant produces in a PAREA program?

No. The *Criteria* does not require a Mentor to perform an appraisal review, as defined in USPAP, of any reports completed by the PAREA program participant.

Section VI.5 (page number 14 of the *Criteria*) states in part:

*To qualify as creditable experience, AQB-approved PAREA programs shall **ensure** program participants produce appraisal reports that comply with USPAP {bold and underline added for emphasis}...*

Thus, the *Criteria* neither mandates who will ensure the appraisal reports comply with USPAP, nor the specific steps to follow to ensure such compliance. Therefore, a mentor and person(s) who ascertain the appraisal reports are USPAP compliant, are not necessarily the same given the two roles are unique.

How do the appraisal reports completed in PAREA compare to an appraisal report prepared for a lender client, for example?

The appraisal reports a PAREA participant produces are substantively similar to demonstration appraisal reports. The appraisal reports have no business purpose, rather, they are intended to demonstrate the participant's knowledge and mastery of the PAREA required content.

Is the only way to “ensure program participants produce appraisal reports that comply with USPAP” to have them reviewed by a certified appraiser whose credential is valid in the state the PAREA applicant plans to apply to become an appraiser?

No. The *Criteria* does not require the appraisal reports produced by the PAREA participant to undergo a USPAP Standard 3 and 4 review, nor does the *Criteria* require the reports undergo an appraisal review (as defined by USPAP). The *Criteria* allows the PAREA provider to determine the best way to ensure the appraisal reports produced by the participant comply with USPAP.

Will a Mentor sign the appraisal reports?

No, this is not a requirement of the PAREA program. A USPAP compliant appraisal report only requires the appraiser (and in the case of PAREA, the appraiser is the PAREA program participant) to sign a certification. Mentors are not completing the PAREA program and thus, not producing appraisal reports.

Does a Mentor have to complete a Supervisory course?

No. A PAREA Mentor is not required to complete the Supervisory Appraiser/Trainee Appraiser Course.

Will the credentialing candidate be required to submit appraisal reports to the state regulatory board for review?

No. The participant will receive a certificate indicating successful completion of a PAREA program.

The PAREA participant must produce the required three minimum appraisal reports. Since these appraisal reports are completed while the participant is engaged in the program, the *Criteria* does not require retention or sharing of these reports with any party outside of the PAREA program provider.

While the *Criteria* does not require submission of appraisal reports to entities external to the PAREA providers, the Policy Statements of the Appraisal Subcommittee may have

more specificity. The [Policy Statements](#) are created and enforced by the Appraisal Subcommittee and are not subject to the jurisdiction of the AQB. Please contact the [Appraisal Subcommittee](#) directly for more information.

What can a state do if they want to see more evidence of a credentialing candidate's work?

There is no need for additional evidence of experience. Successful completion of a PAREA program ensures the graduate has acquired the experience to be minimally qualified. AQB approves PAREA programs.

Does a mentor need to be a USPAP instructor?

No, this is not a requirement of the PAREA program.

Quarterly Update

February 2022

- February 1, 2022:** The Appraisal Foundation opened the application process for the Board of Trustees. The Trustee Nominating Committee is now accepting applications to fill three at-large positions. These three-year terms will begin on January 1, 2023. If you are interested, we hope you will consider applying or sharing this application with any potential candidates who you think would be a good fit to serve on our Board of Trustees. [Applications are due on March 1, 2022.](#)
- February 1, 2022:** The Second Exposure Draft of proposed changes to the 2023 USPAP is now available. Click [here](#) to view the exposure draft. [Public comments](#) were accepted until February 6th.
- February 1, 2022:** The AQB has released five new Q&As covering 1) The Appraisal Experience Log and Successful Completion of a PAREA Program, 2) Completing An Appraisal Without a Client (for Experience Credit); 3) Hybrid Course Offerings; 4) PAREA & Geographical Competency; 5) Verifying Qualifying Education after the Successful Completion of a PAREA Program
- [Click here](#) to access these new Q&As.
- February 15, 2022:** Advisory Opinion No. 16 involving Fair Housing Laws and Appraisal Report Content was [released](#).
- February 17, 2022:** The ASB [held](#) a public meeting to discuss the Second Exposure Draft.
- February 22, 2022:** NAA Acquires the Appraisal Summit. The National Association of Appraisers (NAA) has acquired the Appraisal Summit from CoreLogic. The Summit was founded by the Columbia Institute (now operating as a CoreLogic entity) in 2009. The next conference is scheduled for September 24-27, 2022 at Planet Hollywood in Las Vegas.
- February 23, 2022:** National Association of Realtors (NAR) releases [report](#) about race and home buying in the United States.
- February 25, 2022:** The Appraisal Foundation sent a [letter](#) to address a bias and discrimination concern expressed by US Representatives.

March 2022

- March 1, 2022:** The ASB [announced](#) a comprehensive review of the Ethic Rule.
- March 1, 2022:** Congresswoman Maxine Waters urges federal investigation of appraisals. In a letter to HUD Secretary Marcia Fudge, the Appraisal Subcommittee, The Appraisal Foundation, and the Appraisal Institute, she urged a federal investigation involving bias and discrimination.

- March 21, 2022:** FHFA [reports](#) home appreciation price highest in 45 years.
- March 23, 2022:** The PAVE (Property Appraisal and Valuation Equity) taskforce [releases](#) its report.
- March 23, 2022:** NAR [reports](#) that the gap between black and white homeownership is growing.
- March 23, 2022:** CoreLogic [reports](#) that delinquent mortgage rates are dropping.
- March 24, 2022:** The US Senate holds [hearing](#) to discuss release of the PAVE report
- March 28, 2022:** Fannie Mae [releases](#) FAQs involving desktop appraisals.
- March 29, 2022:** The House Financial Services Committee held a hearing entitled Devalued, Denied, and Disrespected: How Home Appraisal Bias and Discrimination Are Hurting Homeowners and Communities of Color
<https://financialservices.house.gov/events/eventsingle.aspx?EventID=409150>
- March 30, 2022:** The Appraisal Foundation welcomed back their partnership with the Appraisal Institute.

April 2022

- April 1, 2022:** The AQB has [released](#) new Practical Applications of Real Estate Appraisal (PAREA) matrices for potential PAREA providers.
- April 19, 2022:** Fannie Mae exec [comments](#) on fair home value processes.
- April 20, 2022:** Update on PAREA – there are currently no approved PAREA programs. To help bring PAREA to market, The Appraisal Foundation awarded a conditional grant to the Appraisal Institute to support the building of their AIPAREA program, which they hope to launch by September 2023.
- Our informal tracking shows that **32 states** have adopted PAREA either fully, partially, or by reference in their laws.

May 2022

- May 2, 2022:** The Appraisal Foundation [provided](#) an update on how they are working to root out bias and discrimination in the industry.
- May 12, 2022:** Pstar Training held it's first training in advance of the AARO Conference.
- May 12, 2022-
May 15, 2022** AARO held its spring annual conference in San Antonio, Texas.
- May 16, 2022:** CFPB [issues](#) its annual report on the CFPB's lending activities for 2021. The report highlights enforcement actions, amicus briefs, rulemaking procedures, and outreach and engagement.

Friday, May 13:

Jim Parks, Dave Bunton, Michelle Bradley and Brad Sweeney gave the attendees an Appraisal Subcommittee and Appraisal Foundation Updates.

Melody Taylor spoke to attendees about Fair Housing and the PAVE Action Plan.

Lyle Radke presented on updates from Fannie Mae.



Saturday, May 14:

JoEllen Alberts, Aida Dedajic, and Lisa Demarais were panelists on a roundtable discussing the Course Approval Program (CAP) – New Mechanisms for Delivery Mechanism Approval.

John Brenan, Dave Cherner, and Jacqueline Olson were panelists during roundtables discussing the PAVE Report – What it means and what’s next.

Steve McCaleb and Anne Petit were panelists discussing Board Member, Staff, and Contractor Complaints.

Breakout Sessions were held involving Executive Directors & Administrators, Attorneys, Affiliate & Profession Organizations, Appraisal Management Companies, Board Members, and Investigators.

Sunday, May 15:

Luke Tomaszewski spoke on Data Security.

Peter Fontana, Michele Peterson-Cook, and Tony Pistilli spoke about Appraisal “Ghosting,” the Public Trust, and State Regulators.

Lisa Desmarais, Craig Steinley, and Tom Veit spoke about the P’s of PAREA: Programs, Policy Statements, and Procedures.

Claire Brooks and Diana Piechocki presented on ASC Compliance Review on AMC Programs.

AARO Attendee Interviews

Fran Oreto spoke with four attendees of the conference – their interviews are below.

Shannon Drawns



This was Shannon’s first time attending an AARO conference. Shannon works as the Enforcement Chief for the Ohio Real Estate Appraisal Board. Shannon’s division investigates seven program areas, including appraisers. She enjoys the experience and interactions with the diverse programs and people associated with her position.

Shannon stated that she crosses between an introvert and an extrovert and grew up in Alabama on the coast. She is a “Sports Fan” and her favorite city to visit would be New Orleans.

Shannon found the AARO conference to be informative and enjoyed the brainstorming of some of the sessions as well as the ability to meet new people in the industry and network with the attendees.

Angela G. Jemmott



This was the first AARO Conference Angela has attended. She is a recent Governor Appointee as Bureau Chief of the California Bureau of Real Estate Appraisers. This is a new chapter for Angela, after having served for the State of California in the disability access space for over 10 years.

Angela was excited to attend the conference and enjoyed meeting many new people of like roles and responsibilities. She also enjoyed networking and found that the training was top notch. Overall, Angela felt her attendance was invaluable to her new position as well as a representative from California. She reflected on how California is one of the few states that doesn’t have a Board.

On a person note, Angela enjoys reading books. She actually reads several books at the same time. The two she brought with her on the airplane were “Until Unity,” by Francis Chan and “How to Age Without Getting Old,” by Joyce Meyer.

Angela admires the lifestyle of the people of Hawaii, especially folks who live outside of the non-tourist side of the island. They seem to have discovered how to live a non-stressful centered lifestyle.

BJ Jibben



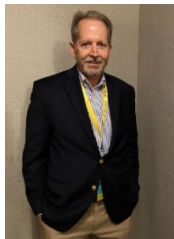
Currently, BJ works as a Compliance Officer with eValuation Zone, Inc and has been in that position since 2021. Prior to her time at eValuation Zone, she worked as the Licensing Specialist for the Wyoming Real Estate Commission/Appraisal Board.

BJ has been attending AARO Conferences since 2013 and has always found the materials to be timely and informative. BJ found the breakout session on the PAVE report informative and appreciated the updates from the foundation representatives. She feels that the networking over the years to be invaluable.

While BJ enjoy her new position, which involves compliance for all states and jurisdictions, she still finds time for love of crafting, quilting, and crocheting. Over the years, several of BJ's creations were offered at the AARO silent auctions.

BJ hopes to continue to attend AARO conferences and finds them interesting and the best way to keep up with the industry.

Herbert Jourdan, Jr



Currently, Herb serves as the Vice Chairman of the Florida Real Estate Appraisal Board. This was Herb's first time attending an AARO conference. He was encouraged by the sessions addressing the progress of the development of the Practical Applications of Real Estate Appraisal (PAREA) and the continuing efforts to raise awareness of racial bias in residential real estate appraising.

Herb stated that he will be looking forward to attending AARO conferences in the future. Herb has been in the appraisal field through several business cycles and has had a variety of real estate valuation-related experiences including commercial appraisal, residential appraisal, condemnation appraisal, bank asset quality examination, appraisal management, and review appraisal.

In his spare time Herb gardens, reads history and biography, and travels. Herb has three adult children.

To submit a story, update, or announcement for the next quarterly newsletter, please send it to Brandy March at brandy.march@aaro.net. The next quarterly update will be sent around September 1, 2022.

Communications Committee:

Jacqueline Olson, Chair, Minnesota Department of Commerce
Fran Oreto, Vice Chair, Florida Real Estate Appraiser Board
Brandy March, Managing Director, AARO
Bob Danehy, Lenders Allies
Charlie Gress, OCAP, Martin & Wood Appraisal Group
Courtney Buskirk, West Virginia Appraiser Board
Craig Morley, UAA
Greg Stephens, FACT
Jodie Campbell, North Dakota Appraiser Board
Kevin Cyrus, DCRA
Jonathan Stewart, Utah Division of Real Estate
Lori Crawford, Florida Division of Real Estate