

State of Alaska  
Board of Certified Real Estate Appraisers

Board Packet

July 25, 2018

Teleconference  
333 Willoughby Ave.  
Juneau, AK 99801

# Call To Order/ Roll Call


**Alaska Board of Certified Real Estate Appraisers  
Board Roster (As of 02/22/2018)**

<b>Board Member</b>	<b>Appointed</b>	<b>Reappointed</b>	<b>Term Expires</b>
<b>David Derry, Chair</b> <i>Certified General Real Estate Appraiser</i> Kenai, AK 99611	03/01/2014	3/1/2018	03/01/2022
<b>Wendy Lawrence</b> <i>Certified General Real Estate Appraiser</i> Sitka, AK 99835-1373	03/01/2018		03/01/2022
<b>Robert Tracy</b> <i>Certified Residential Real Estate Appraiser</i> Wasilla, AK 99654	03/14/2016		03/01/2020
<b>Renee Piszczek</b> <i>Mortgage Banking Executive</i> Fairbanks, AK 99701	09/02/2014	03/01/2017	03/01/2021
<b>Donald Faulkenburry</b> <i>Public Member</i> Anchorage, AK 99515	05/30/2017		03/01/2021

# Ethics

# MEMORANDUM

## State of Alaska Department of Law

TO: \_\_\_\_\_ DATE: \_\_\_\_\_  
FILE NO.: \_\_\_\_\_  
TEL. NO.: \_\_\_\_\_  
FROM: Angie White  
Litigation Assistant  
Department of Law  
Opinions, Appeals, & Ethics Section  
FAX: \_\_\_\_\_  
SUBJECT: Executive Branch Ethics Act, AS  
39.52 Quarterly Report  


**\*\*\*\*SAMPLE LANGUAGE – PLEASE COPY ONLY THE PARTS THAT APPLY  
ONTO YOUR BOARD OR COMMISSION’S LETTERHEAD \*\*\*\***

As designated ethics supervisor and chair [executive director] for the \_\_\_\_\_, I wish to advise you that I have received no notifications of potential violations or requests for ethics determinations under the Ethics Act (AS 39.52) and have made no written determinations for this quarter.

**OR**

As designated ethics supervisor and chair [executive director] for the \_\_\_\_\_, I have received \_\_\_ notification(s) of a potential violation and \_\_\_ requests for ethics determinations under the Ethics Act (AS 39.52). I have attached a copy of the notices and requests along with my written determination(s) for review by the attorney general. I did [did not] receive an advisory opinion from the Attorney General.

**AND**

Except as addressed above, no other [board member] [commissioner] disclosed a potential conflict of interest at a recorded public meeting during this quarter.

**OR**

In addition to the above, at the [date] meeting, [Board member] [Commissioner] \_\_\_\_\_ disclosed a potential conflict with respect to \_\_\_\_\_ [*insert brief description*]\_\_\_\_. *Insert disposition:* [S/He refrained from participation.] *or* [I determined s/he could [could not] participate.] *or* [The Board [Commission] members voted to permit [not to permit] participation.]

**CONFIDENTIAL**

**ETHICS SUPERVISOR DETERMINATION FORM**

(Board or Commission Member)

Board or Commission: \_\_\_\_\_

Member Disclosing Potential Ethics Violation: \_\_\_\_\_

I have determined that the situation described on the attached ethics disclosure form

does or would violate AS 39.52.110 - .190. Identify applicable statute below.

does not or would not violate AS 39.52.110 - .190.

\_\_\_\_\_  
Signature of Designated Ethics Supervisor (Chair)

\_\_\_\_\_  
Printed Name of Designated Ethics Supervisor

Date: \_\_\_\_\_

COMMENTS (Please attach a separate sheet for additional space):

Large light blue rectangular area for comments.

**Note: Disclosure Form must be attached.** Under AS 39.52.220, if the chair or a majority of the board or commission, not including the disclosing member, determines that a violation of AS 39.52.110-39.52.190 will exist if the member participates, the member shall refrain from voting, deliberating, or participating in the matter. A member will not be liable under the Ethics Act for action in accordance with such a determination so long as the member has fully disclosed all facts reasonably necessary to the determination and the attorney general has not advised the member, chair, or board or commission that the action is a violation. Forward disclosures with determinations to the State Ethics Attorney as part of your quarterly report. Quarterly reports are submitted to Litigation Assistant, Opinions, Appeals & Ethics, Department of Law, 1031 W. 4<sup>th</sup> Avenue, Suite 200, Anchorage, AK 99501.

Revised 2012

## State of Alaska Department of Law

# Who Is My Designated Ethics Supervisor?

Every state public officer, employee or board or commission member, has a designated ethics supervisor.

## Executive Agencies

The ethics supervisor for each agency is the Commissioner or a senior manager to whom the Commissioner has delegated the function. The current ethics supervisor for each agency is listed below. The ethics supervisor for a Commissioner is Guy Bell, Director of Administrative Services in the Office of Governor, by delegation from the Governor.

## Boards and Commissions

The Chair of each board and commission serves as the ethics supervisor for the other members and any executive director. The ethics supervisor for the Chair is Guy Bell, Director of Administrative Services in the Office of Governor, by delegation from the Governor. If a board or commission employs staff, the executive director serves as the ethics supervisor for these employees.

## Public Corporations

The Chair of the board serves as the ethics supervisor for the other members of the board and any executive director. The executive director is the ethics supervisor for employees of the corporation.

## Office of the Governor

The ethics supervisor for the Governor and Lieutenant Governor is the Attorney General. By delegation from the Governor, the ethics supervisor for the staff of the offices of the Governor and Lieutenant Governor is Guy Bell, Director of Administrative Services.

## University of Alaska

By delegation of the University President, the ethics supervisor for university employees is Associate General Counsel Andy Harrington.

## EXECUTIVE BRANCH AGENCIES

Administration: Leslie Ridle, Deputy Commissioner

Commerce, Community & Economic Development: Jon Bittner, Deputy Commissioner

Corrections: April Wilkerson, Director of Administrative Services

Education & Early Development: Les Morse, Deputy Commissioner

Environmental Conservation: Tom Cherian, Director of Administrative Services

Fish & Game: Kevin Brooks, Deputy Commissioner

Health & Social Services: Dallas Hargrave, Human Resource Manager

Labor & Workforce Development: Michael Monagle, Director, Division of Workers Compensation

Law: Jonathan Woodman, Assistant Attorney General

Military & Veterans Affairs: Marty Meyer, Special Assistant to Commissioner

Natural Resources: John Crowther, Inter-Governmental Coordinator

Public Safety: Terry Vrabec, Deputy Commissioner

Revenue: Dan DeBartolo, Administrative Services Director

Transportation & Public Facilities:

- Highways & Public Facilities: Steve Hatter, Deputy Commissioner
- Aviation: John Binder, Deputy Commissioner
- Central Region: Rob Campbell, Regional Director
- Northern Region: Rob Campbell, Acting Regional Director
- Southcoast Region: Acting Regional Director
- Alaska Marine Highway System: Michael Neussl, Deputy Commissioner
- Headquarters: Mary Siroky, Administrative Services Director

Updated April 2015

Department of Law attorney.general@alaska.gov P.O. Box 110300, Juneau, AK 99811-0300  
Phone: 907-465-3600 Fax: 907-465-2075 TTY: 907-258-9161  
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# State of Alaska

## Department of Law

### Ethics Information for Members of Boards & Commissions (AS 39.52)

#### Introduction

This is an introduction to AS 39.52, the Alaska Executive Branch Ethics Act. This guide is not a substitute for reading the law and its regulations. State board and commission members who have further questions should contact their board chair or staff.

The Ethics Act applies to all current and former executive branch public employees and members of statutorily created boards and commissions.

#### Scope of Ethics Act (AS 39.52.110)

Service on a state board or commission is a public trust. The Ethics Act prohibits substantial and material conflicts of interest. Further, board or commission members, and their immediate family, may not improperly benefit, financially or personally, from their actions as board or commission members. The Act does not, however, discourage independent pursuits, and it recognizes that minor and inconsequential conflicts of interest are unavoidable.

#### Misuse of Official Position (AS 39.52.120)

Members of boards or commissions may not use their positions for personal gain or to give an unwarranted benefit or treatment to any person. For example, board members may not:

- use their official positions to secure employment or contracts;
- accept compensation from anyone other than the State for performing official duties;
- use State time, equipment, property or facilities for their own personal or financial benefit or for partisan political purposes;
- take or withhold official action on a matter in which they have a personal or financial interest; or
- coerce subordinates for their personal or financial benefit.
- attempt to influence outcome of an administrative hearing by privately contacting the hearing officer.



Terry knew that a proposal that was before the board would harm Terry's business competitor. Instead of publicly disclosing the matter and requesting recusal, Terry voted on the proposal.



Board member Mick has board staff employee Bob type an article for him that Mick hopes to sell to an Alaskan magazine. Bob types the article on State time.

## Improper Gifts (AS 39.52.130)

A board member may not solicit or accept gifts if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. "Gifts" include money, items of value, services, loans, travel, entertainment, hospitality, and employment. All gifts from registered lobbyists are presumed to be improper, unless the giver is immediate family of the person receiving the gift.

A gift worth more than \$150 to a board member or the board member's immediate family must be reported within 30 days if:

- the board member can take official action that can affect the giver, or
- the gift is given to the board member because he or she is on a state board.

The receipt of a gift worth less than \$150 may be prohibited if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. Receipt of such a gift should be disclosed.

Any gift received from another government, regardless of value, must be reported; the board member will be advised as to the disposition of this gift.

A form for reporting gifts is available at [www.law.alaska.gov/doclibrary/ethics](http://www.law.alaska.gov/doclibrary/ethics) or from the board or commission staff.

This restriction on gifts does not apply to lawful campaign contributions.



The commission is reviewing Roy's proposal for an expansion of his business. Roy invites all the board members out to dinner at an expensive restaurant. He says it will be okay, since he isn't excluding any of the members.



Jody receives a holiday gift every year from Sam. Jody was recently appointed to a state board, but Sam has no business that is before the board. Jody may accept the gift.

## Improper Use or Disclosure of Information (AS 39.52.140)

No former or current member of a board may use or disclose any information acquired from participation on the board if that use or disclosure could result in a financial or personal benefit to the board member (or immediate family), unless that information has already been disseminated to the public. Board members are also prohibited from disclosing confidential information, unless authorized to do so.



Sheila has been on the board for several years. She feels she has learned a great deal of general information about how to have a successful business venture. So she sets up her own business and does well.



Delores has always advised and assisted the other doctors in her clinic on their continuing education requirements. After Delores is appointed to the medical board, she discloses this role to the board and continues to advise the doctors in her clinic.



Jim reviews a confidential investigation report in a licensing matter. He discusses the practitioner's violation with a colleague who is not a board member.

## Improper Influence in State Grants, Contracts, Leases or Loans (AS 39.52.150)

A board member, or immediate family, may not apply for, or have an interest in a State grant, contract, lease, or loan, if the board awards or takes action to administer the State grant, contract, lease, or loan.

A board member (or immediate family) may apply for or be a party to a competitively solicited State grant, contract or lease, if the board as a body does not award or administer the grant, contract, or lease and so long as the board member does not take official action regarding the grant, contract, or lease.

A board member (or immediate family) may apply for and receive a State loan that is generally available to the public and has fixed eligibility standards, so long as the board member does not take (or withhold) official action affecting the loan's award or administration.

Board members must report to the board chair any personal or financial interest (or that of immediate family) in a State grant, contract, lease or loan that is awarded or administered by the agency the board member serves. A form for this purpose is available at [www.law.alaska.gov/doclibrary/ethics](http://www.law.alaska.gov/doclibrary/ethics) or from the board or commission staff.



John sits on a board that awards state grants. John hasn't seen his daughter for nearly ten years so he figures that it doesn't matter when her grant application comes up before the board.



The board wants to contract out for an analysis of the board's decisions over the last ten years. Board member Kim would like the contract since she has been on the board for ten years and feels she could do a good job.

## Improper Representation (AS 39.52.160)

A board or commission member may not represent, advise, or assist a person in matters pending before the board or commission for compensation. A nonsalaried board or commission member may represent, advise, or assist in matters in which the member has an interest that is regulated by the member's own board or commission, if the member acts in accordance with AS 39.52.220 by disclosing the involvement in writing and on the public record, and refraining from all participation and voting on the matter. This section does not allow a board member to engage in any conduct that would violate a different section of the Ethics Act.



Susan sits on the licensing board for her own profession. She will represent herself and her business partner in a licensing matter. She discloses this situation to the board and refrains from participation in the board's discussions and determinations regarding the matter.

## Restriction on Employment After Leaving State Service (AS 39.52.180)

For two years after leaving a board, a former board member may not provide advice or work for compensation on any matter in which the former member personally and substantially participated while serving on the board. This prohibition applies to cases, proceedings, applications, contracts, legislative bills, regulations, and similar matters. This section does not prohibit a State agency from contracting directly with a former board member.

With the approval of the Attorney General, the board chair may waive the above prohibition if a determination is made that the public interest is not jeopardized.

Former members of the governing boards of public corporations and former members of boards and commissions that have regulation-adoption authority, except those covered by the centralized licensing provisions of AS 08.01, may not lobby for pay for one year.



The board has arranged for an extensive study of the effects of the Department's programs. Andy, a board member, did most of the liaison work with the contractor selected by the board, including some negotiations about the scope of the study. Andy quits the board and goes to work for the contractor, working on the study of the effects of the Department's programs.



Andy takes the job, but specifies that he will have to work on another project.

## Aiding a Violation Prohibited (AS 39.52.190)

Aiding another public officer to violate the Ethics Act is prohibited.

## Agency Policies (AS 39.52.920)

Subject to the Attorney General's review, a board may adopt additional written policies further limiting personal or financial interests of board members.

## Disclosure Procedures

### **DECLARATION OF POTENTIAL VIOLATIONS BY MEMBERS OF BOARDS OR COMMISSIONS (AS 39.52.220)**

A board member whose interests or activities could result in a violation of the Ethics Act if the member participates in board action must disclose the matter on the public record and in writing to the board chair who determines whether a violation exists. A form for this purpose is available at [www.law.alaska.gov/doclibrary/ethics](http://www.law.alaska.gov/doclibrary/ethics) or from the board or commission staff. If another board member objects to the chair's ruling or if the chair discloses a potential conflict, the board members at the meeting (excluding the involved member) vote on the matter. If the chair or the board determines a violation will occur, the member must refrain from deliberating, voting, or participating in the matter. For more information, see Ethics Act Procedures for Boards and Commissions available at the above noted web site.

When determining whether a board member's involvement in a matter may violate the Ethics Act, either the chair or the board or commission itself may request guidance from the Attorney General.

### **ATTORNEY GENERAL'S ADVICE (AS 39.52.240-250)**

A board chair or a board itself may request a written advisory opinion from the Attorney General interpreting the Ethics Act. A former board member may also request a written advice from the Attorney General. These opinions are confidential. Versions of opinions without identifying information may be made available to the public.

### **REPORTS BY THIRD PARTIES (AS 39.52.230)**

A third party may report a suspected violation of the Ethics Act by a board member in writing and under oath to the chair of a board or commission. The chair will give a copy to the board member and to the Attorney General and review the report to determine whether a violation may or does exist. If the chair determines a violation exists, the board member will be asked to refrain from deliberating, voting, or participating in the matter.

## Complaints, Hearings, and Enforcement

### **COMPLAINTS (AS 39.52.310-330)**

Any person may file a complaint with the Attorney General about the conduct of a current or former board member. Complaints must be written and signed under oath. The Attorney General may also initiate complaints based on information provided by a board. A copy of the complaint will be sent to the board member who is the subject of the complaint and to the Personnel Board.

All complaints are reviewed by the Attorney General. If the Attorney General determines that the complaint does not warrant investigation, the complainant and the board member will be notified of the dismissal. The Attorney General may refer a complaint to the board member's chair for resolution.

After investigation, the Attorney General may dismiss a complaint for lack of probable cause to believe a violation occurred or recommend corrective action. The complainant and board member will be promptly notified of this decision.

Alternatively, if probable cause exists, the Attorney General may initiate a formal proceeding by serving the board or commission member with an accusation alleging a violation of the Ethics Act. Complaints or accusations may also be resolved by settlement with the subject.

## **CONFIDENTIALITY (AS 39.52.340)**

Complaints and investigations prior to formal proceedings are confidential. If the Attorney General finds evidence of probable criminal activity, the appropriate law enforcement agency shall be notified.

## **HEARINGS (AS 39.52.350-360)**

An accusation by the Attorney General of an alleged violation may result in a hearing. An administrative law judge from the state's Office of Administrative Hearings serves as hearing officer and determines the time, place and other matters. The parties to the proceeding are the Attorney General, acting as prosecutor, and the accused public officer, who may be represented by an attorney. Within 30 days after the hearing, the hearing officer files a report with the Personnel Board and provides a copy to the parties.

## **PERSONNEL BOARD ACTION (AS 39.52.370)**

The Personnel Board reviews the hearing officer's report and is responsible for determining whether a violation occurred and for imposing penalties. An appeal may be filed by the board member in the Superior Court.

## **PENALTIES (AS 39.52.410-460)**

When the Personnel Board determines a board member has violated the Ethics Act, it will order the member to refrain from voting, deliberating, or participating in the matter. The Personnel Board may also order restitution and may recommend that the board member be removed from the board or commission. If a recommendation of removal is made, the appointing authority will immediately remove the member.

If the Personnel Board finds that a former board member violated the Ethics Act, it will issue a public statement about the case and will ask the Attorney General to pursue appropriate additional legal remedies.

State grants, contracts, and leases awarded in violation of the Ethics Act are voidable. Loans given in violation of the Ethics Act may be made immediately payable.

Fees, gifts, or compensation received in violation of the Ethics Act may be recovered by the Attorney General.

The Personnel Board may impose a fine of up to \$5,000 for each violation of the Ethics Act. In addition, a board member may be required to pay up to twice the financial benefit received in violation of the Ethics Act.

Criminal penalties are in addition to the civil penalties listed above.

## **DEFINITIONS (AS 39.52.960)**

Please keep the following definitions in mind:

**Benefit** - anything that is to a person's advantage regardless financial interest or from which a person hopes to gain in any way.

**Board or Commission** - a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch, including the Alaska Railroad Corporation.

**Designated Ethics Supervisor** - the chair or acting chair of the board or commission for all board or commission members and for executive directors; for staff members, the executive director is the designated ethics supervisor.

**Financial Interest** - any property, ownership, management, professional, or private interest from which a board or commission member or the board or commission member's immediate family receives or expects to receive a financial benefit. Holding a position in a business, such as officer, director, partner, or employee, also creates a financial interest in a business.

**Immediate Family** - spouse; another person cohabiting with the person in a conjugal relationship that is not a legal marriage; a child, including a stepchild and an adoptive child; a parent, sibling, grandparent, aunt, or uncle of the person; and a parent or sibling of the person's spouse.

**Official Action** - advice, participation, or assistance, including, for example, a recommendation, decision, approval, disapproval, vote, or other similar action, including inaction, by a public officer.

**Personal Interest** - the interest or involvement of a board or commission member (or immediate family) in any organization or political party from which a person or organization receives a benefit.

For further information and disclosure forms, visit our Executive Branch Ethics web site or please contact:

State Ethics Attorney  
Alaska Department of Law  
1031 West 4th Avenue, Suite 200  
Anchorage, Alaska 99501-5903  
(907) 269-5100  
attorney.general@alaska.gov

Revised 9/2013

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State of Alaska  
Department of Law  
Executive Branch Ethics Act

## Responsibilities of Designated Ethics Supervisors for Boards and Commissions

Boards and commissions subject to the Ethics Act have designated ethics supervisors. The chair serves as the designated ethics supervisor for board or commission members and the executive director. The executive director is the designated ethics supervisor for staff. The designated ethics supervisor for a chair is the governor, who has delegated this responsibility to Guy Bell, Administrative Director of the Office of the Governor.

Designated ethics supervisors should refer to the Manual for Designated Ethics Supervisors (April 2008), available from the state ethics attorney, regarding their responsibilities under the Ethics Act. Briefly, as designated ethics supervisor, you must --

1. Ensure that members and employees are provided copies of the guides, Ethics Information for Members of Boards and Commissions and Ethics Act Procedures for Boards and Commissions -- and keep a supply of disclosure forms.
  1. These guides, other educational materials, disclosure forms, statutes and regulations are available for review and copying on the Department of Law ethics web site. If access to this page is not available, please contact the Attorney General's office at 269-7195.
2. Review all disclosures, investigate potential ethics violations, make determinations regarding conduct, and take action.
3. Keep member or employee disclosure statements (of potential violations, receipt of gifts, and interests in grants/contracts/leases/loans) on file in your office. Disclosure of a gift received from another government must be forwarded to the Office of the Governor.
4. Submit an ethics report to the Department of Law in April, July, October and January for the preceding quarter. You will receive a reminder. There is a sample report on the ethics web page.
  1. Mail, email or fax to Kim Halstead, Litigation Assistant, Department of Law, Opinions, Appeals & Ethics Section, 1031 W. 4th Avenue, Suite 200, Anchorage, AK, 99501, [ethicsreporting@alaska.gov](mailto:ethicsreporting@alaska.gov), fax no. 907-279-2834.

You may request ethics advice from your agency's Assistant Attorney General or from the State Ethics Attorney, Jon Woodman, at 269-5100 or [jonathan.woodman@alaska.gov](mailto:jonathan.woodman@alaska.gov). Please direct questions about reporting procedures to Kim Halstead at 269-7195 or [kimberly.halstead@alaska.gov](mailto:kimberly.halstead@alaska.gov).

6/14

Department of Law [attorney.general@alaska.gov](mailto:attorney.general@alaska.gov) P.O. Box 110300, Juneau, AK 99811-0300  
Phone: 907-465-3600 Fax: 907-465-2075 TTY: 907-258-9161  
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# Review/Approve Agenda



**The State of Alaska**  
**Board of Certified Real Estate Appraisers**  
333 Willoughby Ave  
Juneau, AK 99801  
**Teleconference**  
Conference Line Call In: 1-800-315-6338  
Access Code: 52588

**Wednesday, July 25, 2018**  
**9:00 a.m.**

**Meeting Agenda (Draft)(revised 7/17/2018)**

<b><u>Item</u></b>	<b><u>Time</u></b>	<b><u>Subject</u></b>	<b><u>Lead</u></b>
1.	9:00 a.m.	Call to Order/Roll Call	Chair
2.	9:05	Ethics Report	Chair
3.	9:15	Review/Approve Agenda	Chair
4.	9:20	Review/Approve Past Meeting Minutes	Chair
5.	9:30	Old Business <ul style="list-style-type: none"><li>• Previous Task List</li><li>• Federal AMC Extension Status</li></ul>	Chair OLE Dulebohn
6.	10:00	Review/Approve Regulations Draft Language <ul style="list-style-type: none"><li>• Fee Reduction/ Regulations Draft Language</li><li>• Regulations Draft Language with LAW notes</li></ul>	Chair Reg. Specialist Maiquis
7.	10:15	Regulation Changes Questionnaire	Reg. Specialist Zinn
8.	10:30	Proposed Regulations Projects/ Language Drafting <ul style="list-style-type: none"><li>• Regulations Stemming from SB 155</li><li>• Regulations Stemming from AQB Criteria Changes</li></ul>	Chair Deputy Director Chambers Chief Inv. Francois
9.	1:30 p.m.	Continuing Education Consent Agreements	Paralegal Zimmerman
10.	2:00 p.m.	Administrative Business <ul style="list-style-type: none"><li>• Meeting Dates (tentative)</li><li>• Fall AARO Conference</li><li>• New Task List</li></ul>	Chair
11.	2:30	Adjourn	Chair

Review/Approve  
Past Meeting Minutes

# Minutes for Review

October 28, 2016

**STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY & ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS & PROFESSIONAL LICENSING**

**BOARD OF CERTIFIED REAL ESTATE APPRAISERS**

**MINUTES OF THE MEETING  
Friday, October 28<sup>th</sup>, 2016**

**These are DRAFT minutes prepared by the staff of the Division of Corporations, Business and Professional Licensing. These minutes have not been reviewed or approved by the Board.**

By the authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Certified Real Estate Appraisers was held at the Robert Atwood Building, 550 West 7<sup>th</sup> Avenue, Friday, October 28<sup>th</sup>, 2016 beginning at 8:56 a.m. The meeting was held in Suite 1500, Anchorage, Alaska.

**Agenda Item #1                      Call to Order/Roll Call                      8:56 a.m.**

The meeting was called to order at 8:56 am by David Derry, Chair.

Those present, constituting a quorum of the Board:

David Derry, Chair, Licensed General Real Estate Appraiser  
Alfred Ferrara, Licensed General Real Estate Appraiser (*via telephone*)  
Robert Tracy, Certified Residential Real Estate Appraiser  
Renee Piszczek, Mortgage Lending Member

Division Staff present in the meeting:

Laura Carrillo, Records and Licensing Supervisor  
Aiko Zaguirre, Licensing Examiner (*via telephone*)  
Charles Ward, Paralegal (*via telephone*)  
Marilyn Zimmerman, Paralegal (*via telephone*)  
Jay Paff, Investigator (*via telephone*)

Present from the Public:

Lee Borden, Environmental Specialist from the Alaska Department of Environmental Conservation (*via telephone*)

**Agenda Item #2                      Review Agenda                      8:57 a.m.**

Mr. Derry first welcomed the new Licensing Examiner, Aiko Zaguirre, who has been working with the Division for the Medical Board since April 2015. The Board then proceeded to review the agenda. Ms. Carrillo stated that there will be no Budget Report or Division Update, as the Budget Report was presented by Martha Hewlett during the last meeting on June 1<sup>st</sup>, 2016. She has also informed the Board that Lee Borden may call at 1:00 p.m. for Public Comment. Ms. Carrillo also reminded the Board of the regulations draft that she has forwarded to them for review, suggesting that they can either discuss it under Board Business, or when she presents for the AARO Conference update. Mr. Derry proceeded to notifying everyone that Mr. Tracy will be leaving at noon to attend to another obligation.

**On a motion duly made by Renee Piszczek, seconded by Robert Tracy, and approved unanimously, it was:**

**RESOLVED to approve the agenda as amended.**

**Agenda Item #3                      Review/Approve Minutes (June 1<sup>st</sup>, 2016)                      8:59 a.m.**

Mr. Derry proceeded to review the minutes, as there were no more issues or concerns with the agenda. Ms. Piszczek and Mr. Derry commended Ms. Carrillo for her work on the minutes. Mr. Derry mentioned that his e-mail information on the packet was incorrect, asking it be corrected.

**TASK:**

**Ms. Carrillo will collect from Mr. Derry the correct contact information and update his information on the Board Roster.**

**On a motion duly made by Alfred Ferrera, seconded by Renee Piszczek, and approved unanimously, it was:**

**RESOLVED to approve the meeting minutes.**

**Agenda Item #4                      Ethics Disclosure/Review Ethics                      9:01 a.m.**

There were no ethics to disclose

**Agenda Item #5                      AARO Conference Update                      9:03 a.m.**

*Jay Paff entered the room at 9:17 a.m.*

*Jay Paff left the room at 9:19 a.m.*

Hearing nothing further on ethics disclosures, Mr. Derry prompted Mr. Tracy and Ms. Carrillo to provide updates on their attendance at the AARO Conference in Washington, DC. Session topics included AMC's and professional organizations, Board member and regulator breakouts, corrective education, investigations, national registry updates, mass appraisal experience, and USPAP.

#### *Appraisal Management Companies (AMC')*

Mr. Tracy first thanked the Board for the opportunity to attend, and was grateful to have made valuable contact with regulators and other industry members. Among state regulators and AMC representatives in attendance, Mr. Tracy was able to meet with Mark Schiffman with the Real Estate Valuation Advocacy Association (REVAA) in Minnesota, who discussed AMC final rules and the challenges and opportunities that come with enacting legislation. Mr. Tracy suggested that it would be beneficial to adopt regulations for AMC's, so as to have clear guidelines for them working in Alaska and to comply with Dodd-Frank, which requires that states establish minimum standards for registration and supervision of AMC's. Mr. Tracy informed the Board that Mr. Schiffman would join the meeting telephonically to further discuss AMC's.

#### *Supervisors/Trainee*

Regarding supervisors, trainees, and USPAP, it was acknowledged that there is a growing shortage of trainees across the nation. There also are some misunderstandings between the roles of supervisors and the extent of trainee involvement. Mr. Tracy made salient to the Board that there is some dissonance among lenders and regulators in this regard; lenders believe that supervisors should be signing every report in which their trainee is involved. From a regulatory standpoint, however, and in compliance with USPAP/AQB, supervisors are able to delegate signing duties to their trainees at their discretion, or when they are confident in their trainees being able to competently sign and certify on their own. Mr. Tracy also informed the Board that attendees were informed of current license trends across the nation, which are steadily declining following changes to the criteria that require a bachelor's degree. Ms. Carrillo commented that for the licensed residential option, the AQB is considering removing the degree requirement, and may instead require an associate's degree, experience, or a combination of both.

#### *Corrective Education*

Ms. Carrillo and Mr. Tracy attended a session on corrective education provided on the Appraisal Foundation's website. The corrective education is not treated as continuing education, and thus does not require continuing education applications to be submitted to the Board for review/approval. The intent behind corrective education is to remind/inform



licensed/certified appraisers of accurate applications of USPAP, which are addressed in four separate courses including: Appraiser Self-Protection: Documentation and Record Keeping (record keeping and ethics rules); Report Certifications: What Am I Signing and Why? (limiting conditions and certifications, ethical obligations under USPAP); Residential Report Writing vs Form Filing (URAR, GIS mapping); and Scope of Work: Appraisals and Inspections (scope of work, assignment conditions). The Board will discuss whether corrective education would be an appropriate consent agreement solution with Charles Ward during Agenda Item #7.

### Criminal Background Checks

Ms. Carrillo also provided updates to criminal history background checks, which the AQB/ASC is requiring states to implement no later than January 1<sup>st</sup>, 2017. Ms. Carrillo spoke with the Florida Board's lawyer, who stated that their Board only uses a name-search background check. Ms. Carrillo and the Board discussed the differences between a name-search background check and a finger-print background check, with the latter being a "one-and-done" option, but requiring a few extra steps. The former would require background checks from every state an applicant has ever held credentials, which may result in relatively longer processing times.

Due to time constraints, the Board has decided to move on to the next Agenda item and continue with the discussion on the topics of Corrective Education and Criminal Background checks in Agenda Item #s7 and 8 respectively.

#### **TASK:**

**Mr. Tracy and Ms. Piszczek will work on the AMCs for clearing-up any misconceptions.**

#### **TASK:**

**All Board members will provide comments/recommendations to be relayed to the subcommittee.**

**Agenda Item #6**

**Investigations Report/Expert Review**

**9:35 a.m.**

*Jay Paff entered the room at 9:35 a.m.*

*Jay Paff left the room at 10:00 a.m.*

*Charles Ward and Marilyn Zimmerman joined the room in 9:21 a.m.*

*Charles Ward and Marilyn Zimmerman left the room in 9:46 a.m.*

Mr. Paff began his report by stating that within the timeframe of May 19<sup>th</sup>-October 11<sup>th</sup>, 2016, two investigative matters were opened, with which one related to a license

application has been closed. The other matter remains open as a pending case in which Mr. Paff was tasked to consult an expert witness for review of a commercial property appraisal, who suggested that there was no issue with the appraisal, which the Board has been informed of. Mr. Derry asked Mr. Paff if the Board needed to go into Executive Session to touch more on the matter, to which Mr. Paff explained it will be necessary if the Board wishes to keep the identity of the involved confidential.

**On a motion duly made by Alfred Ferrera, seconded by Renee Piszczek, and approved unanimously, it was:**

**RESOLVED to enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing Subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion and Matters which by law, municipal charter, or ordinance are required to be confidential and for the purpose of discussing confidential disciplinary matters for the purpose of discussing investigations and reports.**

**Staff, Ms. Carrillo and Ms. Zaguirre, and Investigator Jay Paff would be present for discussion.**

*Off the record at 9:46 a.m.*

*On the record at 10:03 a.m.*

Upon return from executive session, Mr. Derry opened the floor to entertain any motions pertaining to case #2016-000832.

**On a motion duly made by Alfred Ferrera, seconded by Renee Piszczek and approved unanimously, it was:**

**RESOVLED to accept the expert review for case #2016-000832.**

**Agenda Item #7**

**CE Fines/Reprimands**

**10:05 a.m.**

*Charles Ward and Marilyn Zimmerman joined the room at 10:05 a.m.*

*Charles Ward and Marilyn Zimmerman left the room at 10:37 a.m.*

With no other objections on the Investigative Report/Expert review, Mr. Derry proceeded to allow Mr. Ward to speak for the outstanding Continuing Education Audit. Mr. Ward first introduced Marilyn Zimmerman, Paralegal I of the Division. Ms. Zimmerman was

previously staffed at the Division and recently returned last October. Mr. Ward explained that Ms. Zimmerman was asked to be present to the meeting as she will be working with him in handling the Continuing Education matters for the Board until his replacement takes over. Mr. Ward has accepted a new position within the Division. According to Mr. Ward, the Board still has one outstanding CE audit, which he hoped would be resolved by the next Board meeting, as he is in contact with the licensee. The Board did not have any issues with this.

Mr. Ward proceeded to discuss the position statement regarding disciplinary measures for failed CE audits that he received from Ms. Carrillo, which was created by Mr. Ferrera. Mr. Ward had previously provided feedback to Ms. Carrillo on the matter, and reiterated that although he does not have anything else to add, he can answer any questions that the Board might have. He also stated that he has read the Corrective Courses for Appraisers, which he expressed his openness for commenting on the matter, if the Board desired.

#### Corrective Courses for Failed Continuing Education Audits

Mr. Derry has opened up the discussion on the corrective courses, which Mr. Tracy and Ms. Carrillo has explained in detail. Ms. Carrillo read the Corrective Courses Memo that specifies what the new courses are about, which she has initially explained earlier on her presentation during the Agenda Item #5: AARO Conference Update. When Mr. Derry pondered on the intent of the classes/topics, to which Mr. Tracy responded as the classes being specifically formulated from the typical weaknesses that Appraisers have been experiencing. Ms. Carrillo stated that she will be forwarding the rest of the document to the Board, which she got during the AARO conference, as she figured that this can be a good source for brainstorming solutions for failed CE auditing that can serve as disciplinary actions.

#### **TASK:**

**Ms. Carrillo will email the full document containing the Corrective Courses to the Board.**

Although this was initially forwarded to Mr. Ward for guidance, Ms. Carrillo stated that the Board first needed to make a decision. Mr. Derry deliberated if the courses discussed can be a directive measure that the Board can use to oblige a certificate holder who fails to comply with the Continuing Education requirement for them to take, which Mr. Tracy asserted. Mr. Tracy added that the course that will be required to complete will be in relation to the deficient continuing education topic that the Board needs to determine. He also added that these are 4-hour online courses that cost \$250.00 each, and are currently available on the Appraisal Foundation's website. Ms. Carrillo reiterated that these are helpful courses as

they are specified for appraisers, as compared to the Ethics and Boundaries Assessment Services (EBAS), as the latter is more general, and one that any professional Board can use. With the information provided, Mr. Derry asked if these courses needed approval to be implemented in the State, to which Ms. Carrillo answered, stating that these do not need to be submitted for course approval, as they are not for continuing education. Ms. Carrillo then proceeded to asking Mr. Ward for an advice regarding the matter, as he knows the protocol on implementing reprimands.

Mr. Ward stated that the Board can use Consent Agreements, which is a contract between a licensee and the Division, to implement this possible disciplinary corrective action, as guided by the Board. Mr. Ward affirmed that under this option, so as long as the request made to the licensee is legal and morally acceptable, they can demand or advise on the contract whatever means they deem necessary be added to the agreement. Mr. Ward affirmed the Board's statutory authority under the Division's centralized statute AS 08.01.075(a)(6), wherein the Board can impose additional continuing education requirements as a disciplinary measure, that is, in this instance, the Board can request a certificate holder to participate in some corrective education as provided by the appraisal institute. Mr. Ward also suggested that the Board add this to the position statement that they have been developing, if they decide to pursue this as a disciplinary measure.

With Mr. Ward's input on the corrective education matter, Mr. Derry asked the Board to reference this to the position statement that Mr. Ferrera has written. Mr. Derry asked the Board for their opinion on the verbiage that they would be using, whether to keep using "Letter of Advisement," than "Letter of Reprimand." Both Mr. Ferrera and Mr. Derry asserted in using the former than the latter, to which the rest of the Board has agreed to. Mr. Derry pointed out that "advisement," is a better term to clarify the requirements for continuing education deficiencies, preventing confusion on using "reprimand," being a grave disciplinary action, as opposed to simply a failure of compliance with the requirement, which could negatively affect a certificate holder's career.

**On a motion duly made by Renee Piszczek, seconded by Alfred Ferrera and approved unanimously, it was:**

**RESOVLED to continue using letters of "advisement" for continuing education deficiencies instead of "reprimand."**

*Appraisal Board's Position Statement*

After voting on the use of letters of advisement over reprimand, Mr. Derry proceeded to the Continuing Education position statement that Mr. Ferrera has written for the Board to review. On the position statement, Mr. Derry has pointed out that the \$50 per hour of

deficiency is not sufficient, suggesting to simply make the fine \$1500 total. As asserted by Mr. Ward, this would not be an issue, so as long as the fine would not exceed \$5000. With this, Mr. Ferrera stated that the \$50 fee on the position statement is simply a starting point, and agreed to what Mr. Derry had earlier recommended that the fee should cost more than the cost of the classes missed. Based from how the other professional Boards handle CE deficiencies, Mr. Ward suggested that the Board can require a licensee to pay a fixed amount for non-compliance, and in addition to that, the Board may ask the licensee to compensate for whatever amount the Board would require them to pay or to re-take any courses or classes related to the ones they missed.

Hearing this, Mr. Derry opened the floor for amount suggestions, to which Mr. Tracy replied to having a \$2500 minimum as the required fee, plus additional \$100 per hour of missed class. Mr. Ferrera asserted that there should be at least a \$1500 fixed amount as fee, and agreed to the additional \$100 per hour that is deficient. In light of all the discussion, Mr. Ward added that the Board would need to be clear in distinguishing between egregious and innocuous deficiencies. With this, Mr. Tracy has also suggested that there should be non-arbitrary and consistent recommendations.

After discussing all suggested measures and possible repercussions, Mr. Derry and Mr. Ferrera suggested to add on the last line on the second paragraph on the position statement the possibility of the fine being deferred to be written as: *“with up to \$1500 suspended at the discretion of the Board, when the education requirement was met.”* Mr. Derry also recommended to change the \$50 fine to \$100 on the last paragraph, and add more information on the mandatory audits on the next succeeding audits (2 audit periods). Mr. Derry also suggested changing the title of the Position statement to “Violations of Continuing Education Re-certification,” which Mr. Tracy agreed to.

For the purpose of informing all certificate holders regarding this matter, the Board will be posting this position statement on the website so all certificate holders are informed. Mr. Derry has also suggested sending this along when re-certifications that will be mailed in June. Ms. Carrillo commented that since there is an option to renew online, this could just be added as a separate link that the certificate holders can print or as a separate window to appear on their screens before they finish their renewals online, as Mr. Ward reiterated.

**On a motion duly made by Robert Tracy, seconded by Renee Piszczek and approved unanimously, it was:**

**RESOVLED to adopt the position paper as written with the proposed amendments.**

**TASK:**

**The Examiner will include the position statement draft with the instructions page, along with the position statement that will be sent on the next renewal.**

**TASK:**

**The Examiner will update the position statement and post it on the Board's position statement page.**

**Agenda Item #5**

**AARO Conference Update**

**10:45 a.m.**

With no further discussion on the position statement, Mr. Derry reverted back to the pending conversation on the AARO conference that was agreed to be continued before or during Agenda Item #8: Board Business.

Ms. Carrillo handed out the Board's regulations draft to the Board and discussed whether the Board had statutory authority, as it's not included anywhere in AS 08.87 and 12 AAC 70. Ms. Carrillo did find on a law website that lists Certified Real Estate Appraisers as number (8) under AS 12.62.400(a), however, she was unable to confirm whether this is a legitimate statute. Ms. Carrillo asked Ms. Zaguirre to verify with Mr. Ward on the matter, to which Ms. Zaguirre obliged to.

Mr. Tracy stated that the AARO Conference is a vital resource for the Board, as it would allow them to assert their responsibilities. Mr. Tracy added that with all that he has learned from the conference, he hoped that in the future, the Board can reconsider not having to review courtesy licensees' work reports, which Mr. Derry extended his openness to, stressing that this is an issue that they can address in the future.

**TASK:**

**Mr. Tracy was encouraged by Mr. Derry to be in contact with the Alaska Chapter Appraisal Institute to provide some input regarding the continuing education corrective measures that the Board seeks to implement, as well as any other issues that may be worth discussing by the Board.**

**Agenda Item #8**

**Board Business**

**11:00 a.m.**

With the agreement that the Board would get back to the Board's statutory authority regarding criminal background checks after lunch, Mr. Derry proceeded to the review of applications.

**Applications Review**

The Board first reviewed a certified residential real estate appraiser application via Reciprocity from Indiana that was submitted by Jasen Simcox.

**On a motion duly made by Alfred Ferrera, seconded by Robert Tracy and approved unanimously, it was:**

**RESOLVED to approve the certified residential real estate appraiser application submitted by Jasen Simcox.**

**On a motion duly made by Alfred Ferrera, seconded by Renee Piszczek and approved unanimously, it was:**

**RESOLVED to approve the certified general real estate appraiser application submitted by Brian Tankersley.**

**On a motion duly made by Robert Tracy, seconded by Renee Piszczek and approved unanimously, it was:**

**RESOLVED to approve the supervisory request of Robert Olchin, #APRR687.**

**On a motion duly made by Robert Tracy, seconded by Renee Piszczek and approved unanimously, it was:**

**RESOLVED to approve the supervisory request of Nancy Whitmore, #APRR677.**

**On a motion duly made by Robert Tracy, seconded by Alfred Ferrera and approved unanimously, it was:**

**RESOLVED to table the certified residential real estate appraiser application submitted by Jana Malingowski until she submits the additional work product that the Board has requested for review.**

Mr. Derry stated that Mr. Ferrera will be choosing and reviewing the additional work product that will be requested by the examiner from the applicant.

**TASK:**

**Mr. Ferrera will choose and review the additional work product for Jana Malingowski's application.**

**TASK:**

**The examiner will contact the applicant for the work product that Mr. Ferrera chooses to be reviewed.**

The next application reviewed was for Geoffrey Oliver's application for Supervisory appraisal, which was initially issued in error, as the applicant did not take an updated supervisory course prior to the recent changes on the approved AQB requirements. Ms. Derry has informed the Board that Mr. Oliver has acknowledged the error, and has registered to take the correct course for tsupervisory approval. Ms. Carrillo also clarified that the applicant would only need to submit an updated certificate as proof of successful completion of the required supervisory course, and will not be required to re-submit a new supervisory application. Ms. Carrillo explained to the Board that they could approve Mr. Oliver's application as pending, until receipt of the said certificate.

**On a motion duly made by Renee Piszczek, seconded by Robert Tracy and approved unanimously, it was:**

**RESOLVED to approve the supervisory approval request of Geoffrey Oliver, #APRG892, pending the receipt of his certificate for the successful completion of his supervisory training course.**

*David Derry, Chair, called for a short break at 11:10 a.m.*

*The Board went back on the record at 11:24 a.m.*

**On a motion duly made by Robert Tracy, seconded by Renee Piszczek and approved unanimously, it was:**

**RESOLVED to approve the continuing education course applications submitted by the Appraisal Institute; course #15383, Case Studies in Appraising Green Residential Buildings; course #15548, Review Case Studies – Residential; and course #15548, Residential & commercial Valuation of Solar.**

**On a motion duly made by Renee Piszczek, seconded by Robert Tracy and approved unanimously, it was:**

**RESOLVED to approve the submitted continuing education course applications by McKissock, LP, namely, course #15551, The Income Approach: An Overview; and course #15553, Residential Property Inspection for Appraisers.**



With no further concerns regarding the applications reviewed, the Board moved to reviewing the frequently asked questions posted on the website for the Real Estate Appraisers Board. Mr. Derry commended Ms. Carrillo for her work on the FAQs, as they were clear and well written, which are necessary for informing prospective appraiser applicants in the State. The Board did not have any more issues regarding the FAQs and proceeded to reviewing the “Getting Started Document.”

Mr. Derry raised an unclear sentence in the Examination Approval Process document, specifically on bullet #5 which states that, “...the exam must be taken within 24 months preceding approval date,” with the understanding that an applicant first needs to pass and take an exam before approval, but on the third paragraph on the sample letter attached, it states that the applicant “...must take the examination within 24 months preceding the date of your application...” Ms. Carrillo clarifies that the applicant needs to be prepared to take the exam within two years by the time of their application. Mr. Derry instructed that the letter should be changed to say that the examination must be taken 24 months after the approval to sit for the AQB-Certified Uniform Exam.

**TASK:**

**The examiner should rewrite the examination approval document, clearly stating that the exam should be taken 24 months subsequent to being approval to sit for the exam.**

As for the authentication of the examination scores, Mr. Derry clarifies that the Board requires the exam results to be provided to the Board directly by the examination entity, they have been sending the scores to the applicant instead. Ms. Carrillo asserts that when she was in contact with Pearson Vue, they had discrepant procedures for handling scores. Ms. Carrillo was informed by an applicant that there is a way for an examiner to authenticate exam scores online, which is still considered being compliant with the ASC. The instructions on how to authenticate scores were provided by Ms. Carrillo to the Board. The authenticator would need to acquire from the applicant both the registration and validation numbers in order for him or her to check and verify the results.

With no more issues tackled, the Board moved to discussing the Goals and Objectives that they need to draft. Ms. Carrillo stated that the Goals and Objectives are necessary, especially when the Board does their annual report, as this is one of the important aspects for the report. Ms. Carrillo affirms that this helps in informing what the Board is seeking to implement and improve. Ms. Carrillo has included the Goals and Objectives of the Chiropractic Board as an example to help the Real Estate Appraisers Board in formulating their own. In regards to this, Ms. Carrillo commented to the Board to reconsider their process in reviewing appraisal reports for courtesy license applications, which was one of

Mr. Tracy's earlier suggestions. Ms. Carrillo stated that this can be included in their Goals and Objectives, as the Board has been receiving many work products to be reviewed, resulting in the backlog of their evaluation and completion. Mr. Tracy indicated that in the next coming years, the Board might be receiving more reports to review. Mr. Derry stated that the members of the Board who are appraisers can get very particular about the process of reviewing the reports, as they want to make sure that the reports are USPAP compliant. Mr. Derry asked the rest of the Board for their input regarding the issue, with the Board agreeing to stop reviewing work products completely. Ms. Carrillo recalled the steps in disseminating the reports, from receipt to instructing the Publication Specialist to upload it to the secure site, which can take some time.

**On a motion duly made by Alfred Ferrera, seconded by Robert Tracy and approved unanimously, it was:**

**RESOLVED to retain the work reports received for Courtesy licenses in electronic format, and discontinue the review by the Board, unless the Board would deem otherwise.**

The Board will still be reviewing the pending reports they c have, but will be discontinuing this step for the succeeding courtesy license applications that will be processed.

**TASK:**

**Mr. Derry and Mr. Tracy will complete the review for the pending work products.**

**TASK:**

**Mr. Derry will draft the Goals and Objectives, and submit it to Ms. Carrillo.**

**TASK:**

**Ms. Carrillo will disseminate the Goals and Objectives received from Mr. Derry to the rest of the Board.**

**Agenda Item #9**

**Lunch**

**12:00 p.m.**

*David Derry, Chair, called for lunch at 12:00 p.m.*

*Robert Tracy left the meeting at 12:00 p.m.*

*Off the record 12:00 p.m.*

*On the record 1:19 p.m.*

**Agenda Item #10**

**Public Comment**

**1:19 p.m.**

*Lee Borden entered the room at 1:19 a.m.*

*Lee Borden off the record at 1:33 p.m.*

The Board resumed the meeting for public comment after lunch with Lee Borden, Environmental Specialist, to discuss about the contingency measure on air quality that the Department of Environmental Conservation (DEC) is seeking to implement imminently. Mr. Borden explained that the Clean Air Act requires States to adopt contingency measures as part of air quality plans for nonattainment areas. Mr. Borden informed the Board of the said contingency measure that would require the removal of heating devices that use firewood—including wood stoves, pellet stoves, hydronic heaters, and large devices with greater than 350,000 BTU per hour—before a property is put out for sale, under lease, or conveyed, within the Fairbanks North Star Borough PM2.5 Nonattainment Area. Unless the devices are EPA certified or meets the current emission standards, they should be removed from the property within the said area. Mr. Borden states that DEC maintains a list of the devices that are exempted or meet the current standard, which is posted on their website. Mr. Borden affirmed that this measure will be taking effect in 2017, which is why they are looking to inform the affected stakeholders of the contingency measure ahead of time. Mr. Derry asked Mr. Borden when specifically the measure will be taking effect to, which Mr. Borden explained that there is still no specified timeline, although expected to happen by summer or fall of 2017. Mr. Derry advised Mr. Borden to be in contact with the Alaska Chapter Appraisal Institute, as this is an issue that the Board needed to be informed of.

**TASK:**

**Ms. Carrillo will disseminate Mr. Borden's contact information to the Board.**

**TASK:**

**Mr. Derry will provide Mr. Borden the contact information of the Alaska Chapter Appraisal Institute's Chair.**

**Agenda Item #8**

**Board Business**

**1:34 p.m.**

After no more discussions were opened during the public comment period, Ms. Carrillo returned to discussing the statute that indicates that the Real Estate Appraisers Board are one of the professional Boards under AS 12.62.400(a)(8). Licensing examiner, Aiko Zaguirre spoke with Paralegal, Charles Ward and was able to clarify that this is indeed correct. The Board appears to have statutory authority to request fingerprints for FBI checks and is also able to promulgate regulations as consistent and as required with Dodd-Frank. Ms. Carrillo included relevant criminal background check wording for all license/certificate types in the proposed regulation change document. Since the Board is not sure how the process in acquiring a criminal background check and its results, Ms. Carrillo offered to ask another examiner with a different Board who requires them.

**TASK:**

**Ms. Carrillo or Ms. Zaguirre will speak with another examiner whose Board requires a criminal background check from an applicant, to inquire about the process.**

**Agenda Item #11**

**New Business**

**1:40 p.m.**

The Board continued the meeting with reviewing the draft regulations that Ms. Carrillo has forwarded to them, as Mr. Derry suggested for it to be discussed under New Business. Mr. Derry states that if the Board agrees with the changes, then Ms. Carrillo can forward the draft to Jun Maiquis, the Division's regulations specialist, who will then review the document before sending to the Department of Law.

**On a motion duly made by Alfred Ferrera, seconded by Renee Piszczek and approved unanimously, it was:**

**RESOLVED to approve and submit the regulations draft for processing as amended by Ms. Carrillo.**

**TASK:**

**Ms. Carrillo will forward the regulations draft to Mr. Maiquis.**

After accepting the regulations draft to be submitted for review by the Division's regulations specialist, the Board proceeded to review the ASC Compliance Manual Outline that Ms. Carrillo had written. Ms. Carrillo states that her goal is to have the Alaska Real Estate Appraisal Board to be moved from "good" to "excellent" status on the next ASC State Compliance Review. Ms. Carrillo has also stated that she will be seeking Mr. Paff's advice on the compliance manual so as to have input from an investigative point of view. Mr. Derry and Mr. Ferrera commended Ms. Carrillo for her goal on putting the Board under excellent status, as well as in creating the outline for the manual. Ms. Carrillo also suggested adding the position statements and the Board's goals and objectives in the manual as well.

With Mr. Derry's lead, the Board moved to the discussion on the Ethics and Boundaries Assessment Services (EBAS). Ms. Carrillo was tasked during the last meeting to provide more information regarding EBAS. Ms. Piszczek asserts that as a new Board member, she believes that this is something to consider for training or as a class as it is extremely useful, an idea which Ms. Carrillo and Mr. Derry agreed to.

**Agenda Item #12**

**Budget Report**

**1:47 p.m.**

The Board did not have any budget report discussed as this has been previously addressed during the last Board meeting in June 2016. The budget report for the 4<sup>th</sup> quarter will be reviewed on the next Board meeting.

**TASK:**

**The examiner will determine when the Board will be having their next fee analysis and will relay this to the Board by their next meeting.**

**Agenda Item #13**

**AQB Updates**

**1:50 p.m.**

The next item on the agenda was the Appraiser Qualifications Board Updates. Ms. Carrillo clarified that there was an error on the email, as it should be June 24, 2016, not 2015, which has been correctly stated on the Public Meeting summary provided. The meeting summary included the change to the Criteria, and the Board voting to adopt the change specifically on the three-year Supervisory Appraiser residency requirement. Based on the summary, effective July 1<sup>st</sup>, 2016, the Supervisor need not be certified in the jurisdiction where the Trainee Appraiser appraises. The Board discussed the constant changes that the appraiser career has been experiencing, from the college degree requirement to the supervisory requirements. Mr. Derry also brought up that some States moved to changing their regulations so that certified appraisers in their State would not need to comply with USPAP, opting to the compliance of the International Valuation Standards. Mr. Ferrera indicated that it was his understanding that this is the case for certain types of appraisals or reports, with not having to be USPAP compliant. Mr. Derry stated that although the International Valuation Standards are quite similar with the USPAP, it is still not considered as the same. Mr. Derry added that the Appraisal Institute is adopting a few professional appraisal standards for clarity, especially since USPAP is in constant flux in terms of the requirements.

**Agenda Item #14**

**Administrative Business**

**1:56 p.m.**

Since the Board did not have any more issues to discuss under the AQB Updates, Chair, Mr. Derry continued the meeting on agenda item #14, Administrative Business, which began with the review of the Task List from the previous meeting

**Task List**

Mr. Derry addressed the task lists for each member, including Ms. Carrillo's. Mr. Ferrera, Ms. Piszczek, and Ms. Carrillo noted that their tasks have been completed, while Mr. Derry and Mr. Tracy still have pending responsibilities.

**TASK:**

**The examiner will to forward Mr. Ferrera the work log of Jana Malingowski for the report to be reviewed.**

After addressing all the new tasks, Mr. Derry addressed that the Board still needs to fill the vacant Public Member position. Ms. Piszczek stated that she was able to speak with an individual regarding this. Mr. Derry pointed out that the Board would need someone from the general public without any definite real estate background.

Spring AARO Conference

Ms. Carrillo asked the Board if they could discuss the AARO conference happening in April 7<sup>th</sup>-9<sup>th</sup>, 2017 in Tampa, Florida. Mr. Derry suggested to have Mr. Tracy attend the AARO conference in April, as well as Ms. Zaguirre and Ms. Carrillo, which the rest of the Board approved.

**TASK:**

**The examiner of supervisor will submit a travel approval request for the AARO Conference in Tampa, FL.**

Set next meeting date

Mr. Derry suggested that the next meeting be after the April Conference, which Mr. Ferrera agreed to. The Board has decided to schedule their next teleconference meeting date for Friday, April 14<sup>th</sup>, 2017, at 9:00 a.m.

**Agenda Item #15**

**Adjourn**

**2:12 p.m.**

**Upon a motion duly made by Alfred Ferrera, seconded by Renee Piszczek, and approved unanimously by roll call, it was:**

**RESOLVED to adjourn the meeting at 2:12 p.m.**

Respectfully Submitted by:

\_\_\_\_\_  
Aiko Zaguirre, Licensing Examiner

Approved by:

\_\_\_\_\_  
David Derry, Chair

# Minutes for Review

January 12, 2018

1 STATE OF ALASKA  
2 DEPARTMENT OF COMMERCE, COMMUNITY, & ECONOMIC DEVELOPMENT  
3 DIVISION OF CORPORATIONS, BUSINESS, & PROFESSIONAL LICENSING

4 BOARD OF CERTIFIED REAL ESTATE APPRAISERS

5  
6 MINUTES OF THE BOARD MEETINGS

7 Friday, January 12, 2018

8  
9 *These are DRAFT minutes prepared by the staff of the Division of Corporations, Business, and*  
10 *Professional Licensing.*

11  
12 *These minutes have not been reviewed or approved by the Board.*

13  
14  
15 By the authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a  
16 scheduled meeting of the Board of Certified Real Estate Appraisers was held at the Robert Atwood  
17 Building, 550 W. 70<sup>th</sup> Ave., Suite 1560, Anchorage, AK.

18  
19 **Agenda Item #1** **Call to Order/Roll Call**

20  
21 The meeting was called to order at 9:07 a.m. by David Derry, Chair.

22  
23 Those present, constituting a quorum of the Board:

24 David Derry, Chair, Certified General Real Estate Appraiser

25 Alfred Ferrara, Certified General Real Estate Appraiser

26 Donald Faulkenburry, Public Member

27 Renee Piszczek, Mortgage Lending Member

28 Robert Tracy, Certified Residential Real Estate Appraiser (joined at 10:36 a.m.)

29  
30 Division Staff present in the meeting:

31 Renee Hoffard, Records and Licensing Supervisor

32 Dawn Dulebohn, Occupational Licensing Examiner

33 Melissa Dumas, Administrative Officer II

34 Beth Parsons, Paralegal I

35 Doug Fell, Investigator III

36  
37 Present from the Public:

38 Tom Atkinson, Representative Josephson's Office

39 Christine Marasigian, Senator Meyer's Office

40



41 **Agenda Item #2** **Review Agenda**

42

43 Chair, David Derry, prompted the Board to review the meeting agenda. Mr. Derry added items  
44 to the agenda. Under Item #11, New Business, Mr. Derry added Statute of Limitations  
45 discussion. Under Item #8, Old Business, Mr. Derry added Board Sunset Provision discussion  
46 and Appraisal Management Company Legislation discussion with someone from Representative  
47 Josephson's team.

48

49 **Agenda Item #3** **Review/Approve Minutes**

50

51 **On a motion duly made by Alfred Ferrara, seconded by Donald Faulkenburry, and passed**  
52 **unanimously, it was:**

53 **RESOLVED to APPROVE the meeting minutes from June, July, and September**  
54 **2017 as written.**

55

56 **On a motion duly made by Alfred Ferrara, seconded by Renee Piszczek, and passed**  
57 **unanimously, it was:**

58 **RESOLVED to APPROVE the meeting minutes from October 5, 2017 as written.**

59

60 **Agenda Item #4** **Ethics Disclosure/Review Ethics**

61

62 There were no ethics issues to disclose.

63

64 **Agenda Item #5** **Board Business**

65

66 **Review/Approve Applications**

67

68 David Derry instructed OLD Dulebohn that, going forward, any application for continuing  
69 education that is approved by the Appraisal Qualifications Board (AQB) or the International  
70 Distance Education Certification Center (IDECC) do not need to be submitted to the entire Board  
71 for approval. They should be submitted to only Mr. Derry who will review and decide on  
72 approval. Mr. Derry also informed OLE Dulebohn that applications should be sent to the Board  
73 for review electronically on the 15<sup>th</sup> of every month to avoid build-up and delay. Mr.  
74 Faulkenburry advised that he has issues editing ballots in PDF format and that he will submit his  
75 "ballot" via e-mail. Mr. Ferrara poses the question that if an applicant takes a course that has yet  
76 to be approved by the Board (but eventually gets approval), does the applicant get credit for the  
77 course. Mr. Derry clarifies that in a previous Board meeting it was determined that the applicant  
78 would not automatically get credit but that it would be reviewed on a case by case basis.

79

80 The AQB/IDECC approved continuing education courses reviewed and **APPROVED** by David  
81 Derry, Chair, by ballot were as follows:

- 82 Course #16272- The Dirty Dozen
- 83 Course #16273- The Cost Approach
- 84 Course #16374- 7 Hour National USPAP Course (A114)
- 85 Course #16375- 15 Hour National USPAP Course (A113)
- 86 Course #16376- Integrated Approaches to Value (A304)
- 87 Course #16377- Basic Appraisal Procedures
- 88 Course #16379- Residential & Commercial Valuation of Solar
- 89 Course #16429- Online Business Practice and Ethics
- 90 Course #16430- Online Comparative Analysis
- 91 Course #16434- Online Residential Site Valuation & Cost Approach
- 92 Course #16447- Real Estate Finance, Statistics, and Valuation Modeling
- 93 Course #16449- Supervisory Appraiser/Trainee Appraiser Course
- 94 Course #16451- Fundamental Concepts of Analysis
- 95 Course #16453- A Review of Disciplinary Cases- Live Webinar
- 96 Course #16455- Appraisal of Industrial Incubators
- 97 Course #16456- 15 hour National USPAP Course
- 98 Course #16457- 7 hour National USPAP Update Course
- 99 Course #16460- 2018-19 7-Hour USPAP National Update Course

100  
101 Non AQB/IDECC approved continuing education courses reviewed and approved by the Board  
102 were as follows:

103  
104 **On a motion duly made by Alfred Ferrera, seconded by Donald Faulkenburry, and passed**  
105 **unanimously, it was:**

106 **RESOLVED to APPROVE Course #16448- Two Day Advanced Income**  
107 **Capitalization/B as submitted.**

108  
109 **On a motion duly made by Alfred Ferrara, seconded by Renee Piszczek, and passed**  
110 **unanimously, it was:**

111 **RESOLVED to APPROVE Course #16412- Introduction to Green Buildings:**  
112 **Principles and Concepts as submitted.**

113  
114 **On a motion duly made by Alfred Ferrara, seconded by Renee Piszczek, and passed**  
115 **unanimously, it was:**

116 **RESOLVED to APPROVE Course #16431- Two Day Advanced Income**  
117 **Capitalization/A as submitted.**

118

119 **On a motion duly made by Alfred Ferrara, seconded by Donald Faulkenbury, and passed**  
120 **unanimously, it was:**

121 **RESOLVED to APPROVE Course #16459- 2018 Valuation Expo- Charleston as**  
122 **submitted.**

123 The Board reviewed the Certified Residential Real Estate Appraiser Reinstatement application  
124 for Teresa M. Denton.

125  
126 **On a motion duly made by Donald Faulkenbury, seconded by Renee Piszczek, and passed**  
127 **unanimously, it was:**

128 **RESOLVED to APPROVE the application for a Certified Residential Real Estate**  
129 **Appraiser for license for Teresa M. Denton.**

130  
131 Review/Update FAQ's

132  
133 No one has any questions or updates to post.

134  
135 Review Goals and Objectives

136  
137 No one has any changes in regards to the Board's Goals and Objectives.

138  
139 *David Derry, Chair, called for a break at 9:54a.m.*

140  
141 **Agenda Item #6                      Division Update/Fiscal Report**

142  
143 At 10:00 a.m., Mr. Derry reconvened the meeting.

144  
145 Administrative Officer II Melissa Dumas joined the meeting telephonically to present the  
146 Division Update/Fiscal Report.

147

<b>APR</b>	<b>2017</b>
166,583	Beginning Surplus
<b>278,417</b>	<b>Total Revenue</b>
-51,659	Direct Expense (i.e. personal services, travel, contractual, supplies, equipment)
-18,550	Indirect Expense (Commissioner's office, human resources, technology, postage, maintenance)

<b>-70,209</b>	<b>Total Expenses</b>
<b>\$374,791</b>	<b>2017 ANNUAL SURPLUS</b>

148 Mr. Derry made some inquiries regarding the 2017 Sum of Total Direct Expenses, numbers  
 149 2012- Out-State Employee Airfare for \$4,423 and 2014- Out-State Employee Lodging for \$1,941.  
 150 Supervisor Renee Hoffard advises the Board that it may have been for AARO training.

151

152 **TASK:**

153 **Melissa Dumas will look into the expenses for the Out-State Employee Airfare and**  
 154 **Lodging and whether the Board was charged for the investigative training that was**  
 155 **supposed to be reimbursed by a 3<sup>rd</sup> party.**

156

157 Ms. Hoffard brings to the Board's attention that there was a Third Party Reimbursement to the  
 158 Board in the amount of \$5,827. Ms. Dumas points out that if the Board was reimbursed, the  
 159 charges will initially show up as an expense. Only things that are directly paid do not show up as  
 160 an expense. Ms. Dumas reviews FY18 looks like it is on track with spending for a non-renewal  
 161 year.

162

163 Mr. Derry makes a statement that the Board has already addressed the issue of the surplus and  
 164 have made provisions for reducing certification fees for 2019 certification.

165

166 Mr. Derry asks about their sunset bill. Ms. Hoffard explains that the Board will be presented  
 167 with the bill from the sponsoring Representative but the Division hasn't been given the number  
 168 yet. Once the Division has that information, it will be distributed to the Board. The Board has  
 169 been recommended to continue until 2026.

170

171 Beth Parsons joins the meeting at 10:11 a.m.

172

173 Since the meeting is ahead of schedule and Mr. Fell from Investigations is in attendance, Mr.  
 174 Derry suggests the Board hear the Investigative Report early.

175

176 **Agenda Item #7                      Investigative Report**

177

178 Doug Fell from Investigations presents the Investigative Report. From September 26- December  
 179 20, 2017, the Division had 5 cases: 4 matters were opened and 1 matter was closed.  
 180 Investigations still has 5 ongoing cases and no one is on Probation.

181

182 Mr. Fell presents the Board with one consent agreement Case # 2017-000173.

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**On a motion duly made by Donald Faulkenburry, seconded by Renee Piszczek, and passed unanimously, it was RESOLVED to enter into Executive Session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing Investigations on Certified Real Estate Appraisers “matters which by law, municipal charter, or ordinance are required to be confidential.”**

Board entered Executive Session at 10:16 a.m.  
Board left Executive Session at 10:26 a.m.

**On a motion duly made by Donald Faulkenburry, seconded by Renee Piszczek, and passed unanimously with a roll call vote, it was:**

**RESOLVED to APPROVE the Consent Agreement as written for Julie Dinneen-Case #2017-000173.**

Ms. Hoffard addresses the Board to ask if they want to register Doug Fell for investigative training this year. Mr. Derry responds that the Board does want Mr. Fell to attend.

**TASK:**

**Ms. Hoffard will find out the dates for Investigative Training in 2018**

Mr. Ferrera asks if the Board has already voted to approve staff go to the Investigative Training and Mr. Derry affirms that they have at a previous meeting.

Mr. Derry brings to the Board’s attention that there is a one day USPAP course in Anchorage in March and the Board would like Doug Fell and Dawn Dulebohn to attend. Mr. Fell expresses interest in attending both the Investigative Training and the USPAP course in 2018.

**TASK:**

**OLE Dulebohn will put in travel requests for herself and Investigator Fell to attend the USPAP Course in Anchorage in the Spring of 2018.**

*Mr. Fell leaves the meeting at 10:30 a.m.*

**Agenda Item #11                      New Business**

**Statutes of Limitations**

Alfred Ferrera presents a case for implementing a statute of limitations for liability for Appraisers in Alaska. There have been many instances that frivolous lawsuits have been pursued

222 against appraisers after five years (file retention period). Mr. Ferrera presents an outline showing  
223 the reasoning behind the proposal and the Board discusses the idea in detail. Donald  
224 Faulkenburry suggests asking if Representative Josephson would be interested in sponsoring this  
225 bill in addition to the AMC bill.

226  
227 *Robert Tracy arrives at 10:36 a.m.*

228  
229 **On a motion duly made by Alfred Ferrara, seconded by Robert Tracy, and passed**  
230 **unanimously with a roll call vote, it was:**

231 **RESOLVED to proceed with the concept that there will be a five year statute of**  
232 **limitations for liability of Appraisers in Alaska.**

233  
234 Delegation of Authority

235  
236 Mr. Derry asks Supervisor Hoffard to explain this item on the agenda. Ms. Hoffard explains that  
237 the Board has previously voted that the Records and Licensing Supervisor can approve licenses  
238 if they are applying by reciprocity and the applicant has no “yes” answers. This would let  
239 applicants to be licensed quicker and avoid the wait time. The Department of Law has  
240 determined that the Board does not have the authority to allow for such a change unless there is a  
241 statute or regulation modification. LAW also cautions against making a regulations change in  
242 this regard because it would show the Board as “giving up their authority”. The allowance of the  
243 Division to make decision on Courtesy Licenses is fine considering the strict turnaround time of  
244 five days.

245 The Board decided to not pursue allowing the Division to be able to approve any applications  
246 other than Courtesy Licenses. It is reiterated that applications will be sent electronically on the  
247 15<sup>th</sup> of every month allowing the Board 10 days to respond by ballot. They will be sent in  
248 segregated e-mails by category of application.

249  
250 **Agenda Item #9                      Appraisal Subcommittee (ASC) Updates**

251  
252 David Derry summarizes the findings of the subcommittee meeting that was formed to address  
253 the Appraisal Management Company (AMC) topic formed as a result of an inquiry from  
254 Representative Josephson’s legislative aide, Tom Atkinson, as to whether the Board was going to  
255 vote to participate in AMC regulations. The committee communicated with the Attorney  
256 General and was informed that they needed statutory authority on the matter. Knowing there  
257 was an upcoming meeting, Mr. Derry contacted Mr. Atkinson and inquired whether Rep.  
258 Josephson would like to sponsor the AMC bill. Mr. Atkinson (after conferring with Rep.  
259 Josephson) replied that they were interested in carrying the bill and that there is a lobbyist on  
260 behalf of Wells Fargo is (for some reason) pushing for the Board to adapt AMC legislation. Mr.

261 Atkinson sent the Mr. Derry a copy of the draft of the House Bill. Mr. Derry also presents the  
262 Board with the draft of the bill created by the Appraisal Institute many years ago. The Board  
263 discusses the pros, cons, and changes that they would suggest for the house bill in detail.

264

265 **Agenda Item #8** **Old Business**

266

267 At 11:30 a.m., Tom Atkinson from Representative Andy Josephson's office and Christine  
268 Marasigian from Senator Meyer's office joined the meeting telephonically. The Board and Mr.  
269 Atkinson discuss how the house bill was drafted (Legislative Legal), that Representative Ledoux  
270 is no longer interested in carrying this bill, and how quite a bit of the bill should be regulatory in  
271 nature. Mr. Atkinson advises the Board that just because they believe part of the bill should be  
272 changed does not mean that it will change and that he would have to consult legal on the matter.

273

274 **TASK:**

275 **Mr. Derry would draft a letter explaining the Board's response to the drafted**  
276 **legislation, the Board's position on adding an AMC representative as a Board member,**  
277 **why the Board wants this legislation. Mr. Derry will send a draft to OLE Dulebohn to**  
278 **distribute to the Board for review before sending it on to Representative Josephson's office.**  
279 **Mr. Derry will also send text on the proposed bill concerning the statute of limitations for**  
280 **liability of appraisers so that the Representative can consider adding it to the AMC bill.**

281

282 The Board asks Mr. Atkinson whether he thinks Rep. Josephson would be willing to carry the  
283 earlier proposed bill concerning changing the statute of limitations for liability of appraisers. Mr.  
284 Atkinson advises he does not believe that Rep. Josephson will be able to carry a second bill but  
285 feels like it may be able to be combined with the AMC bill. Mr. Atkinson also advises that the  
286 Board send him as much supporting information on the subject of the bills since most legislators  
287 will not be familiar with the appraiser industry.

288

289 The Board agreed that:

- 290 • There are many pages of the drafted house bill that would be better served as regulations
- 291 • They have no objection eventually adding an AMC industry representative as a member
- 292 of the Board if and when there is a company based in Alaska. Until then they would not
- 293 vote to add an AMC member because, should the position remain vacant, the Board
- 294 would be held accountable. The Board would like to state that AMC members are always
- 295 welcome at meetings and can speak during public comment.
- 296 • David Derry would be the legislative contact person for the Board concerning AMC
- 297 legislation during 2018 session.

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**Agenda Item #10                      Lunch**

David Derry, Chair, called for lunch break at 11:53 a.m.

*Off the record at 11:53 a.m.*  
*Back on the record at 1:15 p.m.*

**Agenda Item #13                      Administrative Business**

David Derry reconvened the meeting after lunch.

**Fingerprint Regulations Project**

After reviewing correspondence between Deputy Director Sara Chambers and ASC Policy Manager Claire Brooks regarding the proposed fingerprinting legislation for Certified Real Estate Appraisers. In an e-mail to Ms. Chambers, Ms. Brooks states “the Professional Fitness Questions on Alaska’s application is enough to satisfy the AQB criteria background check requirement.” Upon hearing this the Board decided to that further action is no longer needed to meet AQB, Dodd-Frank, and AMC requirements.

**Sunset Audit Legislation**

Mr. Derry inquires as to the status of the Board’s sunset audit and whether any activity on behalf of the Board is required. Supervisor Hoffard explains that the Division has yet to receive any specifics regarding the bill’s status.

**TASK:**

**OLE Dulebohn will find out about sunset audit legislation, bill number, ect and distribute information to the Board.**

**Correspondence**

Ms. Hoffard presents the Board an email stating that Claire Brooks has been appointed as the representative for Appraisal Foundation’s Appraisal Subcommittee.

Ms. Hoffard presents the Board with a letter received from Allterra. The Board discusses the correspondence and asks the Division to reply to the letter stating that the Board does not accept any applications via reciprocity.



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**TASK:**

**Supervisor Hoffard will respond to Allterra letter.**

Future Board Meetings

The Board discusses proposed dates for the next Board meeting. The Board decides to meet via teleconference on May 11, 2018 at 9:00 a.m.

Association of Appraiser Regulatory Officials Conference

The Board would like to send Board members David Derry, Robert Tracy, and OLE Dawn Dulebohn to the AARO conference May 4-6, 2018 in Seattle, WA.

David Derry, Chair, called for a short break before Public Comment.

Off the record at 1:42 p.m.  
Back on the record at 2:00 p.m.

Agenda Item #12                      Public Comment

No one signed up for Public Comment or joined telephonically to address the Board.

Agenda Item #14                      Adjourn

**In a motion made by Donald Faulkenburry, seconded by Alfred Ferrara, and passed unanimously with a roll call vote, it was RESOLVED to adjourn.**

Upon hearing that Alfred Ferrera's term ends March 1, 2018 and the Governor has appointed Wendy Lawrence to replace him, David Derry took a moment to thank Alfred Ferrara for his excellent service over the years. Mr. Derry stated that Mr. Ferrara was an asset to the Board and that he would be missed.

Hearing nothing further, Chair David Derry adjourned the meeting at 2:08 p.m.

379

380 Respectfully Submitted,

381

382

383 \_\_\_\_\_

384 Dawn Dulebohn, Licensing Examiner

\_\_\_\_\_ Date

385

386

387 \_\_\_\_\_

388 David Derry, Chair

\_\_\_\_\_ Date

DRAFT

# Minutes for Review

May 11, 2018

1 STATE OF ALASKA  
2 DEPARTMENT OF COMMERCE, COMMUNITY, & ECONOMIC DEVELOPMENT  
3 DIVISION OF CORPORATIONS, BUSINESS, & PROFESSIONAL LICENSING

4 BOARD OF CERTIFIED REAL ESTATE APPRAISERS

5  
6 MINUTES OF THE BOARD MEETINGS

7 Friday, May 11, 2018

8  
9 *These are DRAFT minutes prepared by the staff of the Division of Corporations, Business, and*  
10 *Professional Licensing.*

11  
12 *These minutes have not been reviewed or approved by the Board.*

13  
14  
15 By the authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a  
16 scheduled meeting of the Board of Certified Real Estate Appraisers was held via teleconference on  
17 Friday, May 11, 2018. .

18  
19 **Agenda Item #1** **Call to Order/Roll Call**

20  
21 The meeting was called to order at 9:07 a.m. by David Derry, Chair.

22  
23 Those present, constituting a quorum of the Board:

24 David Derry, Chair, Certified General Real Estate Appraiser  
25 Donald Faulkenburry, Public Member  
26 Renee Piszczek, Mortgage Lending Member  
27 Robert Tracy, Certified Residential Real Estate Appraiser

28  
29 Division Staff present in the meeting:

30 Dawn Dulebohn, Occupational Licensing Examiner  
31 Laura Carrillo, Records and Licensing Supervisor  
32 Doug Fell, Investigator III  
33 Sara Chambers, Deputy Director

34  
35 At this time, Chair Derry invited OLE Dulebohn to address the board in relation to the new On Board  
36 program the Division has implemented, to remind all board members to identify themselves when  
37 speaking, and that the Division has determined for sake of transparency that Executive Sessions will now  
38 be recorded and stored separately from the public record recordings.

39  
40 **Agenda Item #2** **Ethics Disclosure/Review Ethics**

41  
42 There were no ethics issues to disclose.

43  
44 **Agenda Item #3**                      **Review Agenda**

45  
46 Chair David Derry prompted the Board to review the meeting agenda. There were no changes  
47 made to the agenda.

48  
49 **On a motion made by Robert Tracy, seconded by Donald Faulkenburry, and passed**  
50 **unanimously, it was:**

51                      **RESOLVED to APPROVE the agenda as written.**

52  
53 **Agenda Item #4**                      **Review/Approve Minutes**

54  
55 The Board briefly discussed the minutes and decided that they would review and approve the  
56 minutes from January 12, 2018 at the next scheduled meeting.

57  
58 **Agenda Item #7**                      **Board Business**

59  
60 **Election of Chair/Alternate Chair**

61  
62 Mr. Derry states that with the loss of Alfred Ferrarra from the Board there is a position in the  
63 form of Alternate Chair that needs to be filled. Mr. Derry conveys that this is a good time for the  
64 board to decide on leadership and asks if there are any nominations for Chair or Vice Chair. The  
65 board discusses options for Vice Chair but after being nominated by Robert Tracy, Donald  
66 Faulkenburry declines. Mr. Derry then nominates Robert Tracy as Vice Chair and Mr. Tracy  
67 accepts the nomination. Mr. Faulkenburry nominates David Derry as Chair. Mr. Derry accepts.

68  
69 **On a motion made by Donald Faulkenburry, seconded by Robert Tracy, and passed**  
70 **unanimously with a roll call vote, it was:**

71                      **RESOLVED to APPROVE the nomination and appointment of David Derry as**  
72 **Chairman of the Board of Certified Real Estate Appraisers.**

73  
74 **On a motion made by David Derry, seconded by Renee Piszczek, and passed unanimously**  
75 **with a roll call vote, it was:**

76                      **RESOLVED to APPROVE the nomination and appointment of Robert Tracy as**  
77 **Vice Chairman of the Board of Certified Real Estate Appraisers**

78  
79 **Review/Update FAQ's**

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Mr. Derry asked that the board changes to the Frequently Asked Questions.

**TASK:**

**OLE Dulebohn was asked to correct the following FAQ's:**

**9. The information under “Required Course for Trainees and Supervisors” states that the “course is acceptable for qualifying education only, not continuing education.” Mr. Derry says that this is incorrect and that the information is reversed. It should read “course is acceptable for qualifying continuing education only, not qualifying education.”**

**16. The 100 hours of education needed to transition from a certified residential to certified general real estate appraiser needs to be clarified.**

**14. The qualifications needed to transition from a Trainee Appraiser to a certified general or residential real estate appraiser have changed. The board will address the regulations project needed to adopt these changes at the next meeting.**

**18. Appraisal Management Companies legislation was passed in 2018. Regulations will need to be drafted by the board in order to implement change. The board will address the regulations project needed to adopt these changes at the next meeting.**

**19. The Division of Corporations, Business, and Professional Licensing contacted the Appraisal Subcommittee and has determined that requiring fingerprinting as part of the application process for certification is not necessary and that the current process of asking Professional Fitness Questions satisfies the federal requirement.**

Supervisor/Trainee- Determination of Competency and Property Inspections

Mr. Derry voiced concerns over Residential Supervisors and Trainees in relation to property inspection, the Uniform Residential Appraisal Report (URAR), and the Determination of Competency forms. Mr. Derry is hearing of supervisors not consistently inspecting properties with trainees. It is the supervisor's responsibility to inspect properties with their trainees until a determination of competency is achieved. Mr. Derry would like the Division to take the Determination of Competency form out of the application and post it separately on the website. Mr. Derry would like a FAQ added about the form and that it needs to be filed with the Division within 10 days. The Board engages in dialogue about their experiences with the URAR form and how it is completed.

119 **TASK:**  
120 **OLE Dulebohn to check with Division in regards to removing the Determination of**  
121 **Competency form from the Certified General and Residential applications, posting it on**  
122 **the website, adding an FAQ about the supervisory requirements of this form, and**  
123 **correcting the typo “competently” at the bottom of the page.**  
124

125 The topic of the scarcity of trainee appraisers was discussed and the board displayed dismay at  
126 the two trainees in Fairbanks, zero in the Valley, and one in Kenai. Mr. Derry expresses his  
127 feelings on the responsibility of certified appraiser to train new appraiser to continue the  
128 profession.

129  
130 **Agenda Item #5                      Old Business**

131  
132 Laura Carrillo joins the meeting at 9:38 a.m. to address the board’s questions on the Fee Analysis  
133 Report and answer any questions about the current regulations projects.

134  
135 **Fee Analysis Report**

136  
137 Ms. Carrillo states that she will not be able to expand upon the Fee Analysis Report because it  
138 was already presented to the board in July 2017. Ms. Carrillo did make the comment that in the  
139 document revised April 5, 2018, the Courtesy License fee was changed from \$150 to \$250. Ms.  
140 Carrillo recalls the 2013 Legislative Audit Report in which it was noted that the courtesy license  
141 fee was capped at \$150. Ms. Carrillo wonders if the cap had been expanded since then. Mr.  
142 Derry replies that he wasn’t sure that the cap had changed. Ms. Carrillo wanted to make the  
143 board aware of this discrepancy before they implement the fee change and fees the Department  
144 of Law should be aware of the cap.

145  
146 **TASK:**  
147 **Mr. Derry will research if any fee cap exists federally for Courtesy Licenses.**  
148

149 **Current Regulations Project Update**

150  
151 Ms. Carrillo takes the board through the draft regulations language. She touches on the current  
152 language of 12 AAC 02.370(9) being removed in lieu of the ASC clearance. Ms. Carrillo then  
153 asks if the board has any specific questions. Discussion of the current language ensues when it is  
154 discovered that Ms. Carrillo had a copy of the draft regulations that included notes from the  
155 Department of Law. Ms. Carrillo advises the board to wait until they can review the more  
156 updated version with the Department of Law notes and then reviewing and approving that  
157 version at a later meeting. Mr. Derry agrees that the board should postpone any vote on the

158 drafted regulations language until they have a chance to review the updated version. The board  
159 was informed that the updates can be found in bold font and underlined.

160

161 **TASK:**

162 **OLE Dulebohn should put the regulations project draft language with Department**  
163 **of Law notes on the agenda for the next meeting.**

164

165 Mr. Tracy made it a point to compliment Ms. Carrillo on her good work in elevating the federal  
166 status rating of the Board. Mr. Derry concurred with Mr. Tracy's compliment and thanked Ms.  
167 Carrillo as well on her work and effort.

168

169 **Agenda Item #7 (continued)** **Board Business**

170

171 **Review Continuing Education from 2017 Audit**

172

173 The board was asked by the paralegal to review three cases that were selected for 2017's audit  
174 but have not been satisfactorily voted on either in 2017 or earlier this year when OLE Dulebohn  
175 sent them out to the board. The three cases of Douglas DeLaGrange, Scott Lantto, and John  
176 Emery need the board to vote on the content of their continuing education certificates so the  
177 paralegal can draft consent agreement to finalize the audit. OLE Dulebohn clarifies that  
178 "content" would be course relevance and whether it was approved by the State of Alaska

179

180 The board objected to having to review the continuing education certificates since the board  
181 reviews and approves all continuing education courses prior to them being acceptable for  
182 licensee use. OLE Dulebohn stated the reason the board had to review the certificates stemmed  
183 from Centralized Licensing statutes 12 AAC 02.960 and 12 AAC 02.965 stating that "credits  
184 submitted to satisfy the continuing education requirements under this section must be approved  
185 under AS 08 and this title by the department or the applicable board."

186

187 The board wanted to know if it was a possible to change Centralized Statutes and Regulations to  
188 recognize that the Board of Certified Real Estate Appraisers pre-approves all continuing  
189 education content.

190

191 **On a motion made by Donald Faulkenburry, seconded by Robert Tracy, and passed**  
192 **unanimously with a roll call vote, it was:**

193 **RESOLVED to APPROVE the previously reviewed and approved 26 hours of**  
194 **continuing education presented by Douglas DeLaGrange for the 2015-2017 licensing period**  
195 **audit.**

196



197 The board discussed the certificates presented by John Emery. Mr. Faulkenburry pointed out  
198 that certificate #16CP167303068 and #17CP167303083 are not courses approved by Alaska.  
199

200 **On a motion made by Robert Tracy, seconded by Renee Piszczek, and passed unanimously**  
201 **with a roll call vote, it was:**

202 **RESOLVED to APPROVE the previously reviewed and approved 7 class hours and**  
203 **30 hours of distance education hours of continuing education approved by the State of**  
204 **Alaska presented by John Emery for the 2015-2017 licensing period audit and DENY the**  
205 **continuing education classes presented with approval from the State of California.**  
206

207 **On a motion made by Donald Faulkenburry, seconded by Robert Tracy, and passed**  
208 **unanimously with a roll call vote, it was:**

209 **RESOLVED to APPROVE the previously reviewed and approved 26 hours of**  
210 **continuing education presented by Scott Lantto for the 2015-2017 licensing period audit.**  
211

212 Mr. Derry wanted an opportunity to present the board's "case" to the paralegal. Mr.  
213 Faulkenburry objected to the board trying to do anything to change the regulation stating he felt  
214 it would be a "waste of time" with so many underlining statutes. Mr. Derry recognizes that it  
215 may be a "futile effort" but renews his willingness to speak to the paralegal on the board's  
216 behalf.  
217

218 **On a motion made by Robert Tracy, seconded by Renee Piszczek, and passed with a**  
219 **majority roll call vote not including Donald Faulkenburry, it was:**

220 **RESOLVED to APPROVE the appointment of David Derry to speak to the**  
221 **paralegal on the board's behalf in regards to a need for the board to review continuing**  
222 **education for audits.**  
223

224 **TASK:**

225 **OLE Dulebohn will send Mr. Derry the referencing regulation to Mr. Derry prior to**  
226 **arranging a meeting to with Mr. Derry and the Paralegal Department to discuss changing**  
227 **Centralized Statutes and Regulations to accommodate the Board of Certified Real Estate**  
228 **Appraisers pre-approval of continuing education courses so there is no need to review**  
229 **content for the audit process**  
230

231 Review Goals and Objectives  
232

233 The board discusses the 2018 Annual Report. OLE Dulebohn informs the board that the  
234 tentative deadline for the report is July 1, 2018. Mr. Derry gives an overview of what the report  
235 is to the board and encourages the board to look over previous year's reports. Mr. Derry reports

236 that researching and reporting for the Annual Report helped with the sunset audit in terms of fee  
237 changes.

238

239 **TASK:**

240 **Mr. Derry will write up the Goals and Objectives and Summary for the 2018**  
241 **Annual Report and send them to OLE Dulebohn before July 1, 2018.**

242

243 **Agenda Item #11** **New Business**

244

245 AMC Legislation Update

246

247 Mr. Derry reports that the Appraisal Management Companies (AMC) legislation passed both the  
248 House and the Senate and is now only awaiting the Governor's signature. Mr. Derry reports how  
249 much he learned from this legislative processes. Mr. Derry acknowledges the support from  
250 Senator Kevin Meyer and Representative Andy Josephson. He felt that Representative  
251 Josephson and his staff in particular were very helpful in showing him how to navigate the  
252 process and supporting the board's requests. Mr. Derry felt that the Senate side was more  
253 aligned with the Real Estate Value Advisors (REVA) and the Wells Fargo lobbyist requests. Mr.  
254 Derry feels that the versions of the bills that were passed are a lot more specific than were  
255 needed and most of what was in them should have been addressed in regulation. These items  
256 included the \$25,000 bonding limit that the board had requested be \$100,000 and was eventually  
257 settled at \$50,000 and the controlling AMC member must be a Alaska Certified Real Estate  
258 Appraiser was changed to just a Certified Real Estate Appraiser. Mr. Derry feels that the bills  
259 end results were fair. Mr. Derry does inform the board of a last minute amendment that  
260 Representative Guttenburg from Fairbanks added to HB 329 that essentially attempting to clarify  
261 charges and fees from the lenders and the AMC's that put the onus on the lenders. The language  
262 was confusing and Mr. Derry helped to clarify it.

263

264 Mr. Derry relays that the implementation date for AMC's is August 1, 2018 but the State has  
265 filed the 1 year extension with the Appraisal Subcommittee (ASC) which was approved on their  
266 May 9, 2018 meeting and it just awaiting the Federal Housing Oversight Committee's final  
267 approval.

268

269 Mr. Derry had asked both OLE Dulebohn and Mr. Tracy to look for "sample" regulations for  
270 AMC's from other states when they attended the Spring AARO Conference on May 4-6. Those  
271 states were identified as Oregon and Texas. OLE Dulebohn was asked to outline the regulations  
272 process. Ms. Dulebohn stated that if the board wishes to speak to a regulations specialist about  
273 language that the meeting would need to not happen on Fridays since the Specialist does not  
274 work on Fridays.

275 David Derry, Chair, called for a 5 minute break at 10:32 a.m. to allow OLE Dulebohn to attempt  
276 to locate Doug Fell who had not called in for his Investigative Report that was scheduled for  
277 10:30 a.m.

278

279 **Agenda Item #6** **Investigative Report**

280

281 At 10:37 a.m. Doug Fell from Investigations presents the Investigative Report. Mr. Fell  
282 apologizes for being late owing to technical difficulties calling in.

283

284 Mr. Fell starts with the Probation Report stating that there is currently only 1 person on probation  
285 and they are staying in compliance. During the last quarter, Investigations opened 2 matters,  
286 closed a total of 4, and have 3 ongoing cases that are progressing and working towards evolution  
287 and will be addressed at the next meeting.

288

289 **Board Review of Complaint Process/Forms**

290

291 Mr. Derry has questions of the Investigative Department and asks for both Donald Faulkenburry  
292 as a past Investigator and Doug Fell's advice in regards to board investigative reviews. Mr.  
293 Derry brings the Board Member Review and Commission Member Review forms into question  
294 as to content and USPAP compliance. Mr. Derry states that he feels that these reviews require a  
295 more in depth analysis and, as a result, more time because someone's certification is on the line.

296

297 Mr. Derry has a list of suggestions regarding this process:

298

299 1. The language be changed from "review" to "screening". The board conducts an initial  
300 screening to determine if further investigations are needed. After it is found that investigations  
301 are needed, there is board approved or designated appraiser panel consisting of a mix of  
302 residential and general appraisers and lenders that are under contract to the board to conduct the  
303 analysis. Mr. Derry describes that the panel will be apprised of their duties and the set rate fee  
304 beforehand. Mr. Derry states that it is a real obligation for the board to take the time to do  
305 investigative reviews because they are very time consuming.

306

307 Mr. Faulkenburry weighs in on his experience on being an investigator in the past. He states  
308 when he was an appraiser he would only go to the reviewing board member after a thorough  
309 investigation had been completed. The purpose of going to a board member would be to make  
310 sure nothing was missed in the investigative process.

311

312 Dialogue ensues of the current investigative process and how much information the investigator  
313 has access to in terms of comps and surface value. Mr. Fell informs the board that his job is to

314 gather the facts of cases and then it's the reviewing member's responsibility (based on that  
315 report) to determine if a violation has occurred. Mr. Tracy weighs in that USPAP requires a  
316 geographic competency for reviews and that may not always be the case with the chosen  
317 reviewing member. Mr. Tracy feels that could open the board to legal appeals from reviewees  
318 and reiterates Mr. Derry's need for contracted reviewing panelists. Mr. Derry lists off that the  
319 panelist should be from Southeast, Fairbanks, the Valley, and possibly the Kenai Peninsula. Mr.  
320 Derry appeals to the board for opinions on contracting reviewing panelists stating the personal  
321 opinion that although the board doesn't receive many complaints, the job of reviewing will fall  
322 on the board's certified appraisers to assist Investigations and he doesn't want to commit that  
323 much time to doing reviews. Mr. Derry would like to see board member only doing the initial  
324 screening to determine if further investigations are needed, the investigators do their research,  
325 but the actual review go to a contracted reviewer to look for USPAP compliance or appraiser  
326 specifics. Rob Tracy concurs with this process.

327  
328 Mr. Derry requests Mr. Fell's knowledge in whether the board has the authority to form such a  
329 reviewing panel. Mr. Fell tells the board that Investigations has been known to contract  
330 competent experts and negotiate fees which will then be approved by the board. Mr. Derry asks  
331 if the board can solicit experts and Mr. Fell notifies the board that to find that many experts he  
332 will need to get prior approval from Chief Francois but he believes that having many experts  
333 available for review would be beneficial but will incur more cost to the board. Mr. Fell makes  
334 sure to emphasize that any review from a panel would still have to come back to the reviewing  
335 board member before coming before the board for adoption as the reviewing panel are not board  
336 members appointed by the Governor.

337  
338 Mr. Derry goes on to state that when he was investigated, it was a process that was stressful and  
339 always in the back of his mind. He believes that forming this panel will make the process more  
340 expeditious and easier on the person being investigated. Following an inquiry from Mr. Derry as  
341 to whether all investigative costs are billed directly to the board and Mr. Fell conveys that he  
342 believes they are.

343  
344 **TASK:**  
345 **Mr. Fell will find out procedures for soliciting experts for the reviewing appraisal**  
346 **panel and whether public notice and approval are needed and report back to the board.**

347 **TASK:**  
348 **Mr. Fell will look into the possibility of changing the name of the form title "Board**  
349 **Member Review" to "Board Member Screening".**

350  
351 **On a motion made by Robert Tracy, seconded by Renee Piszczek, and passed with a**  
352 **majority roll call vote not including Donald Faulkenburry who abstained, it was:**

353 **RESOLVED to APPROVE the Board establishing a review panel for appraisers as**  
354 **a component of the investigative process including factors of geographic competency,**  
355 **whether a residential or general appraiser is needed, qualifications, and the cost of the**  
356 **panel including reviewer fees. The utilization of this panel would be prompted by an initial**  
357 **screening by the board’s reviewing member and indicated by answering “yes” to question**  
358 **#4 of the Board Member Review form generated by Investigations.**

359  
360 **TASK:**

361 **Upon receiving Mr. Fell’s report, the board will provide the verbiage they want to**  
362 **post on the website to solicit reviewers and OLE Dulebohn will take steps to have it posted**  
363 **on the board’s website.**

364  
365 Mr. Derry questions whether the reviewing board member should make recommendations on  
366 disciplinary matters as stated on the Commission Member Review form. The board had dialogue  
367 on the subject to include Mr. Faulkenburry’s time as an investigator, that the Department of Law  
368 only reviews cases upon appeal, and why there could only be one reviewing board member. It  
369 was brought up that the board reviews each case before adoption and that would be the time to  
370 make any changes including disciplinary actions.

371  
372 Upon prompting from OLE Dulebohn as to whether the board has ever developed a disciplinary  
373 matrix, Mr. Derry asks Mr. Fell a series of questions about the methods to determine corrective  
374 measures in a case. Mr. Fell states that a series of in depth research into previous similar cases  
375 must be done for east instance to determine action. Clarification is made that a disciplinary  
376 matrix would just be a guiding tool not only for investigations but for licensees and that  
377 everything would still need to reviewed on a case-by-case basis.

378  
379 **TASK:**

380 **OLE Dulebohn will research what is needed for the board to create and approve a**  
381 **disciplinary matrix to be used as a tool to aid in investigations.**

382  
383 Doug Fell left the meeting at 11:29 a.m.

384  
385 **Agenda Item #11 (continued)** **New Business**

386  
387 **AQB Criteria Changes**

388  
389 OLE Dulebohn informs the board that in terms of the board choosing which of the Appraisal  
390 Qualifications Board (AQB) Criteria Changes effective May 2018 to adopt, the boards statutes  
391 state in AS 08.87.020(3) that the *regulations adopted by the board under AS 08.87.110,*

392 08.87.120, and 08.87.310 may not be more stringent than the corresponding minimum  
393 requirements for receiving approval of the state's programs of certification of real estate  
394 appraisers under 12 U.S.C. 33313351 or other federal law makes it impossible for the board to  
395 not adopt all of the new criteria. Mr. Derry agrees that the board must draft language for  
396 regulations changes to reflect all the new criteria specified in the AQB 2018 version. Mr. Tracy  
397 reports that in the AARO meeting, having the statutory authority Georgia, Iowa, and Washington  
398 chose to hold to the higher standards set in the AQB 2015 version. Mr. Derry states that a year  
399 ago, the board sent in a letter of support for the more liberal version of requirements to the AQB.

400

#### 401 ASC Revised Policy Statement

402

403 ASC Revised Policy Statement was sent out to the board on March 5, 2018. The redline version  
404 was sent to the board members on March 9<sup>th</sup> and 15<sup>th</sup>, 2018. Mr. Derry states that this version  
405 will not be implemented or auditable until March 2019. OLE Dulebohn and Mr. Tracy recall  
406 from the AARO Conference that federal AMC audits will not be conducted until 2020.

407

#### 408 The Real Appraiser Qualification Criteria (May 2018)

409

410 Hard copies of The Real Appraiser Qualification Criteria (May 2018), Qualification Breakdown  
411 sheet (summary), and AQB Q&A that were acquired from the AARO conference were mailed to  
412 each board member on May 7, 2018.

413

#### 414 New Potential Regulations Projects

415

416 Mr. Derry asked that 12 AAC 70.990 as pertains to USPAP be added to the agenda. The  
417 definition stated says that (1) *in accordance with Standard 1 and Standard 2 of the Uniform*  
418 *Standards of Professional Appraisal Practices described in 12 AAC 70.900* that definition needs  
419 to be updated to include Standard 3 and Standard 4. Upon consulting OLE Dulebohn on the  
420 regulations process, Mr. Derry concludes that this change can be addressed when the board starts  
421 the regulations changes to accommodate new AMC and AQB requirements.

422

423 Mr. Derry also asked that 12 AAC 70.210 be changed to allow continuing education credit for  
424 licensees and acting board members for board meeting attendance. OLE Dulebohn states that  
425 while giving credit to licensees for board attendance is common there are no programs that  
426 award board members credit for attending board meetings. OLE Dulebohn consulted Supervisor  
427 Kautz in her research of this topic and it was determined that giving a board member credit for  
428 attendance to board meeting they were already required to attend was an ethics violation as it  
429 would be providing compensation. The board discussed this position at length with Mr. Derry  
430 mentioning he was hoping that allowing board members credit for board meeting would entice

431 more people to want to join the board. Mr. Derry quotes the AQB Criteria (2015) page 8,  
432 number 15 for reference:

433  
434 *State appraiser regulatory agencies may award continuing education credit to credentialed*  
435 *appraisers who attend a state appraiser regulatory agency meeting, under the following*  
436 *conditions: a) Credit may be awarded for a single state appraiser regulatory agency meeting*  
437 *per continuing education cycle. The meeting must be open to the public and must be a minimum*  
438 *of two hours in length. The total credit cannot exceed seven hours and b) the state appraiser*  
439 *regulatory agency must ensure that the credentialed appraiser attends the meeting for the*  
440 *required period of time.*

441  
442 The discussion on this topic was concluded by deciding to consult Deputy Director Sara  
443 Chambers her advice when she joined the meeting for the Division Update.

444

445 **Agenda Item #12**                      **Correspondence**

446

447 OLE Dulebohn informs the board that the correspondence from Vincent, Curtis (Classroom vs.  
448 Distance), and Druhot should all be answered at the conclusion of Administrative Business. The  
449 e-mails that the board needs to specifically address and respond to are from Curtis (Review  
450 Specific States) and Safer.

451

452 The board deliberated, decided that they would go ahead and break, read these two letter during  
453 the break, and would respond to the letters after lunch.

454

455 *David Derry, Chair, called for a lunch break at 11:53 a.m. to reconvene at 1:00 p.m.*

456

457 **Agenda Item #8**                      **Lunch**

458

459 **Agenda Item #12 (continued)**                      **Correspondence**

460

461 Chair David Derry reconvened the board at 1:04 p.m.

462

463 Mr. Derry asked the board to review the e-mails from Michael Curtis on Reviewer Specific  
464 States and Allen Safer on Barriers to Licensure.

465 After reviewing and discussing Mr. Safer's correspondence it was decided that Vice Chair  
466 Robert Tracy would draft a letter of support that initial qualifying education for trainees be done  
467 after they have their trainee license to the AQB and a reply to Mr. Safer.

468





508 Mr. Derry discloses his involvement with Legislative Liaison Michaela Fowler and provides  
509 feedback on his 2018 legislative experiences. Mr. Derry asks if having a Legislative Liaison  
510 could be more of an asset for the board in the future. Ms. Chambers informs the board that, as  
511 they have found, the legislative process is very complex. Ms. Chambers commends Mr. Derry  
512 for his tireless championing of legislation and his real estate appraiser knowledge and  
513 explanations to committees. Ms. Chambers explains that Legislative Liaison helps to interface  
514 between the Commissioner’s Office, the administration, and the legislation and helps to facilitate  
515 the process. Ms. Chambers states that there are two ways to legislation can happen:

- 516 1. Through a legislative sponsor such a representative or senator
- 517 2. Through the Governor via the Division (very minimal)

518  
519 The Legislative Liaison must have the clearance from the Governor’s Office to advocate for any  
520 changes. Ms. Chambers suggests that if there is an addition that the board feel needs to be made  
521 next session, a gesture of thanks from the board should be made to the sponsors now. After the  
522 sponsors have time to rest and recharge, broach the subject of legislative change in the fall.

523  
524 **TASK:**

525 **Mr. Derry will draft thank you notes to the sponsors of HB 329 and SB 155.**

526  
527 On the subject of the duties of the liaison, Mr. Derry was disappointed that Ms. Fowler did not  
528 interact or ask the board’s stance on more issues. He felt as though crucial issues were not  
529 conveyed to the legislature because of this. Ms. Chambers went on the record to say that she did  
530 not feel as though things Mr. Derry may have heard on the subject were entirely truthful. Mr.  
531 Derry also expressed dismay at this being an Alaskan bill, being reviewed by Alaska law makers,  
532 and actively supported by the Alaska Board of Certified Real Estate Appraisers but that the  
533 legislators did not give more weight to the concerns and requests of the board that would have to  
534 enforce it.

535  
536 Financial Report

537  
538 Ms. Chambers went on to inform the board of the financial report for the 3<sup>rd</sup> quarter ending  
539 March 31, 2018. Ms. Chambers guided the board through the trends of this non-renewal year.  
540 Prompted by a question from Mr. Derry on the travel restrictions for the last AARO conference,  
541 Ms. Chambers explained that there is no political will from the Governor’s Office to allow  
542 multiple board members to go to the same conference without demonstration of multiple  
543 educational tracks being followed.

544

<b>APR</b>	<b>2018</b>

374,791	Beginning Surplus
<b>50,030</b>	<b>Total Revenue</b>
67,810	Direct Expense (i.e. personal services, travel, contractual, supplies, equipment)
13,913	Indirect Expense (Commissioner's office, human resources, technology, postage, maintenance)
<b>81,723</b>	<b>Total Expenses</b>
<b>\$343,098</b>	<b>2018 1<sup>st</sup> -3<sup>rd</sup> Quarter Cumulative Surplus</b>

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**TASK:**

**OLE Dulebohn to forward the AMC extension request approval to Michaela Fowler (still pending Federal approval).**

**Agenda Item #10                      Public Comment**

No one was presented either in person or telephonically for Public Comment. No public comment was heard.

**Agenda Item #13                      Administrative Business**

**Meeting Dates for 2018**

OLE Dulebohn requests that the board set their meeting dates for the rest of the year in order to have access to staff and equipment. She states that today's meeting did not have a meeting room finalized until this morning, there was no Wi-Fi hotspot since the Division only has one in Juneau, and she hopes that setting dates will avoid this issue in the future.

- Teleconference Meeting- July 25, 2018 (alternate being July 24) at 9:00am for half a day- primary focus on regulations language stemming from new AMC legislation and AQB Criteria changes. The board would like to have a regulations specialist in attendance.
- In Person Meeting in Anchorage- September 24, 2018 (alternate being September 25) at 9:00 am
- Teleconference Meeting – November 19, 2018 (alternate being November 20) at 9:00 am

572  
573 Mr. Faulkenburry requests that OLE Dulebohn inform the board of the set dates as soon as they  
574 are confirmed in the calendar.

575  
576 **TASK:**  
577 **OLE Dulebohn will send out the set meeting dates to the board as soon as they are**  
578 **confirmed.**

579  
580 AARO Conference Report  
581 Mr. Tracy gives a board report on knowledge gained from the AARO Conference that he and  
582 OLE Dulebohn attended on May 3-6, 2018. Mr. Tracy reports that there was wide support for  
583 the education criteria changes, a new technology called Practical Application of Real Estate  
584 Appraisals (PAREA) that will help with education and experience, an ID number change in the  
585 appraiser database, appraiser decline, standardizing best practices, Appraisers Standards Board  
586 decided to send out a new draft in mid-May of 2018, the Appraisal Institute lobbied to be able to  
587 provide all the educational support for PAREA, and that the states that he identified as having  
588 regulations in place that may be helpful for Alaska as sample language are Texas, Wyoming, and  
589 Oregon which are available online.

590  
591 **TASK:**  
592 **Mr. Tracy will send the state regulation links that could be used as “sample”**  
593 **regulation language to OLE Dulebohn who will disseminate them to the board.**

594  
595 Ms. Piszczek interjects that she will need to leave at 3:30 pm.

596  
597 OLE Dulebohn contributed that she had been able to attend Investigative training where case  
598 studies had been presented and she felt it was very clarifying to the process, that she took away a  
599 lot of administrative ideas on how to craft AMC applications. OLE Dulebohn felt that the  
600 knowledge she gained was invaluable in terms of understanding AMCs and AQB Criteria  
601 changes especially from the summaries and breakdowns that were provided. OLE Dulebohn  
602 recorded the AARO meeting if anyone would like to request a copy of the audio. Mr. Tracy  
603 interjects that the AARO Conference in Denver in 2019 will have a more in depth, 7 hour  
604 investigative training.

605  
606 In regards to the AQB Public meeting, both attendees felt it was basically a rehash of the AARO  
607 Conference and didn't particularly give them any new information.

608  
609 Code of Conduct Documents

610

611 An email was received by Lindy Irwin at the Governor’s Office requesting that Mr.  
612 Faulkenburry submit his Oath of Office and Code of Conduct documents. Mr. Faulkenburry  
613 submitted his Oath of Office the week of May 7, 2018 and he maintained that he would send his  
614 Code of Conduct documents to Lindy Irwin immediately.

615  
616 Connecting the Dots

617  
618 Before she leaves, Mr. Derry asks Ms. Piszczek to go over the class she attended entitled  
619 “Connecting the Dots” that she provided the board with a power point. The class was billed as  
620 mandate for “going green”. Ms. Piszczek reports that approximately 50 people who were a mix  
621 of lenders, appraisers, real estate agents, and representatives from the State of Alaska were all in  
622 attendance. The instructor suggested using a hybrid of The Cost Approach to address the costs  
623 to build in the Fairbanks area. The board discusses the pros and cons of having a more “green”  
624 home.

625  
626 2018 Annual Report

627  
628 This topic was prematurely discussed during Board Business. Mr. Derry will write up the Goals  
629 and Objectives and Summary for the 2018 Annual Report including the board’s wish to set up a  
630 review panel and send them to OLE Dulebohn before July 1, 2018.

631  
632 Clarifications on Board Decisions/ Policies Going Forward

633  
634 In an effort to get clarification on some issues that have been brought to the Division, OLE  
635 Dulebohn has asked the board to weigh in on precedents previously set or that need to be  
636 revisited in following with Federal and State requirements. Although the Division formulates all  
637 applications, OLE Dulebohn would like input from the experts in the real estate appraiser  
638 industry. All feedback will be considered and appreciated. OLE Dulebohn has compiled a list of  
639 items that include:

640  
641 **1. Q. What is the board’s stance on postdating approval for continuing education or**  
642 **qualifying education courses?**

643  
644 A. After discussion, the board decided that course approval could be postdated on a case by case  
645 basis. The board is mostly concerned with content of courses and allowing more options for  
646 courses to be taken by applicants and licensees. If someone applies as a Certified Real Estate  
647 Appraiser or Trainee and the certificates they submit as part of their qualifying education do not  
648 have dates that correspond the course approval, the board will take into consideration that the  
649 course was eventually approved and review that application accordingly. The board does not

650 want to impose un-needed restrictions on applicants for issues that probably stem from the  
651 sponsors.

652

653 **TASK:**

654 **OLE Dulebohn will send out an e-mail to course sponsors to set guidelines for the**  
655 **course approval process.**

656

657 **2. Q. Are course application approvals good for less than 3 years if the AQB approval**  
658 **states an earlier date?**

659

660 A. The board had a lengthy discussion and decides that although AQB approval is a important  
661 tool for streamlining application approval it doesn't have anything to do with the State course  
662 expiration date as stated in 12 AAC 70.200(3)(d). The board determines that it is the sponsor's  
663 responsibility to provide AQB renewal documents to the State if it chooses to continue to offer  
664 an AQB approved course beyond their initial AQB expiration. All courses that are approved by  
665 the board will have a 3 year expiration date.

666

667 **3. Q. Regulation 12 AAC 70.100 states that "an applicant under this section must include**  
668 **official transcripts, notarized copies of certificates of completion, or other evidence**  
669 **acceptable to the board, that verify the classroom hours of instruction required in 12 AAC**  
670 **70.115(a) or (b) as applicable." Why has the board been accepting non-notarized**  
671 **certificates?**

672

673 A. After deliberation, it was the board's decision that asking that certificates of completion from  
674 recognized sponsors is not necessary. The board interprets this regulation to mean that as long as  
675 transcripts are "official" by the school's standards and the certificates of completion come from  
676 recognized sponsors, no notarized copies provided by the applicant are necessary as they would  
677 fall into "other evidence acceptable to the board".

678

679 *Renee Piszczek left the meeting at 3:30 p.m.*

680

681 **4. Q. During a recent application processing, it was determined by OLE Dulebohn,**  
682 **Supervisor Renee Hoffard, and Director Janey McCullough that the application by**  
683 **examination processing time could be significantly reduced if the board would elect a**  
684 **person or persons to review applicants work log for the designated work product and to**  
685 **identify that work product to Division during the board's initial review of the application.**  
686 **Would the board consider implementing these time saving measures?**

687

688 A. The board discussed this topic and decided that they had no objections to streamlining the  
689 application process for applicants by examination. It was decided that David Derry would be the  
690 designated reviewer for persons applying to be a General Real Estate Appraiser and Wendy  
691 Lawrence would be the designated reviewer for persons applying to be a Residential Real Estate  
692 Appraiser barring any conflict of interest.

693

694 **TASK:**

695 **OLE Dulebohn will amend the board’s voting ballot to include a place for the work**  
696 **product to be identified by the designated member at the time of initial review and that**  
697 **selection to be disclosed to the applicant only after the applicant has successfully passed**  
698 **their exam.**

699

700 **5. Q. On the Supervisor Approval Request form is the statement: *Per 12 AAC 70.935, a***  
701 ***supervisory appraiser shall be certified in Alaska and in good standing for at least three years***  
702 ***before applying on this form. Does this statement accurately reflect the board’s position on***  
703 **Supervisor Approval Requests?**

704

705 A. The board looked at the regulation, deliberated, and decided that that statement did accurately  
706 reflect the board’s interpretation. Mr. Faulkenburry points out that when a state regulation says  
707 the word “state” they only have jurisdiction in their area so it couldn’t mean any other state  
708 because the rules have no standing elsewhere. The issue was expanded upon by the board in that  
709 they did not believe anyone could have enough experience to teach in Alaska without having  
710 worked and acquired experience as a Certified Real Estate Appraiser for at least 3 years. The  
711 board’s final decision is anyone applying as a Supervisor must have been certified and in good  
712 standing in the State of Alaska for at least 3 years before applying.

713

714 6. Q. If someone fraudulently attempts to gain supervisor approval, should there be disciplinary  
715 action taken in accordance with AS 08.87.210(3)?

716

717 A. Yes.

718

719 **TASK:**

720 **OLE Dulebohn will look into changing the application to say “a supervisory**  
721 **appraiser shall be certified and in good standing in the State of Alaska for at least three**  
722 **years before applying on this form and make note of this in the FAQ’s.**

723

724 **6. Q. Can distance education be substituted for “classroom” hours for Qualifying or**  
725 **Continuing Education if the AQB criteria for classroom hours via distance education is**  
726 **met?**

727  
728 A. The board recognized that time are changing and technology is evolving and are willing to  
729 discuss this subject in a future meeting. Mr. Derry recalls that prior to May 2017 the board had a  
730 discussion on this subject. The board recalls that they have always interpreted and continue to  
731 maintain that the word “classroom” to be a course attended live and in person and not to be  
732 available for any online substitution.

733

734 **TASK:**

735 **Definition of classroom hour, live webinar, and classroom hours via distance**  
736 **education should be added to 12 AAC 70.990 during the next regulations project.**

737

738 **7. Q. Does the board maintain that all qualifying education must be completed by live, in**  
739 **person classroom hours?**

740

741 A. Yes.

742

743 **8. Q. Does the board maintain that 50 % of continuing education must done as a live, in**  
744 **person classroom hour and the other half may be done online?**

745

746 A. Yes.

747

748 As the board meeting was running over time, the remainder of OLE Dulebohn’s list of topics for  
749 clarification will be addressed in the next board meeting.

750

751 **Agenda Item #14                      Adjourn**

752

753 In closing, Mr. Derry revisited task list items. The board addresses the OnBoard program issues and  
754 asked that more time to learn the program be allotted to the board. After discussion with Mr.  
755 Faulkenbury and OLE Dulebohn, OLE Dulebohn resolved to get board meeting information out  
756 anywhere from 2 weeks to 3 weeks in advance depending on board feedback on the draft agenda.

757

758 **TASK:**

759 **OLE Dulebohn will confirm Mr. Faulkenbury’s contact information since he did not**  
760 **receive voicemails concerning implementation on the OnBoard program for board packet**  
761 **dissemination.**

762

763 **In a motion made by Donald Faulkenbury, seconded by Robert Tracy, and passed**  
764 **unanimously, it was RESOLVED to ADJOURN.**

765

766 Hearing nothing further, Chair David Derry adjourned the meeting at 4:41 p.m.

767

768 Respectfully Submitted,

769

770

771 \_\_\_\_\_

772 Dawn Dulebohn, Licensing Examiner

\_\_\_\_\_ Date

773

774

775 \_\_\_\_\_

776 David Derry, Chair

\_\_\_\_\_ Date

DRAFT



# Old Business

# Previous Task List

# Federal AMC Extension Status

■ ■ ■ ■ ■ ■ ■

**Appraisal Subcommittee**  
*Federal Financial Institutions Examination Council*

June 27, 2018

**Via Email:** [Sara.chambers@alaska.gov](mailto:Sara.chambers@alaska.gov)

Ms. Sara Chambers, Deputy Director  
Division of Corporations, Business and Professional Licensing  
Department of Commerce, Community, and Economic Development  
P O Box 110806  
Juneau, AK 99811-0806

Dear Ms. Chambers:

The Appraisal Subcommittee (ASC) considered your request dated February 8, 2018, for an extension of the Implementation Period to establish an AMC Program. In accordance with Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (Title XI), the ASC, with the approval of the Federal Financial Institutions Examination Council (FFIEC), has extended this period for the State of Alaska until August 10, 2019.

Sincerely,



Arthur Lindo  
ASC Chairman

Review/ Approve  
Draft Regulations Language  
and Fee Reduction

**Chapter 02. General Occupational Licensing Functions.**

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

12 AAC 02.370 is amended to read:

**12 AAC 02.370. Board of Certified Real Estate Appraisers.** The following fees are established for general real estate appraisers, residential real estate appraisers, institutional real estate appraisers, and registered real estate appraiser trainees:

(1) nonrefundable application fee for

**(A) initial certification, license, or registration, \$150** [\$450];

**(B) courtesy license, \$100;**

(2) certification fee for all or part of the initial biennial certification period, **\$350**

[\$1,050];

(3) biennial certification renewal fee, **\$350** [\$1,050];

(4) real estate appraiser trainee registration fee, **\$150** [\$450];

(5) real estate appraiser trainee renewal fee, **\$150** [\$450];

(6) courtesy license fee, \$150;

(7) course approval fee, \$400;

(8) annual federal registry fee, \$40. (Eff. 5/20/92, Register 122; am 5/28/93,

Register 126; am 4/15/94, Register 130; am 5/17/95, Register 134; am 6/6/99, Register 150; am

6/17/2001, Register 158; am 6/13/2002, Register 162; am 6/20/2003, Register 166; am

6/17/2005, Register 174; am 6/9/2007, Register 182; am 6/28/2009, Register 190; am 6/10/2011,

Register 198; am 4/20/2012, Register 202; am 5/15/2013, Register 206; am \_\_\_\_/\_\_\_\_/\_\_\_\_,

Register \_\_\_\_\_)

**Authority:** AS 08.01.062 AS 08.87.110 AS 08.87.310

AS 08.01.065 AS 08.87.120

**Chapter 70. Board of Certified Real Estate Appraisers.**

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 70.100(a) is amended to read:

(a) The board will issue a certification by examination to practice as a general real estate appraiser to an applicant who meets the requirements of AS 08.87.110(a), **12 AAC 70.130(a)(1)**, and this section.

(Eff. 7/16/92, Register 123; am 12/13/94, Register 133; am 6/28/2015, Register 214; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.87.020 AS 08.87.110

12 AAC 70.105(b)(1) is amended by adding a new subparagraph to read:

(E) a copy of the work product from any appraisal performed by the applicant and included in the log of appraisals submitted under 12 AAC 70.110(a);

12 AAC 70.105 is amended by adding a new subsection to read:

(c) A certificate to practice under this section will not be issued until

(1) the board has approved the applicant's work product submitted under 12 AAC 70.105(b)(1)(E); and

(2) the applicant has passed the examination required under AS 08.87.110(b)(3) and 12 AAC 70.130. (Eff. 7/16/92, Register 123; am 12/13/94, Register 133; am 6/28/2015, Register 214; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.87.020 AS 08.87.110

12 AAC 70 is amended by adding a new section to read:

**12 AAC 70.111. Application for trainee appraiser to residential real estate appraiser certification.** (a) A trainee appraiser who is applying to transition as a certified residential real estate appraiser shall

(1) submit a completed application, on a form provided by the department; the application must include

(A) the personal identification information requested on the form;

(B) the official transcripts showing the applicant has met the degree requirements of 12 AAC 70.115(a);

(C) in addition to the core curriculum requirements in 12 AAC 70.115(f), documentation of completion of 125 additional core curriculum hours as specified in 12 AAC 70.115(d)(4) – (10);

(D) the determination of competency form described in 12 AAC 70.935(c)(3);

(E) the authorization for release of records form;

(2) submit a copy of the work product from any appraisal performed by the applicant and included in the log of appraisals submitted under 12 AAC 70.110(a); and

(3) pay any fees required in 12 AAC 02.370.

(b) A certificate to practice under this section will not be issued until

(1) the board has approved the applicant's work product submitted under 12 AAC 70.105(b)(1)(E); and

(2) the applicant has passed the examination required under AS 08.87.110(h)(3) and 12 AAC 70.130. (Eff. \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_\_)



**Authority:** AS 08.87.020 AS 08.87.110 AS 08.87.310

12 AAC 70 is amended by adding a new section to read:

**12 AAC 70.112. Application for trainee appraiser to general real estate appraiser certification.** (a) A trainee appraiser who is applying to transition as a certified general real estate appraiser shall

(1) submit a completed application, on a form provided by the department; the application must include:

(A) the personal identification information requested on the form;

(B) the official transcripts showing the applicant has met the degree requirements of 12 AAC 70.115(a);

(C) in addition to the core curriculum requirements in 12 AAC 70.115(f), documentation of completion of 225 addition core curriculum hours as specified in 12 AAC 70.115(b)(4) – (10);

(D) the determination of competency form described in 12 AAC 70.935(c)(3);

(E) the authorization for release of records form;

(F) the work experience verification forms and log described in 12 AAC 70.108(a);

(2) submit a copy of the work product from any appraisal performed by the applicant and included in the log of appraisals submitted under 12 AAC 70.110(a); and

(3) pay any fees required in 12 AAC 02.370.

(b) A certificate to practice under this section will not be issued until

(1) the board has approved the applicant's work product submitted under 12 AAC 70.105(b)(1)(E); and

(2) the applicant has passed the examination required under AS 08.87.110(h)(3) and 12 AAC 70.130. (Eff. \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.87.020 AS 08.87.110 AS 08.87.310

12 AAC 70 is amended by adding a new section to read:

**12 AAC 70.113. Application for residential real estate appraiser to general real estate appraiser certification.** A certified residential appraiser who is applying to transition as a certified general real estate appraiser shall

(1) submit a completed application, on a form provided by the department; the application must include:

(A) the personal identification information requested on the form;

(B) the official transcripts showing the applicant has met the degree requirements of 12 AAC 70.115(a);

(C) in addition to the core curriculum requirements in 12 AAC 70.115(b)(1), (2), and (3), documentation of completion of 100 additional core curriculum hours as specified in 12 AAC 70.115(d)(4) – (10);

(D) the authorization for release of records form;

(2) submit a copy of a non-residential work product from any appraisal performed by the applicant and included in the log of appraisals submitted under 12 AAC 70.110(a);

(3) submit the work experience verification forms and log described in 12 AAC 70.108(a);

(4) submit proof that the applicant has successfully completed and passed the examination described in AS 08.87.110(h)(3) and 12 AAC 70.130(a)(1); and

(5) pay the fees required in 12 AAC 02.370. (Eff. \_\_\_/\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.87.020 AS 08.87.110

12 AAC 70.115 is amended by adding a new subsection to read:

(f) An applicant for approval as a trainee appraiser shall document satisfactory completion of 75 creditable classroom hours as specified in the following core curriculum:

(1) basic appraisal principles, 30 hours;

(2) basic appraisal procedures, 30 hours;

(3) the 15-hour national USPAP course or its equivalent, 15 hours. (Eff. 12/13/94,

Register 133; am 4/16/2004, Register 170; am 1/16/2005, Register 173; am 5/24/2007, Register 182; am 9/14/2012, Register 203; am 6/28/2015, Register 214; am \_\_\_/\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.87.020 AS 08.87.110

12 AAC 70.125(b)(1)(B) is amended to read:

(B) proof that the applicant has successfully completed and passed 75 classroom hours of instruction that meet the requirements in **12 AAC 70.115(f)**, 12 AAC 70.140(a), and the required courses that are specifically oriented to the requirements and responsibilities of supervisory appraisers and trainee appraisers, and that comply with the specifications for course content established by the Appraiser Qualifications Board of the Appraisal Foundation; the course must be completed by the

trainee appraiser before obtaining a training appraiser credential; all qualifying education must be completed within the five year period before the date of submission of a trainee appraiser application; and

(Eff. 4/15/94, Register 130; am 12/13/94, Register 133; am 6/28/2015, Register 214; am \_\_\_/\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.87.020 AS 08.87.310

12 AAC 70.200(d) is amended to read:

(d) **Courses** [COURSE] and **seminars that are not approved by the Appraisal Qualifications Board (AQB) or the International Distance Education Certification Center (IDECC) are** [SEMINAR APPROVAL UNDER THIS SECTION IS] valid for three years from the date of **initial** approval.

12 AAC 70.200 is amended by adding a new subsection to read:

(e) Courses and seminars approved by the Appraisal Qualifications Board (AQB) or the International Distance Education Certification Center (IDECC) are given an expiration date consistent with the organizations' expiration date:

(1) the department will update the course or seminar expiration date if the AQB or IDECC submits recertification documents, but will not update the course or seminar expiration date if the AQB or IDECC recertification exceeds three years from the date of initial approval;

(2) a course or seminar that expires after three years will need to be re-submitted if the provider requests reapproval. (Eff. 7/16/92, Register 123; am 12/13/94, Register 133; am 6/13/97, Register 142; am 9/16/2000, Register 155; am 6/22/2005, Register 174; am

\_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.87.020 AS 08.87.120

12 AAC 70.210(c) is amended by adding a new paragraph to read:

(4) distance education courses approved by the International Distance Education Certification Center's (IDECC).

12 AAC 70.210 is amended by adding a new subsection to read:

(g) Consistent with Appraisal Qualification Criteria, the board will award continuing education credit for participation in one in-person or teleconference board meeting per biannual cycle if participation meets the requirements of this section:

(1) the participant is a certified real estate appraiser subject to the requirements of 12 AAC 70.220;

(2) the board meeting is a minimum of two hours;

(3) the hours claimed for participation does not exceed seven hours;

(4) attendance is maintained throughout the duration of the scheduled meeting;

(5) participation is documented on a form provided by the department and returned to the board. (Eff. 7/16/92, Register 123; am 4/15/94, Register 130; am 12/13/94, Register 133; am 6/13/97, Register 142; am 6/5/98, Register 146; am 12/30/99, Register 152; am 9/14/2012, Register 203; am 6/28/2015, Register 214; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.87.020 AS 08.87.120

Draft Regulations Language  
(Department of Law Notes)

## Chapter 02. General Occupational Licensing Functions.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

12 AAC 02.370 is amended to read:

**12 AAC 02.370. Board of Certified Real Estate Appraisers.** The following fees are

**Comment [JMW1]:** No apparent question of statutory or legal authority

established for general real estate appraisers, residential real estate appraisers, institutional real estate appraisers, and registered real estate appraiser trainees:

(1) nonrefundable application fee for initial certification, license, or registration, \$450;

(2) certification fee for all or part of the initial biennial certification period, \$1,050;

(3) biennial certification renewal fee, \$1,050;

(4) real estate appraiser trainee registration fee, \$450;

(5) real estate appraiser trainee renewal fee, \$450;

(6) courtesy license fee, \$150;

(7) course approval fee, \$400;

(8) annual federal registry fee, \$40;

**(9) nonrefundable fingerprint processing fee, \$60.** (Eff. 5/20/92, Register 122; am 5/28/93, Register 126; am 4/15/94, Register 130; am 5/17/95, Register 134; am 6/6/99, Register 150; am 6/17/2001, Register 158; am 6/13/2002, Register 162; am 6/20/2003, Register 166; am 6/17/2005, Register 174; am 6/9/2007, Register 182; am 6/28/2009, Register 190; am 6/10/2011, Register 198; am 4/20/2012, Register 202; am 5/15/2013, Register 206; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.01.062 AS 08.87.110 AS 08.87.310  
AS 08.01.065 AS 08.87.120



## Chapter 70. Board of Certified Real Estate Appraisers.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not underlined.)

12 AAC 70.100(a) is amended to read:

**Comment [JMW1]:** This section presents no apparent question of statutory or legal authority.

(a) The board will issue a certification by examination to practice as a general real estate appraiser to an applicant who meets the requirements of ~~AS 08.87.110(a)~~, **12 AAC 70.130(a)(1)**, and this section.

**Comment [JMW2]:** I do note that the barrier crimes at issue for candidates are crimes of moral turpitude. The Board and licensing staff should have a good understanding of what those crimes are. Often they are matters of interpretation.

12 AAC 70.100(b)(1) is amended by adding new subparagraphs to read:

**Comment [JMW3]:** No apparent question of statutory or legal authority

(E) the applicant's fingerprint information described in

12 AAC 70.109; and

(F) the application fee, fingerprint processing fee, and the certification fee specified in 12 AAC 02.370.

12 AAC 70.100(b)(2) is repealed:

**Comment [JMW4]:** No apparent question of statutory or legal authority

(2) repealed \_\_\_/\_\_\_/\_\_\_ [PAY ANY FEES REQUIRED IN 12 AAC 02.370].

(Eff. 7/16/92, Register 123; am 12/13/94, Register 133; am 6/28/2015, Register 214; am

\_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.87.020 AS 08.87.110

12 AAC 70.105(b)(1) is amended by adding new subparagraphs to read:

**Comment [JMW5]:** No objection to the statutory or legal authority set forth in these subparagraphs. You might consider making the current (D) the last requirement since (F) and (G) seem to determine (D)

(E) a copy of the work product from any appraisal performed by the

applicant and included in the log of appraisals submitted under 12 AAC 70.110(a);

(F) the applicant's fingerprint information described in

12 AAC 70.109; and

(G) the application fee, fingerprint processing fee, and the certification fee specified in 12 AAC 02.370.

12 AAC 70.105(b)(2) is repealed:

(2) repealed \_\_\_/\_\_\_/\_\_\_\_ [PAY ANY FEES REQUIRED IN 12 AAC 02.370].

**Comment [JMW6]:** No apparent question of statutory or legal authority

12 AAC 70.105 is amended by adding a new subsection to read:

(c) A certificate to practice under this section will not be issued until

(1) the board has approved the applicant's work product submitted under 12 AAC 70.150(E); and

(2) the applicant has passed the examination required under AS 08.87.110(b)(3) and 12 AAC 70.130. (Eff. 7/16/92, Register 123; am 12/13/94, Register 133; am 6/28/2015, Register 214; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.87.020 AS 08.87.110

**Comment [JMW7]:** This list does not appear to address all requirements for issuance of a certificate by examination. For example, there is no reference to conviction of a crime of moral turpitude.

12 AAC 70.106(b) is amended to read:

(b) An applicant for certification under this section must

(1) submit a completed application, on a form provided by the department; the completed application must include

(A) the personal identification information requested on the form;

**Comment [JMW8]:** Potential legal or statutory impediment to this section. Verify that other states have same prohibition for licensees not to be convicted of crimes of moral turpitude. Assuming they do not, better recourse may be to deny the application rather than subject the applicant to the criminal background check. If it is the same standard, no impediment to additional testing.

**(B) the applicant's fingerprint information described in 12 AAC 70.109; and**

**(C) the application fee, fingerprint processing fee, and the certification fee specified in 12 AAC 02.370; and**

(2) [PAY ANY FEES REQUIRED IN 12 AAC 02.370; AND

(3)] submit verification of current certification or licensure from another state on a form provided by the department. (Eff. 6/28/2015, Register 214; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_)

**Authority:** AS 08.87.020 AS 08.87.110

12 AAC 70.107(b)(1) is amended by adding new subparagraphs to read:

(D) the applicant's fingerprint information described in 12 AAC 70.109;

and

(E) the application fee, fingerprint processing fee, and the certification fee specified in 12 AAC 02.370;

12 AAC 70.107(b)(2) is repealed:

(2) repealed \_\_\_/\_\_\_/\_\_\_\_ [PAY ANY FEES REQUIRED IN 12 AAC 02.370].

(Eff. 4/15/94, Register 130; am 12/13/94, Register 133; am 6/28/2015, Register 214; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_)

**Authority:** AS 08.87.020 AS 08.87.110

12 AAC 70 is amended by adding a new section to read:

**Comment [JMW9]:** Verify whether there is a federal proscription on crimes of moral turpitude for institutional real estate appraisers. If there is, there is no legal or statutory impediment

**Comment [JMW10]:** No apparent question legal or statutory authority

**12 AAC 70.109. Criminal justice information.** (a) An applicant for certification under 12 AAC 70.100, 12 AAC 70.105, 12 AAC 70.107, 12 AAC 70.111, 12 AAC 70.112, 12 AAC 70.113, 12 AAC 70.116, 12 AAC 70.117, 12 AAC 70.120, or 12 AAC 70.920 must submit with the application the applicant's fingerprints and other information required by the Department of Public Safety to obtain state and national criminal justice information under AS 12.62 and AS 12.64.

**Comment [JMW11]:** No overall statutory or legal impediment

(b) The board will submit the fingerprints received under this section to the Department of Public Safety and request the Department of Public Safety to

- (1) submit the fingerprints to the Federal Bureau of Investigation for a report on national criminal justice information;
- (2) perform a check for state criminal justice information; and
- (3) report to the board the results of the criminal justice information checks under (1) and (2) of this subsection.

(c) **The request under (b) of this section for a criminal justice information report does not delay consideration of the applicant's license application.** If criminal justice information that raises questions about an applicant's qualifications for licensure is received after a license has been issued to the applicant, the department and the board will take action under AS 08.87 and AS 44.62 as appropriate. (Eff. \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Comment [JMW12]:** Why not delay? This seems to create an unnecessary problem to issue a license and then revoke it.

**Authority:** AS 08.87.020

12 AAC 70 is amended by adding a new section to read:

**Comment [JMW13]:** No apparent question of statutory or legal authority AS 08.98.310

**12 AAC 70.111. Application for trainee appraiser to residential real estate appraiser certification [In Lieu of College Credit?].** (a) A trainee appraiser who is ~~applying to transition~~

as applying for a certified residential real estate appraiser certificate shall submit

(1) a completed application, on a form provided by the department; the application must include

(A) the personal identification information requested on the form;

(B) official transcripts showing the applicant has met the degree requirements of 12 AAC 70.115(a);

(C) in addition to the core curriculum requirements in 12 AAC 70.115(f), documentation of completion of 125 additional core curriculum hours as specified in 12 AAC 70.115(d)(4) – (10);

(D) determination of competency form per 12 AAC 70.935(c)(3);

(E) authorization for release of records form;

(F) the applicant's fingerprint information described in 12 AAC 70.109;

and

(G) the application fee, fingerprint processing fee, and the certification fee specified in 12 AAC 02.370;

(2) a copy of the work product from any appraisal performed by the applicant and included in the log of appraisals submitted under 12 AAC 70.110(a).

(b) A certificate to practice under this section will not be issued until

(1) the board has approved the applicant's work product submitted under 12 AAC 70.105(E); and

(2) the applicant has passed the examination required under AS 08.87.110(h)(3) and 12 AAC 70.130. (Eff. \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.87.020 AS 08.87.310

**Comment [JMW14]:** Consider including review for crimes of moral turpitude. Verify this list includes all requirements before issuance of a certificate

12 AAC 70 is amended by adding a new section to read:

Comment [JMW15]: No apparent question of statutory or legal authority

**12 AAC 70.112. Application for trainee appraiser to general real estate appraiser**

**certification.** (a) A trainee appraiser who is applying ~~to transition as for~~ aa certified general real estate appraiser certificate shall submit

(1) a completed application, on a form provided by the department; the application must include:

(A) the personal identification information requested on the form;

(B) official transcripts showing the applicant has met the degree requirements of 12 AAC 70.115(a);

(C) in addition to the core curriculum requirements in 12 AAC 70.115(f), documentation of completion of 225 addition core curriculum hours as specified in 12 AAC 70.115(b)(4) – (10);

(D) determination of competency form per 12 AAC 70.935(c)(3);

(E) authorization for release of records form;

(F) the work experience verification forms and log described in (1)(C) of this section and 12 AAC 70.108(a);

(G) the applicant's fingerprint information described in 12 AAC 70.109;

and

(H) the application fee, fingerprint processing fee, and the certification fee specified in 12 AAC 02.370;

(2) a copy of the work product from any appraisal performed by the applicant and included in the log of appraisals submitted under 12 AAC 70.110(a).

(b) A certificate to practice under this section will not be issued until

**Comment [JMW16]:** Same question as to whether the list includes all requirements before a certificate is issued

(1) the board has approved the applicant's work product submitted under 12 AAC 70.105(E); and

(2) the applicant has passed the examination required under AS 08.87.110(h)(3) and 12 AAC 70.130. (Eff. \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.87.020 AS 08.87.310

12 AAC 70 is amended by adding a new section to read:

**Comment [JMW17]:** No apparent question of statutory or legal authority

**12 AAC 70.113. Application for residential real estate appraiser to general real**

**estate appraiser certification.** A certified residential appraiser who is applying ~~to transition for~~ a ~~as~~ a certified general real estate appraiser certificate shall submit

(1) a completed application, on a form provided by the department; the application must include:

(A) the personal identification information requested on the form;

(B) official transcripts showing the applicant has met the degree requirements of 12 AAC 70.115(a);

(C) in addition to the core curriculum requirements in 12 AAC 70.115(b)(1)(2)(3), documentation of completion of 100 addition core curriculum hours as specified in 12 AAC 70.115(d)(4) – (10);

(D) authorization for release of records form;

(E) the applicant's fingerprint information described in 12 AAC 70.109;

and

(F) the application fee, fingerprint processing fee, and the certification fee

specified in 12 AAC 02.370;

(2) a copy of a non-residential work product from any appraisal performed by the applicant and included in the log of appraisals submitted under 12 AAC 70.110(a);

(3) the work experience verification forms and log described in 12 AAC 70.108(a); and

(4) proof that the applicant has successfully completed and passed the examination described in AS 08.87.110(h)(3) and 12 AAC 070.130(a)(1). (Eff. \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.87.020 AS 08.87.110

12 AAC 70.115 is amended by adding a new subsection to read:

(f) An applicant for approval as a trainee appraiser shall document satisfactory completion of 75 creditable classroom hours as specified in the following core curriculum:

(1) basic appraisal principles, 30 hours;

(2) basic appraisal procedures, 30 hours;

(3) the 15-hour national USPAP course or its equivalent, 15 hours. (Eff. 12/13/94, Register 133; am 4/16/2004, Register 170; am 1/16/2005, Register 173; am 5/24/2007, Register 182; am 9/14/2012, Register 203; am 6/28/2015, Register 214; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.87.020 AS 08.87.110

12 AAC 70 is amended by adding a new section to read:

**12 AAC 70.116. Application for trainee appraiser to residential real estate appraiser**

**Comment [JMW18]:** No apparent question of statutory or legal authority

**Comment [JMW19]:** No apparent question of statutory or legal authority



**certification.** A trainee appraiser who is applying ~~to transition as for~~ a certified residential real estate appraiser certificate shall submit

(1) a completed application, on a form provided by the department; the application must include:

(A) the personal identification information requested on the form;

(B) official transcripts showing the applicant has met the degree requirements of 12 AAC 70.115(a);

(C) in addition to the core curriculum requirements in 12 AAC 70.115(f), documentation of completion of 125 additional core curriculum hours as specified in 12 AAC 70.115(d)(4) – (10);

(D) determination of competency form per 12 AAC 70.935(c)(3); and

(E) authorization for release of records form;

(F) the applicant's fingerprint information described in 12 AAC 70.109;

and

(G) the application fee, fingerprint processing fee, and the certification fee specified in 12 AAC 02.370;

(2) a copy of the work product from any appraisal performed by the applicant and included in the log of appraisals submitted under 12 AAC 70.110(a); and

(3) a copy of the work product from any appraisal performed by the applicant and included in the log of appraisals submitted under 12 AAC 70.110(a). (Eff. \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 08.87.020 AS 08.87.310

12 AAC 70 is amended by adding a new section to read:

**Comment [JMW20]:** No apparent question of statutory or legal authority

**12 AAC 70.117. Application for trainee appraiser to general real estate appraiser**

**certification.** (a) A trainee appraiser who is applying ~~to transition as for a~~ certified general real estate appraiser certificate shall submit

(1) a completed application, on a form provided by the department; the application must include:

(A) the personal identification information requested on the form;

(B) official transcripts showing the applicant has met the degree

requirements of 12 AAC 70.115(a);

(C) in addition to the core curriculum requirements in 12 AAC 70.115(f), documentation of completion of 225 additional core curriculum hours as specified in 12 AAC 70.115(b)(4) – (10);

(D) determination of competency form per 12 AAC 70.935(c)(3);

(E) authorization for release of records form;

(F) the work experience verification forms and log described in this section and 12 AAC 70.108(a);

(G) the applicant's fingerprint information described in 12 AAC 70.109;

and

(H) the application fee, fingerprint processing fee, and the certification fee specified in 12 AAC 02.370;

(2) a copy of the work product from any appraisal performed by the applicant and included in the log of appraisals submitted under 12 AAC 70.110(a).

(b) A certificate to practice under this section will not be issued until

**Comment [JMW21]:** Determine if this list is exhaustive of all requirements

(1) the board has approved the applicant's work product submitted under 12 AAC 70.110(a); and

(2) the applicant has passed the examination required under AS 08.87.110(b)(3) and 12 AAC 70.130. (Eff. \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 08.87.020 AS 08.87.310

12 AAC 70.120(b) is amended to read:

(b) An applicant for certification under this section must

(1) submit a completed application, on a form provided by the department; the completed application must include

**(A)** the personal identification information requested on the form; [AND]

**(B) the applicant's fingerprint information described in**

**12 AAC 70.109; and**

**(C) the application fee, fingerprint processing fee, and the certification fee specified in 12 AAC 02.370;**

(2) **repealed** / / \_\_\_\_ [PAY ANY FEES REQUIRED IN 12 AAC 02.370].

(Eff. 7/16/92, Register 123; am 12/13/94, Register 133; am 6/13/97, Register 142; am 4/16/2004, Register 170; am 6/28/2015, Register 214; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 08.87.020 AS 08.87.110

12 AAC 70.125(b) is amended to read:

(b) An applicant for certification under this section must

(1) submit a completed application, on a form provided by the department; the

**Comment [JMW22]:** Potential legal or statutory impediment to this section. Verify that other states have same prohibition for licensees not to be convicted of crimes of moral turpitude. Assuming they do not, better recourse may be to deny the application rather than subject the applicant to the criminal background check. If it is the same standard, no impediment to additional testing.

**Comment [JMW23]:** No apparent question of legal or statutory authority AS 08.87.310

completed application must include

(A) the personal identification information requested on the form; [AND]

(B) proof that the applicant has successfully completed and passed 75 classroom hours of instruction that meet the requirements in **12 AAC 70.115(f) and 12 AAC 70.140(a)** and the required courses that are specifically oriented to the requirements and responsibilities of supervisory appraisers and trainee appraisers, and that comply with the specifications for course content established by the Appraiser Qualifications Board of the Appraisal Foundation; the course must be completed by the trainee appraiser before obtaining a training appraiser credential; all qualifying education must be completed within the five year period before the date of submission of a trainee appraiser application; [AND]

**(C) the applicant's fingerprint information described in**

**12 AAC 70.109; and**

**(D) the application fee, fingerprint processing fee, and the**

**certification fee specified in 12 AAC 02.370;**

(2) **repealed** \_\_\_ / \_\_\_ / \_\_\_ [PAY ANY FEES REQUIRED IN 12 AAC 02.370].

(Eff. 4/15/94, Register 130; am 12/13/94, Register 133; am 6/28/2015, Register 214; am

\_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.87.020 AS 08.87.310

12 AAC 70.140(c) is amended to read:

(c) An applicant's classroom hours of education for certification as a general or residential real estate appraiser must include coverage of all topics listed in the applicable

**Comment [JMW24]:** No apparent question of statutory or legal authority

Appraiser Qualification Criteria developed by the Appraiser Qualifications Board of the Appraisal Foundation, *The Real Property Appraiser Qualification Criteria* effective January 1, **2015** [2008], located in the Appendix of *The Real Property Appraiser Qualification Criteria and Interpretations of the Criteria*, dated January 1, 2012, and adopted by reference. (Eff. 7/16/92, Register 123; am 4/15/94, Register 130; am 12/13/94, Register 133; am 6/13/97, Register 142; am 6/5/98, Register 146; am 4/16/2004, Register 170; am 1/16/2005, Register 173; am 5/24/2007, Register 182; am 9/14/2012, Register 203; am 6/28/2015, Register 214; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.87.020 AS 08.87.110 AS 08.87.310

**Editor's note:** Copies of the Appraiser Qualification Criteria adopted by reference in 12 AAC 70.140 are available from the Appraisal Qualifications Board of the Appraisal Foundation, 1155 15th Street, N.W., Suite 1111, Washington, DC 20005-3517; phone: (202) 347-7722; website at [www.appraisalfoundation.org](http://www.appraisalfoundation.org).

12 AAC 70.200(d) is amended to read:

(d) **Courses** [COURSE] and **seminars that are not approved by the Appraisal Qualifications Board or the International Distance Education Certification Center are [SEMINAR APPROVAL UNDER THIS SECTION IS]** valid for three years from the date of **initial** approval.

**Comment [JMW25]:** Why accept classes that are not approved? Will the Division approve them instead? This portion is a little confusing although I understand it is based on AQB standards

12 AAC 70.200 is amended by adding a new subsection to read:

(e) Courses and seminars approved by the Appraisal Qualifications Board or the International Distance Education Certification Center are given an expiration date consistent with

the organizations' expiration date

(1) the department will update the course or seminar expiration date if the AQB or IDECC submits recertification documents, but will not update the course or seminar expiration date if the AQB or IDECC recertification exceeds three years from the date of initial approval;

(2) a course or seminar that expires after three years will need to be re-submitted if the provider requests reapproval. (Eff. 7/16/92, Register 123; am 12/13/94, Register 133; am 6/13/97, Register 142; am 9/16/2000, Register 155; am 6/22/2005, Register 174; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.87.020 AS 08.87.120

12 AAC 70.210(c) is amended by adding a new paragraph to read:

(4) distance education courses approved by the International Distance Education Certification Center's (IDECC).

**Comment [JMW26]:** No apparent statutory or legal impediment

12 AAC 70.210 is amended by adding a new subsection to read:

(g) Consistent with Appraisal Qualification Criteria, the board will award continuing education credit for participation in one in-person or teleconference board meeting per biannual cycle if participation meets the requirements of this section:

**Comment [JMW27]:** No apparent statutory or legal impediment

(1) the participant is a certified real estate appraiser subject to the requirements of 12 AAC 70.220;

(2) the board meeting is a minimum of two hours;

(3) the hours claimed for participation does not exceed seven hours;

(4) attendance is maintained throughout the duration of the scheduled meeting;

(5) participation is documented on a form provided by the department and returned to the board. (Eff. 7/16/92, Register 123; am 4/15/94, Register 130; am 12/13/94, Register 133; am 6/13/97, Register 142; am 6/5/98, Register 146; am 12/30/99, Register 152; am 9/14/2012, Register 203; am 6/28/2015, Register 214; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 08.87.020 AS 08.87.120

12 AAC 70.920(d) is amended to read:

**Comment [JMW28]:** No apparent question of statutory or legal authority. AS 08.01.062

(d) An applicant for a courtesy license shall submit

(1) a completed application on the forms provided by the department;

(2) [ANY FEES REQUIRED IN 12 AAC 02.370;

(3)] evidence of a certificate or an applicant's credentials as a real estate appraiser in good standing from another state; [AND]

~~(3)~~ [(4)] an address for service of process;

**(4) the applicant's fingerprint information described in 12 AAC 70.109; and**

**(5) the fingerprint processing fee and the courtesy license fee specified in**

**12 AAC 02.370.**

(Eff. 7/16/92, Register 123; am 12/13/94, Register 133; am 12/30/99, Register 152; am 2/13/2002, Register 161; am 4/16/2004, Register 170; am 9/14/2012, Register 203; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 08.01.062 AS 08.87.020

# New Regulations Changes Questionnaire



## Regulation Changes Questionnaire

Division/Board: \_\_\_\_\_ Meeting Date: \_\_\_\_\_

Regulation change being proposed: 12 AAC \_\_\_\_\_

General top of the regulation: \_\_\_\_\_

This worksheet is designed to help the board think through an anticipated regulations project. Staff will provide this worksheet to the board at the time a regulations project is being approved for public notice. This information will be used to develop a FAQ to be posted on the board's web page to help the public understand the project. Staff will submit the completed worksheet with the draft board minutes to the Regulations Specialist within 10 days of the meeting and provide a copy to the supervisor. Appropriate staff will be assigned to complete this worksheet if a division regulation. **NOTE: Use a separate worksheet for each section being proposed.**

1. Is the new regulation needed to comply with new legislation?  If yes, effective date of new statute: _____	Yes	No
2. Does the change add a new license type?  If yes: Does it affect current licensees?  Do current licensees/non-licensees already perform the service for which the new license type is required?  Is there a grace period or date explicitly included in the regulation to allow for a transition period?	Yes	No
3. Does it change the qualifications or requirements of an existing license?  If yes, does it affect current licensees?	Yes	No
4. Does it affect continuing education/competency requirements?  If yes: Does it add additional requirements or hours? Does it clarify existing regulations? Is there an effective date in the future to give licensees time to comply?	Yes	No
5. Is it a fee change or does it create a new fee?  If yes: Does it move fees in the centralized regulations to a new number, therefore affecting other program regulations?	Yes	No
6. Does it make changes to the requirements of licensees?  If yes: All licensees Certain licensees (List: _____) Initial licensees	Yes	No
7. In addition to interested parties, who should receive the public notice? (All licensees or certain license types?)		

8. In addition to the 30-day minimum written notice, does the board request a public hearing? If yes, when and where.
9. What will the regulation do?
10. What is the demonstrated public need or purpose of this regulation?
11. What is the known or estimated cost of the new regulation to a private person, another agency, or a municipality (see Step 3 of the <i>Steps in the Regulation Process...</i> )?
12. What <u>positive</u> consequences may this regulation have on public or private people, businesses, or organizations?
13. What <u>negative</u> consequences may this regulation have on public or private people, business, or organizations?
14. If any <u>negative</u> consequences, please address the reasons why the public need for this change outweighs the negative impact.
15. List any additional questions or comments that may arise from the public during the comment period. Include a response to the questions.

Staff submitting this worksheet: \_\_\_\_\_ Date submitted to Regulations Specialist:

# Proposed Regulations Projects

## Language Drafting

# 2018 Legislation and Regulations Teams

From: [Chambers, Sara C \(CED\)](#)  
 To: [Hannasch, Dawn K \(CED\)](#); [Kautz, Colleen K \(CED\)](#); [Francois, Greg A \(CED\)](#); [Stovern, Debora J \(CED\)](#); [Dulebohn, Dawn L \(CED\)](#); [Treston, Amber M \(CED\)](#); [Fagerstrom, Kathryn E \(CED\)](#); [Carrillo, Laura N \(CED\)](#); [Childress, Chelsea S \(CED\)](#); [Hondolero, Corissa A \(CED\)](#); [Hoffard, Renee \(CED\)](#); [Dulebohn, Dawn L \(CED\)](#); [Hondolero, Corissa A \(CED\)](#); [Fran, Sher K \(CED\)](#); [McCullough, Janey L \(CED\)](#)  
 Cc: [Malquis, Jun C \(CED\)](#)  
 Subject: UPDATE: regulations required by new legislation  
 Date: Wednesday, June 06, 2018 1:54:39 PM

Janey and I discussed the benefit of assigning people to specific bills so there is no confusion over who is responsible to ensure the statutory requirements are accomplished. Please check below for all bills where you may be listed as a LEAD or an ASSISTING TEAM MEMBER.

**LEAD:** Ultimately responsible for managing the project(s), reporting on progress, alerting management team to any issues, and ensuring all work is completed on time and accurately.

**ASSISTING TEAM MEMBER:** May be delegated responsibilities by the LEAD. Expected to proactively contribute within their area of expertise. Others may be added by the LEAD.

LEAD	ASSISTING TEAM	BILL #	SHORT TITLE
Carrillo	Francois, Chambers	HB 240	DRUG PRICING; PHARMACY BENEFITS MANAGERS
Carrillo	Stovern	SB 32	PRESCRIPTIONS FOR BIOLOGICAL PRODUCTS
Chambers	Hannasch, Kautz	HB 267	RELEASE HUNTING/FISHING RECORDS TO MUNI
Chambers	Francois, Carrillo	SB 37	PHARMACY BD./COMMERCIAL FISHERIES COMM.
Chambers	Francois, Hannasch	SB 4	BARBER/HAIRDRESS; TATTOO; BRAIDING; COLORING
Hondolero	Kautz	HB 147	PUBLIC ACCOUNTING
Kautz	Dulebohn, Francois	SB 155	REAL ESTATE APPRAISAL MNGMT. COMPANIES
McCullough	Francois, Dulebohn, Kautz	HB 110	MASSAGE THERAPY LICENSING; EXEMPTIONS
McCullough	Childress, Kautz	SB 105	MARITAL/FAMILY THERAPY LIC & MED SERVICES
McCullough	Fagerstrom, Francois	SB 15	E-CIGS/TOBACCO/NICOTINE & MINORS; SALES
McCullough	Francois	SB 45	EXEMPTION: LICENSING OF CONTRACTORS
Stovern	Hoffard	HB 280	EXTEND: BOARD OF MARITAL & FAMILY THERAPY
Stovern	Hoffard	HB 43	NEW DRUGS FOR THE TERMINALLY ILL
Stovern	Kautz	SB 126	VISITING PHYSICIANS WITH SPORTS TEAMS
Zinn	Treston, Kautz	HB 346	DENTIST: TEMPORARY PERMIT

Please confirm that you have read and understood this information. Thank you in advance for your awesome work!

Sara Chambers  
 Deputy Director

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From: Chambers, Sara C (CED)  
 Sent: Wednesday, June 06, 2018 11:40 AM  
 To: Hannasch, Dawn K (CED) <dawn.hannasch@alaska.gov>; Kautz, Colleen K (CED) <colleen.kautz@alaska.gov>; Francois, Greg A (CED) <greg.francois@alaska.gov>; Stovern, Debora J (CED) <debora.stovern@alaska.gov>; Dulebohn, Dawn L (CED) <dawn.dulebohn@alaska.gov>; Treston, Amber M (CED) <amber.treston@alaska.gov>; Fagerstrom, Kathryn E (CED) <kathryn.fagerstrom@alaska.gov>; Carrillo, Laura N (CED) <laura.carrillo@alaska.gov>; Childress, Chelsea S (CED) <chelsea.childress@alaska.gov>; Hondolero, Corissa A (CED) <cori.hondolero@alaska.gov>  
 Cc: McCullough, Janey L (CED) <janey.mccullough@alaska.gov>; Malquis, Jun C (CED) <jun.malquis@alaska.gov>; Zinn, Sher K (CED) <sher.zinn@alaska.gov>  
 Subject: PLEASE READ: regulations required by new legislation  
 Importance: High

CBPL team:

This is a reminder that **your licensing program needs to adopt regulations pertaining to legislation that was passed this year**. Many of these changes are on a strict deadline to be completed by the time that the new law goes into effect. I've "backwards-engineered" the requirement to lay out a timeline for you and your boards to use when planning meetings and activity. **The dates below are the latest dates that this step in the process should happen—strive for earlier.** Please do not delay in performing the research, assigning tasks, scheduling meetings, or accomplishing other steps in order to meet these goals. The bright yellow boxes indicate that no board meeting is on the calendar prior to the date that regulations need to be sent to our regs specialists.

The bills that go into effect "upon signing" will probably be in effect prior to regulations being adopted. Your board or program will need to work out how to manage that situation in the interim using the statute as a guide. Please note that most of these have not been transmitted to the governor yet. We do not know of any opposition to these bills, so we do not expect a veto. Boards should have regulations drafted so they can be public noticed as soon as they are signed.

This can be a sophisticated and nuanced process, so please review, ask me questions, discuss with your supervisor, and **engage your board chair to lead this process**. Please note that I have discussed relevant timelines with the chairs of the Board of Pharmacy and Board of Barbers and Hairdressers.

BILL #	SHORT TITLE	CURRENT STATUS	PROGRAMS REQUIRING NEW REGULATIONS	DATE OF NEXT BOARD MEETING	LATEST DATE TO REGS SPEC	LATEST DATE TO PUBLIC COMMENT	LATEST DATE ADOPTED	LATEST DATE TO LT GOV	ABILITY TO ADOPT REGS	EFFECTIVE DATE OF REGS	NOTES
HB 267	RELEASE HUNTING/FISHING RECORDS TO MUNI	AWAIT TRANSMIT GOV	GUI	7/26/2018					Upon Signing	Upon Signing	Requires release of hunt record info to municipalities; will need IT report to be created
SB 126	VISITING PHYSICIANS WITH SPORTS TEAMS	AWAIT TRANSMIT GOV	MED	8/2/2018					Upon Signing	Upon Signing	Allows exemption from licensure for physicians traveling to AK with sports teams
SB 155	REAL ESTATE APPRAISAL MNGMT. COMPANIES	AWAIT TRANSMIT GOV	APR	7/25/2018	8/1/2018	8/15/2018	10/1/2018	11/15/2018	Upon Signing	1/1/2018	Creates license for Appraisal Management Companies, adds new OLE
HB 147	PUBLIC ACCOUNTING	AWAIT TRANSMIT GOV	CPA	5/31/2018					Upon Signing*	Upon Signing*	Improves conformity with national standards; removes full regulations notice requirement.
SB 45	EXEMPTION: LICENSING OF CONTRACTORS	AWAIT TRANSMIT GOV	CON	N/A					Upon Signing*	Upon Signing*	Requires new homeowner disclosures pertaining to owner/builder exemption; requires new investigative forms.
HB 280	EXTEND: BOARD OF MARITAL & FAMILY THERAPY	AWAIT TRANSMIT GOV	MED	8/2/2018	8/1/2018	8/15/2018	10/1/2018	11/15/2018	Upon Signing	1/1/2019	Extends MFT board to 6/30/2026; expands staff ability to license MED applicants; delegation to unlicensed personnel
HB 346	DENTIST: TEMPORARY PERMIT	AWAIT TRANSMIT GOV	DEN	8/24/2018	8/1/2018	8/15/2018	10/1/2018	11/15/2018	Upon Signing	1/1/2019	Creates temporary license for dentists
SB 4	BARBER/HAIRDRESS; TATTOO; BRAIDING; COLORING	AWAIT TRANSMIT GOV	BAH	6/6/2018 & 7/9/2018	8/1/2018	8/15/2018	10/1/2018	11/15/2018	Upon Signing	1/1/2019	Creates hair braider license, permanent cosmetic coloring license, and non-chemical barbering license; gives DCCED inspection authority; defines

											microblading as permanent cosmetic coloring
SB 15	E-CIGS/TOBACCO/NICOTINE & MINORS; SALES	AWAIT TRANSMIT GOV	BL	N/A	8/1/2018	8/15/2018	10/1/2018	11/15/2018	Upon Signing	1/1/2019	Increases scope of tobacco endorsement, requires changes to CBPL database, warning signs, forms, online filing, websites, investigations, and a regulation change.
SB 32	PRESCRIPTIONS FOR BIOLOGICAL PRODUCTS	AWAIT TRANSMIT GOV	PHA	8/16/2018	8/1/2018	8/15/2018	10/1/2018	11/15/2018	Upon Signing	1/1/2019	Allows dispensing of certain biological products in place of drug prescribed.
SB 105	MARITAL/FAMILY THERAPY LIC & MED SERVICES	AWAIT TRANSMIT GOV	MFT	6/22/2018	8/1/2018	8/15/2018	10/1/2018	11/15/2018	Upon Signing	1/1/2019	Changes MFT training and supervision requirements
HB 110	MASSAGE THERAPY LICENSING; EXEMPTIONS	CHAPTER 10 SLA 18	MAS	6/11/2018	2/1/2018	2/15/2018	4/1/2018	5/15/2018	Upon Signing	7/1/2019	Creates Massage Establishment License; increases training hours requires for licensure; decreases frequency of fingerprinting for renewals.
SB 37	PHARMACY BD./COMMERCIAL FISHERIES COMM.	AWAIT TRANSMIT GOV	PHA	8/16/2018	2/1/2018	2/15/2018	4/1/2018	5/15/2018	Upon Signing	7/1/2019	Creates EA for PHA board; Creates Out-of-State wholesale distributor license and inspection authority; creates licenses for third party logistics providers (3PLs) and outsourcing facilities.

Many thanks,

Sara Chambers  
Deputy Director

Alaska Division of Corporations, Business and Professional Licensing  
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Regulations Changes

SB 155

(Appraisal Management Companies)

# Regulations Changes

AQB 2018



The Real Property Appraiser  
Qualification Criteria and Interpretation  
of the Criteria

Effective May 1, 2018

# THE REAL PROPERTY APPRAISER QUALIFICATION CRITERIA

## AND INTERPRETATIONS OF THE CRITERIA

Real Property Appraiser Qualification Criteria  
Effective May 1, 2018

Appendix:  
AQB Guide Notes



THE APPRAISAL FOUNDATION  
*Authorized by Congress as the Source of Appraisal  
Standards and Appraiser Qualifications*

APPRAISER QUALIFICATIONS BOARD

# VISION AND MISSION STATEMENT OF THE APPRAISAL FOUNDATION

## **VISION STATEMENT**

To ensure public trust in the valuation profession.

## **Mission Statement**

The Appraisal Foundation is dedicated to promoting professionalism and ensuring public trust in the valuation profession. This is accomplished through the promulgation of standards, appraiser qualifications, and guidance regarding valuation methods and techniques.

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](http://www.appraisalfoundation.org).

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# WHAT IS THE AQB?

The Appraiser Qualifications Board (AQB) is an independent board of The Appraisal Foundation (TAF). The AQB is comprised of at least five practicing appraisers who are appointed by TAF's Board of Trustees for one- to three-year terms.

Under the provisions of Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), the AQB establishes the minimum education, experience, and examination requirements for real property appraisers to obtain a state license or certification as well as Supervisory Appraiser requirements. In addition, the AQB performs a number of ancillary duties related to real property and personal property appraiser qualifications (see "Other AQB Work" on page 4).

## REAL PROPERTY APPRAISER QUALIFICATION CRITERIA, INTERPRETATIONS OF THE CRITERIA, GUIDE NOTES, AND Q&As

States are required to implement appraiser licensing and certification requirements that are no less stringent than those issued by the AQB in the *Real Property Appraiser Qualification Criteria (Criteria)*.

The AQB has statutory authority to develop mandatory *Criteria* for Supervisory Appraisers (not an appraiser credential classification) and the Trainee Appraiser, Licensed Residential, Certified Residential, and Certified General appraiser classifications. If a state has these classifications, they are required to adopt these *Criteria*, at a minimum, for appraisals performed in federally-related transactions.

The original *Criteria*, adopted by the AQB in March 1991, included the following classifications: Licensed Residential, Certified Residential, and Certified General. Each of these classifications included requirements for education, experience, and an examination. The Trainee Appraiser classification was adopted by the AQB in 1993 and does not include experience or examination requirements.

After public exposure, the AQB adopted revisions to all classifications in early 1994 for implementation in January 1998. Major components of the revised *Criteria* included:

- An increase in the qualifying education requirements for the Licensed Residential and Certified General classifications;
- The requirement that all real property appraisers take the *15-Hour National Uniform Standards of Professional Appraisal Practice (USPAP) Course*;
- An increase in the experience requirements for the Certified Residential and Certified General Classifications from 2,000 to 2,500 hours, and from 2,000 to 3,000 hours, respectively; and
- An increase in the annual continuing education requirement from 10 to 14 classroom hours for all classifications.

After thorough public exposure, the AQB adopted significant revisions to the *Criteria* in early 2004 for implementation in January 2008. Highlights of the major revisions include:

- An increase in the qualifying education requirements for the Licensed Residential, Certified Residential, and Certified General classifications. The required education hours were raised from 90 to 150 hours for the Licensed Residential classification, 120 to 200 hours for the Certified Residential classification, and 180 to 300 hours for the Certified General classification; and
- A requirement for college-level education for the Certified Residential and Certified General classifications. The Certified Residential classification required an Associate degree or higher; or in lieu of a degree, a minimum of 21 college semester hours in specified coursework. The Certified General required a Bachelor's degree or higher, or in lieu of a degree, a minimum of 30 semester hours in specified college course work.

After five exposure drafts, in December 2011 the AQB adopted revisions to the *Criteria* for implementation in January 2015. Major revisions include:

- Education and experience must be completed prior to taking the *National Uniform Licensing and Certification Examinations*;
- Applicants for the Certified Residential and Certified General classifications must have a Bachelor's degree or higher from an accredited college or university;
- Applicants for the Licensed Residential classification must successfully complete 30 semester hours of college-level education from an accredited college, junior college, community college, or university, or have an Associate's degree or higher from an accredited college, junior college, community college, or university;
- Recognition of university degree programs as counting toward the education requirements in the *Criteria*;
- Removal of the "Segmented" Approach to implementation of the *Criteria*;
- Prohibition of repetitive continuing education within the same continuing education cycle;
- Clarification of the term "written examination";
- Revisions to the Trainee Appraiser classification that include a requirement to take a course oriented to the requirements and responsibilities of Trainee Appraisers and Supervisory Appraisers;
- New Supervisory Appraiser requirements;
- Revisions to Guide Note 1; and
- Additions to the illustrative list of educational topics acceptable for continuing education.

In July 2015, the AQB issued a Concept Paper exploring alternative requirements to the *Criteria*. In October 2015, the AQB held a Public Hearing with major stakeholders of the *Criteria*. In the following two years, the AQB issued a Discussion Draft and four Exposure Drafts of proposed changes to the 2015 *Criteria*. On February 1, 2018, the AQB adopted revisions to the *Criteria*. Major revisions include:

- Elimination of college-level education requirements for the Licensed Residential Real Property classification;
- Alternative college-level education requirements for the Certified Residential Real Property classification;
- An alternative track for Licensed Residential Real Property Appraisers to move to the Certified Residential Real Property Appraiser classification; and
- Modification of experience hours and experience time frames for the Licensed Residential and Certified Residential classifications, and modification of the experience time frame for the Certified General classification.

### Interpretations of the Criteria and Q&As

To further clarify AQB intent to users of the *Criteria*, the AQB may issue Interpretations of the *Criteria*. Interpretations are essential to properly understanding the *Criteria* and are, therefore, binding on users of the *Criteria*. Interpretations are added to the text of this document subsequent to their adoption by the AQB. These Interpretations are listed in subject matter order, which is designed to follow the applicable *Criteria*. As a result, the dates reflecting the adoption of some Interpretations may not follow a chronological sequence.

The AQB also issues Q&As approximately twice a year. The Q&As are a form of guidance issued by the AQB to respond to questions raised by appraisers, enforcement officials, users of appraisal services and the public to illustrate the applicability of the *Real Property Appraiser Qualification Criteria* and Interpretations of the *Criteria* in specific situations and to offer advice from the AQB for the resolution of appraisal issues and problems. The AQB Q&A may not represent the only possible solution to the issues discussed nor may the advice provided be applied equally to seemingly similar situations. AQB Q&A does not establish new *Criteria*. AQB Q&A is not part of the *Real Property Appraiser Qualification Criteria*. AQB Q&A is approved by the AQB without public exposure and comment. To review the latest AQB Q&As, please visit the Q&A webpage located on TAF's website at [www.appraisalfoundation.org](http://www.appraisalfoundation.org).

### Supporting the Work of the AQB

The AQB strongly encourages input from appraisers, users of appraisal services, and the public through the exposure draft process, public meetings, speaking engagements, and correspondence. Detailed information on how to support the work of the AQB is available online via the Foundation's website at [www.appraisalfoundation.org](http://www.appraisalfoundation.org), or by contacting the Board's staff at the Foundation by calling (202) 347-7722, or via e-mail at [AQBcomments@appraisalfoundation.org](mailto:AQBcomments@appraisalfoundation.org).

### Exposure Draft Process

In recognition of the public authority of the AQB, all proposed revisions to the *Criteria* must be exposed for public comment prior to adoption. The AQB considers all comments in public meetings prior to taking final action. Prior to publication of an exposure draft, all proposed revisions to the *Criteria* are reviewed by a regulatory attorney.

### Public Meetings

The AQB conducts periodic public meetings. Observers are encouraged to attend and, if time permits, address the Board regarding an agenda item.

### Speaking Engagements

Members of the AQB are available for speaking engagements and presentations on the current work of the Board. Invitations to speak may be submitted via the “Request a Speaker” section on The Appraisal Foundation’s website ([www.appraisalfoundation.org](http://www.appraisalfoundation.org)). These requests should be submitted as early as possible in order to facilitate scheduling.

### Other AQB Work

In addition to its work on the *Criteria*, the AQB is involved in numerous other ongoing projects, including:

- Maintenance and periodic updating of the *National Uniform Licensing and Certification Examinations* and their accompanying Examination Content Outlines (ECO’s). The ECO’s are used in the development of the examinations.
- Development of and enhancements to the Program to Improve USPAP Education.
- Administration of the Course Approval Program (CAP).
- Administration of the Real Estate Degree Review Program.
- Development of **voluntary** minimum *Personal Property Appraiser Qualification Criteria*.

More information on The Appraisal Foundation and the activities of the AQB is available online at [www.appraisalfoundation.org](http://www.appraisalfoundation.org) or by contacting the Board’s staff at The Appraisal Foundation by phone at (202) 347-7722 or via e-mail at [staff@appraisalfoundation.org](mailto:staff@appraisalfoundation.org).



# REAL PROPERTY APPRAISER QUALIFICATION CRITERIA

EFFECTIVE MAY 1, 2018



## DEFINITIONS:

**Real Property Appraiser Qualification Criteria (Criteria):** Established by the Appraiser Qualifications Board (AQB) of The Appraisal Foundation, these *Criteria* set forth the minimum education, experience, and examination requirements for real property appraisers.

**Required Core Curriculum:** A set of major appraisal subject matter headings, known as “modules,” which require a specified number of educational hours at each credential level.

*For example, as part of the Required Core Curriculum, a minimum of 30 hours of coverage of the module “Basic Appraisal Principles” is required.*

**Subtopics:** Areas of appraisal education (as identified in AQB Guide Note 1) that may be included within the modules of the *Required Core Curriculum*.

*As Guide Note 1 is not a binding requirement, coverage of the subtopics is not required for educational offerings to be valid; however, individuals will be expected to demonstrate competency in the subtopics in order to pass the respective licensing or certification examinations.*

**Interpretations:** Elaborations or clarifications of the *Criteria* issued by the AQB. Interpretations are essential to a proper understanding of the requirements set forth in the *Criteria* and are, therefore, binding upon users of the *Criteria*.

**Guide Notes:** Guidance or advice provided by the AQB for assistance in understanding and implementing the *Criteria*.

*For example, AQB Guide Note 1 (GN-1) “AQB Guidance for Curriculum Content” provides state appraiser regulators, students, and educators with suggested subtopics and items of coverage for each module in the Required Core Curriculum. The subtopics identified in Guide Note 1 represent those areas of education in which appraisers should be able to demonstrate competency to pass the respective licensing or certification examinations.*

## GENERAL INTERPRETATIONS

The following is the only exception for implementing the 2015 *Real Property Appraiser Qualification Criteria*:

*An applicant in the Reserve components of the U.S. Armed Forces, who was pursuing an appraiser license or certification prior to December 1, 2011, and who was called to active duty between December 1, 2011 and December 31, 2014, may satisfy the qualifications required under the 2008 Criteria for an additional time period after January 1, 2015. The extension of time shall be equal to the applicant’s time of active duty, plus 12 months.*

## CRITERIA APPLICABLE TO ALL APPRAISER CLASSIFICATIONS

### I. Standards of Practice

Appraisers in all classifications shall perform and practice in compliance with the *Uniform Standards of Professional Appraisal Practice (USPAP)*.

### II. Existing Credential Holders

Existing credential holders (with the exception of Trainee Appraisers) in good standing in any jurisdiction shall be considered in compliance with current Appraiser Qualifications Board *Real Property Appraiser Qualification Criteria (Criteria)* if they have passed an AQB-approved qualifying examination for that credential. This applies to reciprocity, temporary practice, renewals, and applications for the same credential (with the exception of Trainee Appraisers) in another jurisdiction. All credential holders must comply with ongoing requirements for continuing education and state renewal procedures.

### III. Generic Education Criteria

#### A. Class hour

1. A class hour is defined as 60 minutes, of which at least 50 minutes are instruction attended by the student.
2. The prescribed number of class hours includes time for examinations.

#### B. Credit for the class hour requirements may be obtained only from the following providers:

1. Colleges or universities;
2. Community or junior colleges;
3. Real estate appraisal or real estate-related organizations;
4. State or federal agencies or commissions;
5. Proprietary schools;
6. Providers approved by state certification/licensing agencies; or
7. The Appraisal Foundation or its Boards.

#### C. Experience may not be substituted for education.

#### D. Distance education is defined as any education process based on the geographical separation of student and instructor. A distance education course is acceptable to meet class hour requirements if:

1. The course provides interaction. Interaction is a reciprocal environment where the student has verbal or written communication with the instructor; and
2. Content approval is obtained from the AQB, a state appraiser regulatory jurisdiction, or 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 US Secretary of Education. Non-academic credit college courses provided by a college shall be approved by the AQB or the state appraiser regulatory jurisdiction; and
3. Course delivery mechanism approval is obtained from one of the following sources:
  - a. AQB approved organizations providing approval of course design and delivery; or
  - b. a college or university that qualifies for content approval in paragraph 2 above that awards academic credit for the distance education course; or
  - c. a qualifying college or university for content approval with a distance education delivery program that approves the course design and delivery that incorporate interactivity.

#### E. *Criteria* Specific to Qualifying Education

1. Class hours will be credited only for educational offerings with content that follows the *Required Core Curriculum* for each respective credential classification. Course content requirements may be general or specific to property types. The *Required Core Curriculum* is to be followed by major headings with the classroom hours for each. Guide Note (GN-1) contains guidance for curriculum content with subtopics listed under each major module. The subtopics listed in GN-1 are used for developing Examination Content Outlines for each applicable credential classification, and may also be amended from time to time to reflect changes in technology or in the Body of Knowledge. GN-1 is not mandatory for meeting the *Required Core Curriculum*.

2. Credit toward qualifying education requirements may also be obtained via the completion of a degree in Real Estate from an accredited degree-granting college or university approved by the Association to Advance Collegiate Schools of Business, or a regional or national accreditation agency recognized by the US Secretary of Education, **provided that the college or university has had its curriculum reviewed and approved by the AQB.**

The AQB may maintain a list of approved college or university degree programs, including the *Required Core Curriculum* and Appraisal Subject Matter Elective hours satisfied by the award of the degree. Candidates for the Trainee Appraiser, Licensed Residential, Certified Residential, or Certified General credential who are awarded degrees from approved institutions are required to complete all additional education required for the credential in which the approved degree is judged to be deficient by the AQB.

3. Class hours may be obtained only where:
  - a. the minimum length of the educational offering is at least 15 hours; and
  - b. the individual successfully completes a proctored, closed-book final examination pertinent to that educational offering.
4. Where the qualifying education course includes multiple modules as listed in the *Required Core Curriculum*, there must be appropriate testing of each module included in the course.
5. Courses taken to satisfy the qualifying education requirements must not be repetitive. Courses shall foster problem-solving skills in the education process by utilizing case studies as a major teaching method when applicable.
6. Applicants must take the *15-Hour National USPAP Course*, or its AQB-approved equivalent, and pass the associated *15-Hour National USPAP Course* examination. At least one of the course instructors must be an AQB Certified USPAP Instructor who is also a state certified appraiser in good standing. Course equivalency shall be determined through the AQB Course Approval Program or by an alternate method established by the AQB. USPAP education presented in a distance education format must be designed to foster appropriate student-to-student, student-to-instructor, and student-to-material interaction.
7. In addition to the generic requirements described in III.D., distance education courses intended for use as qualifying education must include a written, closed-book final examination (proctored by an official approved by the college or university, or by the sponsoring organization). The term “written” as used herein refers to an exam that might be written on paper, or administered electronically on a computer workstation or other device. Oral exams are not acceptable. The testing must be in compliance with the examination requirements of this section.

F. *Criteria Specific to Continuing Education*

1. The purpose of continuing education is to ensure that appraisers participate in a program that maintains and increases their skill, knowledge, and competency in real property appraising.

Aside from complying with the requirements to complete the *7-Hour National USPAP Update Course*, or its equivalent, appraisers may not receive credit for completion of the same continuing education course offering within the same continuing education cycle.

2. Credit towards the continuing education hour requirements for each appraiser classification may be granted only where the length of the educational offering is at least two (2) hours.

3. Credit may be granted for education offerings that are consistent with the purpose of continuing education and cover real property related appraisal topics, including, but not limited to:
  - a. Ad valorem taxation;
  - b. Arbitration, dispute resolution;
  - c. Courses related to the practice of real estate appraisal or consulting;
  - d. Development cost estimating;
  - e. Ethics and standards of professional practice, USPAP;
  - f. Land use planning, zoning;
  - g. Management, leasing, timesharing;
  - h. Property development, partial interests;
  - i. Real estate law, easements, and legal interests;
  - j. Real estate litigation, damages, condemnation;
  - k. Real estate financing and investment;
  - l. Real estate appraisal-related computer applications;
  - m. Real estate securities and syndication;
  - n. Developing opinions of real property value in appraisals that also include personal property and/or business value;
  - o. Seller concessions and impact on value; and/or
  - p. Energy-efficient items and “green building” appraisals.
4. Up to one half of an individual’s continuing education requirement may also be granted for participation, other than as a student, in appraisal educational processes and programs. Examples of activities for which credit may be granted are teaching, program development, authorship of textbooks, or similar activities that are determined to be equivalent to obtaining continuing education. Credit for instructing any given course or seminar can only be awarded once during a continuing education cycle.
5. Educational offerings taken by an individual in order to fulfill the class hour requirement for a different classification than his/her current classification may be simultaneously counted towards the continuing education requirement of his/her current classification.
6. In addition to the generic requirements described in III.D., distance education courses intended for use as continuing education must include at least one of the following:
  - a. A written examination proctored by an official approved by the college or university, or by the sponsoring organization. The term “written” as used herein refers to an exam that might be written on paper, or administered electronically on a computer workstation or other device. Oral exams are not acceptable; or
  - b. Successful completion of prescribed course mechanisms required to demonstrate knowledge of the subject matter.
7. Real estate appraisal-related field trips may be acceptable for credit toward the continuing education requirements. However, transit time to or from the field trip may not be included when awarding credit unless instruction occurs during said transit time.
8. Appraisers must successfully complete the *7-Hour National USPAP Update Course*, or its AQB-approved equivalent, every two calendar years. Equivalency shall be determined through the AQB Course Approval Program or by an alternate method established by the AQB.
9. Individuals who are credentialed in more than one jurisdiction shall not have to take more than one *7-Hour National USPAP Update Course* within a two calendar year period for the purposes of meeting *AQB Criteria*.
10. USPAP continuing education credit shall only be awarded when the course is instructed by at least one AQB Certified USPAP Instructor who is also a state certified appraiser in good standing.
11. The equivalent of fourteen (14) class hours of instruction in courses or seminars for each year during the period preceding the renewal is required. For example, a two-year continuing education cycle would require twenty-eight hours. The class hour requirement can be fulfilled at any time during the cycle.

12. AQB Certified USPAP Instructors successfully completing a *7-Hour Instructor Recertification Course* and exam (if required) within their current continuing education cycle have satisfied the *7-Hour National USPAP Update Course* continuing education requirement.
13. State appraiser regulatory agencies with the appropriate authority to do so may place a credential holder in an “inactive status” in the event the state determines a deficiency in continuing education was due to extenuating circumstances.

Prior to reactivation, credential holders in an inactive status must complete all required continuing education hours that would have been required if the credential holder was in an active status. The required hours must also include the most recent edition of a *7-Hour National USPAP Update Course* (or its AQB-approved equivalent).

Waivers may not be granted to credential holders who have failed to meet the continuing education requirements.

Deferrals may not be granted to credential holders, except in the case of individuals returning from active military duty, or individuals impacted by a state- or federally-declared disaster. State appraiser regulatory agencies may allow credential holders returning from active military duty to be placed in active status for a period of up to 90 days pending completion of all continuing education requirements. State appraiser regulatory agencies may allow credential holders impacted by a state- or federally-declared disaster that occurs within 90 days prior to the end of the continuing education cycle to remain (or be placed in) active status for a period of up to 90 days after the end of the credential holder’s continuing education cycle, pending completion of all continuing education requirements.

14. Credentialed appraisers are required to complete continuing education for a partial year in a continuing education cycle as follows:

For continuing education cycle periods of 185 days or more, 14 hours of continuing education is required.

For continuing education cycle periods of less than 185 days, no hours of continuing education are required.

**Example #1:** A credential issued on August 15 that expires on December 31 of the same year would not require any continuing education hours for that year.

**Example #2:** A credential issued on May 15 that expires on December 31 of the same year would require 14 continuing education hours for that year.

**Example #3:** A credential issued on August 15 that expires on December 31 of the following year would require 14 hours of continuing education to renew.

15. State appraiser regulatory agencies may award continuing education credit to credentialed appraisers who attend a state appraiser regulatory agency meeting, under the following conditions:
  - a. Credit may be awarded for a single state appraiser regulatory agency meeting per continuing education cycle. The meeting must be open to the public and must be a minimum of two (2) hours in length. The total credit cannot exceed seven (7) hours; and
  - b. The state appraiser regulatory agency must ensure that the credentialed appraiser attends the meeting for the required period of time.

#### IV. Generic Examination Criteria

A new applicant not currently licensed or certified and in good standing in another jurisdiction shall have up to 24 months, after approval by the state, to take and pass an AQB-approved qualifying examination for the credential. Successful completion of the examination is valid for a period of 24 months.

#### V. Generic Experience Criteria

- A. Education may not be substituted for experience, except as shown below in Section D below.
- B. The quantitative experience requirements must be satisfied by time spent in the appraisal process. The appraisal process consists of: analyzing factors that affect value; defining the problem; gathering and analyzing data; applying the appropriate analysis and methodology; and arriving at an opinion and correctly reporting the opinion in compliance with USPAP.

- C. Hours may be treated as cumulative in order to achieve the necessary number of hours of appraisal experience.
1. Cumulative is defined as experience that may be acquired over multiple time periods.
  2. The following is an example of cumulative experience:

Year 1	200 Hours
Year 2	800 Hours
Year 3	600 Hours
Year 4	400 Hours
Year 5	500 Hours
<b>Total</b>	<b>2,500 Hours</b>

- D. There need not be a client in a traditional sense (e.g., a client hiring an appraiser for a business purpose) in order for an appraisal to qualify for experience, but experience gained for work without a traditional client cannot exceed 50% of the total experience requirement.

Practicum courses that are approved by the AQB Course Approval Program or state appraiser regulatory agencies can satisfy the non-traditional client experience requirement. A practicum course must include the generally applicable methods of appraisal practice for the credential category. Content includes, but is not limited to: requiring the student to produce credible appraisals that utilize an actual subject property; performing market research containing sales analysis; and applying and reporting the applicable appraisal approaches in conformity with USPAP. Assignments must require problem solving skills for a variety of property types for the credential category.

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.

- E. An hour of experience is defined as verifiable time spent in performing tasks in accordance with acceptable appraisal practice. Acceptable real property appraisal practice for experience credit includes appraisal, appraisal review, appraisal consulting, and mass appraisal.

All experience must be obtained after January 30, 1989, and must be USPAP-compliant. An applicant's experience must be in appraisal work conforming to Standards 1, 2, 3, 4, 5, and/or 6, where the appraiser demonstrates proficiency in appraisal principles, methodology, procedures (development), and reporting conclusions.

- F. Documentation in the form of reports, certifications, or file memoranda, or, if such reports and memoranda are unavailable for good cause, other evidence at the credentialing authority's discretion that the work is compliant with USPAP must be provided as part of the state experience verification process to support the experience claimed.

- G. The verification for experience credit claimed by an applicant shall be on forms prescribed by the state certification/licensing agency, which shall include:

1. Type of property;
2. Date of report;
3. Address of appraised property;
4. Description of work performed by the trainee/applicant and scope of the review and supervision of the supervising appraiser;
5. Number of actual work hours by the trainee/applicant on the assignment; and
6. The signature and state certification number of the supervising appraiser, if applicable. Separate appraisal logs shall be maintained for each supervising appraiser, if applicable.

- H. There is no maximum time limit during which experience may be obtained.

## VI. Background Checks

- A. All applicants for a real property appraiser credential shall possess a background that would not call into question public trust.
- B. Applicants shall provide state appraiser regulatory agencies with all of the information and documentation necessary for the jurisdiction to determine the applicant's fitness for licensure or certification.

- C. An applicant shall not be eligible for a real property appraiser credential if, during at least the five (5) year period immediately preceding the date of the application for licensing or certification, the applicant has been convicted of, or pled guilty or nolo contendere to a crime that would call into question the applicant's fitness for licensure.
- D. Additional guidance related to background checks for applicants for a real property appraiser credential may be found in Guide Note 9 (GN-9).

#### **VII. Interpretations and Guide Notes (GN)**

Periodically, the AQB may issue Interpretations to the *Criteria* (binding) or Guide Notes (advisory) on interpretations or application of the *Criteria*.

# SUPERVISORY APPRAISER REQUIREMENTS

APPLICABLE TO SUPERVISION OF **TRAINEE APPRAISERS** ONLY

Supervisory Appraisers provide a critical role in the mentoring, training, and development of future valuation professionals. It is inherently important to strike a proper balance between enhancing public trust by ensuring Supervisory Appraisers are competent and qualified to supervise Trainee Appraisers without making the criteria too stringent and restrictive as to discourage or prevent qualified Supervisory Appraisers from actually participating in the training and supervision of Trainee Appraisers.

## I. General

- A. Supervisory Appraisers shall be responsible for the training, guidance, and direct supervision of the Trainee Appraiser by:
  1. Accepting responsibility for the appraisal by signing and certifying the appraisal complies with USPAP;
  2. Reviewing and signing the Trainee Appraiser appraisal report(s); and
  3. Personally inspecting each appraised property with the Trainee Appraiser until the Supervisory Appraiser determines the Trainee Appraiser is competent to inspect the property, in accordance with the COMPETENCY RULE of USPAP for the property type.
- B. Supervisory Appraisers shall be state-certified and in “good standing for a period of at least three (3) years prior to being eligible to become a Supervisory Appraiser. Supervisory Appraisers do not need to be state certified and in good standing *in the jurisdiction* in which the Trainee Appraiser practices *for any specific minimum period of time*. Supervisory Appraisers shall not have been subject to any disciplinary action—within any jurisdiction—within the last three (3) years that affected the Supervisory Appraiser’s legal eligibility to engage in appraisal practice. A Supervisory Appraiser subject to a disciplinary action would be considered to be in “good standing” three (3) years *after* the successful completion/termination of the sanction imposed against the appraiser.
- C. Supervisory Appraisers must comply with the COMPETENCY RULE of USPAP for the property type and geographic location where the Trainee Appraiser is being supervised.
- D. Whereas a Trainee Appraiser is permitted to have more than one Supervisory Appraiser, Supervisory Appraisers may not supervise more than three (3) Trainee Appraisers at one time, unless a state program in the credentialing jurisdiction provides for progress monitoring, supervisory certified appraiser qualifications, and supervision and oversight requirements for Supervisory Appraisers.
- E. An appraisal experience log shall be maintained jointly by the Supervisory Appraiser and the Trainee Appraiser. It is the responsibility of both the Supervisory Appraiser and Trainee Appraiser to ensure the experience log is accurate, current, and complies with the requirements of the Trainee Appraiser’s credentialing jurisdiction. At a minimum, the appraisal log requirements shall include:
  1. Type of property;
  2. Date of report;
  3. Address of appraised property;
  4. Description of work performed by the Trainee Appraiser and the scope of the review and supervision of the Supervisory Appraiser;
  5. Number of actual work hours by the Trainee Appraiser on the assignment; and
  6. The signature and state certification number of the Supervisory Appraiser. Separate appraisal logs shall be maintained for each Supervisory Appraiser, if applicable.



- F. Supervisory Appraisers shall be required to complete a course that, at a minimum, complies with the specifications for course content established by the AQB, which is specifically oriented to the requirements and responsibilities of Supervisory Appraisers and Trainee Appraisers. The course is to be completed by the Supervisory Appraiser prior to supervising a Trainee Appraiser. Please refer to the Supervisory Appraiser / Trainee Appraiser Course Objectives and Outline in this booklet for more information.

# REAL PROPERTY APPRAISER CLASSIFICATIONS

## TRAINEE REAL PROPERTY APPRAISER

Please consult the **CRITERIA APPLICABLE TO ALL APPRAISER CLASSIFICATIONS** for additional requirements.

### I. General

- A. The Trainee Appraiser classification is intended to incorporate any documented non-certified/non-licensed real property appraisers who are subject to the *Real Property Appraiser Qualification Criteria*. Recognizing that individual credentialing jurisdictions may use different terminologies, “Trainee Appraisers” include, but are not limited to: registered appraisers, apprentice appraisers, provisional appraisers, or other similar designations created by state appraiser regulatory agencies.
- B. The scope of practice for the Trainee Appraiser classification is the appraisal of those properties which the state-certified Supervisory Appraiser is permitted by his/her current credential and that the Supervisory Appraiser is competent to appraise.
- C. The Trainee Appraiser, as well as the Supervisory Appraiser, shall be entitled to obtain copies of appraisal reports and/or permitted appropriate access and retrieval arrangements for all workfiles for appraisals in which he or she participated, in accordance with the RECORD KEEPING RULE of USPAP.
- D. All Trainee Appraisers must comply with the COMPETENCY RULE of USPAP for all assignments.

### II. Examination

There is no examination requirement for the Trainee Appraiser classification, but the Trainee Appraiser shall pass the appropriate end-of-course examinations in all of the prerequisite qualifying education courses in order to earn credit for those courses.

### III. Qualifying Education

- A. As the prerequisite for application, an applicant must have completed seventy-five (75) hours of qualifying education as specified in the *Required Core Curriculum*. Additionally, applicants must pass the course examinations and pass the *15-Hour National USPAP Course* (or its AQB-approved equivalent) and examination as part of the 75 hours. All qualifying education must be completed within the five (5) year period immediately preceding the date of application for a Trainee Appraiser credential.
- B. Appraisers holding a valid **Licensed Residential Real Property Appraiser** credential satisfy the educational requirements for the Trainee Appraiser credential.

- C. Appraisers holding a valid **Certified Residential Real Property Appraiser** credential satisfy the educational requirements for the Trainee Appraiser credential.
- D. Appraisers holding a valid **Certified General Real Property Appraiser** credential satisfy the educational requirements for the Trainee Appraiser credential.

#### IV. Experience

No experience is required as a prerequisite for the Trainee Appraiser classification.

#### V. Training

- A. The Trainee Appraiser shall be subject to direct control and supervision by a Supervisory Appraiser in good standing, who shall be state certified. A Trainee Appraiser is permitted to have more than one Supervisory Appraiser.
- B. The Supervisory Appraiser shall be responsible for the training, guidance, and direct control and supervision of the Trainee Appraiser by:
  1. Accepting responsibility for the appraisal by signing and certifying the appraisal complies with USPAP;
  2. Reviewing and signing the Trainee Appraiser appraisal report(s); and
  3. Personally inspecting each appraised property with the Trainee Appraiser until the Supervisory Appraiser determines the Trainee Appraiser is competent to inspect the property, in accordance with the COMPETENCY RULE of USPAP for the property type.
- C. The Trainee Appraiser is permitted to have more than one Supervisory Appraiser, but a Supervisory Appraiser may not supervise more than three (3) Trainee Appraisers, at one time, unless a program in the state appraiser regulatory jurisdiction provides for progress monitoring, supervising certified appraiser qualifications, and supervision and oversight requirements for Supervisory Appraisers.
- D. An appraisal experience log shall be maintained jointly by the Supervisory Appraiser and the Trainee Appraiser. It is the responsibility of both the Supervisory Appraiser and the Trainee Appraiser to ensure the appraisal experience log is accurate, current, and complies with the requirements of the Trainee Appraiser's credentialing jurisdiction. At a minimum, the appraisal log requirements shall include:
  1. Type of property;
  2. Date of report;
  3. Address of appraised property;
  4. Description of work performed by the Trainee Appraiser and scope of the review and supervision of the Supervisory Appraiser;
  5. Number of actual work hours by the Trainee Appraiser on the assignment; and
  6. The signature and state certification number of the Supervisory Appraiser. Separate appraisal logs shall be maintained for each Supervisory Appraiser, if applicable.
- E. Supervisory Appraisers shall be state certified and in good standing for a period of at least three (3) years prior to being eligible to become a Supervisory Appraiser. Supervisory Appraisers do not need to be state certified and in good standing **in the jurisdiction** in which the Trainee Appraiser practices **for any specific minimum period of time**. Supervisory Appraisers shall not have been subject to any disciplinary action—within any jurisdiction—within the last three (3) years that affected the Supervisory Appraiser's legal eligibility to engage in appraisal practice. A Supervisory Appraiser subject to a disciplinary action would be considered to be in "good standing" three (3) years after the successful completion/termination of the sanction imposed against the appraiser.
- F. Trainee Appraisers shall be required to complete a course that, at minimum, complies with the specifications for course content established by the AQB, which is specifically oriented to the requirements and responsibilities of Supervisory Appraisers and Trainee Appraisers. The course must be completed by the Trainee Appraiser prior to obtaining a Trainee Appraiser credential from the individual credentialing jurisdiction. Further, the Trainee Appraiser course is not eligible towards the 75 hours of qualifying education required. Please refer to the Supervisory Appraiser / Trainee Appraiser Course Objectives and Outline in this booklet for more information.

# LICENSED RESIDENTIAL REAL PROPERTY APPRAISER

Please consult the **CRITERIA APPLICABLE TO ALL APPRAISER CLASSIFICATIONS** for additional requirements.

## I. General

- A. The Licensed Residential Real Property Appraiser classification applies to the appraisal of non-complex one-to-four residential units having a transaction value less than \$1,000,000, and complex one-to-four residential units having a transaction value less than \$250,000.
- B. Complex one-to-four unit residential property appraisal means one in which the property to be appraised, the form of ownership, or the market conditions are atypical.
- C. For non-federally related transaction appraisals, transaction value shall mean market value.
  1. The classification includes the appraisal of vacant or unimproved land that is utilized for one-to-four residential units, or for which the highest and best use is for one-to-four residential units.
  2. The classification does not include the appraisal of subdivisions for which a development analysis/appraisal is necessary.
- D. All Licensed Residential Real Property Appraisers must comply with the **COMPETENCY RULE** of USPAP.

## II. Examination

- A. The AQB-approved Licensed Residential Real Property Appraiser examination must be successfully completed. The only alternative to successful completion of the Licensed Residential examination is the successful completion of the Certified Residential or Certified General examination.
- B. The prerequisites for taking the AQB-approved examination are completion of:
  1. One hundred fifty (150) creditable class hours as specified in the *Required Core Curriculum*; and
  2. One thousand (1,000) hours of qualifying experience in no fewer than six (6) months.

## III. Qualifying Education

- A. The Licensed Residential Real Property Appraiser classification requires completion of one hundred fifty (150) creditable class hours as specified in the *Required Core Curriculum*. As part of the 150 required hours, the applicant shall successfully complete the *15-Hour National USPAP Course*, or its AQB-approved equivalent, and successfully pass the examination. There is no alternative to successful completion of the USPAP Course and examination.
- B. Appraisers holding a valid **Trainee Appraiser** credential may satisfy the educational requirements for the Licensed Residential Real Property Appraiser credential by successfully completing the following additional educational hours:
 

1. Residential Market Analysis and Highest and Best Use	15 Hours
2. Residential Appraiser Site Valuation and Cost Approach	15 Hours
3. Residential Sales Comparison and Income Approaches	30 Hours
4. Residential Report Writing and Case Studies	15 Hours
	<b>TOTAL 75 Hours</b>

- C. Appraisers holding a valid **Certified Residential Real Property Appraiser** credential satisfy the educational requirements for the Licensed Residential Real Property Appraiser credential.
- D. Appraisers holding a valid **Certified General Real Property Appraiser** credential satisfy the educational requirements for the Licensed Residential Real Property Appraiser credential.

**IV. Experience:**

One thousand (1,000) hours of experience are required to be obtained in no fewer than six (6) months.

# CERTIFIED RESIDENTIAL REAL PROPERTY APPRAISER

Please consult the **CRITERIA APPLICABLE TO ALL APPRAISER CLASSIFICATIONS** for additional requirements.

## I. General

- A. The Certified Residential Real Property Appraiser classification qualifies the appraiser to appraise one-to-four residential units without regard to value or complexity.
  1. The classification includes the appraisal of vacant or unimproved land that is utilized for one-to-four residential units purposes or for which the highest and best use is for one-to-four residential units.
  2. The classification does not include the appraisal of subdivisions for which a development analysis/appraisal is necessary.
- B. All Certified Residential appraisers must comply with the COMPETENCY RULE of USPAP.

## II. Examination

- A. The AQB-approved Certified Residential Real Property Appraiser examination must be successfully completed. The only alternative to successful completion of the Certified Residential examination is the successful completion of the Certified General examination.
- B. The prerequisites for taking the AQB-approved examination are completion of:
  1. Two hundred (200) creditable class hours as specified in the *Required Core Curriculum*;
  2. Completion of the requirements specified in Section III.B. or III.C., "Qualifying Education"; and
  3. One thousand five hundred (1,500) hours of qualifying experience obtained in no fewer than twelve (12) months.

## III. Qualifying Education

- A. All college-level education must be obtained from a degree-granting institution by the Commission on Colleges, a national or regional accreditation association, or by an accrediting agency that is recognized by the US Secretary of Education.

Applicants with a college degree from a foreign country may have their education evaluated for "equivalency" by one of the following:

- An accredited, degree-granting domestic college or university;
  - A foreign degree credential evaluation service company that is a member of the National Association of Credential Evaluation Services (NACES); or
  - A foreign degree credential evaluation service company that provides equivalency evaluation reports accepted by an accredited degree-granting domestic college or university or by a state licensing board that issues credentials in another discipline.
- B. Applicants for the Certified Residential credential must satisfy at least one of the following five options (III.B.1., III.B.2., III.B.3., III.B.4., or III.B.5.):
    1. Possession of a Bachelor's Degree in any field of study;
    2. Possession of an Associate's Degree in a field of study related to:
      - a. Business Administration;
      - b. Accounting;
      - c. Finance;
      - d. Economics; or
      - e. Real Estate

3. Successful completion of 30 semester hours of college-level courses that cover each of the following specific topic areas and hours:
    - a. English Composition (3 semester hours);
    - b. Microeconomics (3 semester hours);
    - c. Macroeconomics (3 semester hours);
    - d. Finance (3 semester hours);
    - e. Algebra, Geometry, or higher mathematics (3 semester hours);
    - f. Statistics (3 semester hours);
    - g. Computer Science (3 semester hours);
    - h. Business or Real Estate Law (3 semester hours); and
    - i. Two elective courses in any of the topics listed above or in accounting, geography, agricultural economics, business management, or real estate (3 semester hours each).
  4. Successful completion of at least 30 semester hours of College Level Examination Program® (CLEP®) examinations from each of the following subject matter areas:
    - a. College Algebra (3 semester hours);
    - b. College Composition (6 semester hours);
    - c. College Composition Modular (3 semester hours);
    - d. College Mathematics (6 semester hours);
    - e. Principles of Macroeconomics (3 semester hours);
    - f. Principles of Microeconomics (3 semester hours);
    - g. Introductory Business Law (3 semester hours); and
    - h. Information Systems (3 semester hours).
  5. Any combination of III.B.3 and III.B.4 above that ensures coverage of all topics and hours identified in III.B.3.
- C. As an alternative to the requirements in Section III.B. above, individuals who have held a Licensed Residential credential for a minimum of five (5) years may qualify for a Certified Residential credential by satisfying all of the following:
1. No record of any adverse, final, and non-appealable disciplinary action affecting the Licensed Residential appraiser’s legal eligibility to engage in appraisal practice within the five (5) years immediately preceding the date of application for a Certified Residential credential;
  2. Successful completion of the additional required qualifying education as specified in Section III.F. below;
  3. Successful completion of the required experience as specified in Section IV below; and
  4. Successful completion of the Certified Residential Real Property Appraiser examination as specified in Section II above.
- D. The Certified Residential Real Property Appraiser classification requires completion of two hundred (200) creditable class hours as specified in the *Required Core Curriculum*. As part of the 200 required hours, the applicant shall successfully complete the *15-Hour National USPAP Course*, or its AQB-approved equivalent, and the examination. There is no alternative to successful completion of the USPAP Course and examination.
- E. Appraisers holding a valid **Trainee Appraiser** credential may satisfy the educational requirements for the Certified Residential Real Property Appraiser credential by successfully completing the following additional educational hours:
- |   |                  |
|---|------------------|
| 1. Residential Market Analysis and Highest and Best Use   | 15 Hours         |
| 2. Residential Appraiser Site Valuation and Cost Approach | 15 Hours         |
| 3. Residential Sales Comparison and Income Approaches     | 30 Hours         |
| 4. Residential Report Writing and Case Studies            | 15 Hours         |
| 5. Statistics, Modeling and Finance                       | 15 Hours         |
| 6. Advanced Residential Applications and Case Studies     | 15 Hours         |
| 7. Appraisal Subject Matter Electives                     | 20 Hours         |
| <b>TOTAL</b>  | <b>125 Hours</b> |

F. Appraisers holding a valid **Licensed Residential Real Property Appraiser** credential may satisfy the educational requirements for the Certified Residential Real Property Appraiser credential by successfully completing the following additional educational hours:

1. Statistics, Modeling and Finance	15 Hours
2. Advanced Residential Applications and Case Studies	15 Hours
3. Appraisal Subject Matter Electives	20 Hours
<b>TOTAL</b>	<b>50 Hours</b>

G. Appraisers holding a valid **Trainee Appraiser** credential wishing to change to the Certified Residential Real Property Appraiser classification must also satisfy the college-level education requirement as specified in III.B.

H. Appraisers holding a valid **Licensed Residential Real Property Appraiser** credential wishing to change to the Certified Residential Real Property Appraiser classification who do not meet the requirements outlined in Section III.C. must also satisfy the college-level education requirements as specified in Section III.B.

I. Appraisers holding a valid **Licensed Residential Real Property Appraiser** credential wishing to change to the Certified Residential Real Property Appraiser classification who meet the requirements outlined in Section III.C. do not need to satisfy college-level education requirements as specified in Section III.B.

J. Appraisers holding a valid **Certified General Real Property Appraiser** credential satisfy the educational requirements for the Certified Residential Real Property Appraiser credential.

#### IV. Experience:

One thousand five hundred (1,500) hours of experience are required to be obtained during no fewer than twelve (12) months. While the hours may be cumulative, the required number of months must accrue before an individual can be certified.



# CERTIFIED GENERAL REAL PROPERTY APPRAISER

Please consult the **CRITERIA APPLICABLE TO ALL APPRAISER CLASSIFICATIONS** for additional requirements.

## I. General

- A. The Certified General Real Property Appraiser classification qualifies the appraiser to appraise all types of real property.
- B. All Certified General appraisers must comply with the COMPETENCY RULE of USPAP.

## II. Examination

- A. The AQB-approved Certified General Real Property Appraiser examination must be successfully completed. There is no alternative to successful completion of the exam.
- B. The prerequisites for taking the AQB-approved examination are completion of:
  1. Three hundred (300) creditable class hours as specified in the *Required Core Curriculum*; and
  2. Completion of the college-level education requirements specified in III.A. "Qualifying Education"; and
  3. Three thousand (3,000) hours of qualifying experience obtained in no fewer than eighteen (18) months, where a minimum of one thousand five hundred (1,500) hours must be obtained in non-residential appraisal work.

## III. Qualifying Education

- A. Applicants for the Certified General credential must hold a Bachelor's degree or higher from an accredited college or university. The college or university must be a degree-granting institution accredited by the Commission on Colleges, a national or regional accreditation association, or by an accrediting agency that is recognized by the US Secretary of Education. Applicants with a college degree from a foreign country may have their education evaluated for "equivalency" by one of the following:
  - An accredited, degree-granting domestic college or university;
  - A foreign degree credential evaluation service company that is a member of the National Association of Credential Evaluation Services (NACES); or
  - A foreign degree credential evaluation service company that provides equivalency evaluation reports accepted by an accredited degree-granting domestic college or university or by a state licensing board that issues credentials in another discipline.
- B. The Certified General Real Property Appraiser classification requires completion of three hundred (300) creditable class hours as specified in the *Required Core Curriculum*. As part of the 300 required hours, the applicant shall complete the *15-Hour National USPAP Course*, or its AQB-approved equivalent, and the examination. There is no alternative to successful completion of the USPAP Course and examination.
- C. Applicants must demonstrate that their education includes the core courses listed in these *Criteria*, with particular emphasis on non-residential properties. Residential is defined as "composed of one-to-four residential units."

- D. Appraisers holding a valid **Trainee Appraiser** credential may satisfy the educational requirements for the Certified General Real Property Appraiser credential by successfully completing the following additional educational hours:

1. General Appraiser Market Analysis and Highest and Best Use	30 Hours
2. Statistics, Modeling and Finance	15 Hours
3. General Appraiser Sales Comparison Approach	30 Hours
4. General Appraiser Site Valuation and Cost Approach	30 Hours
5. General Appraiser Income Approach	60 Hours
6. General Appraiser Report Writing and Case Studies	30 Hours
7. Appraisal Subject Matter Electives	30 Hours
<b>TOTAL</b>	<b>225 Hours</b>

- E. Appraisers holding a valid **Licensed Residential Real Property Appraiser** credential may satisfy the educational requirements for the Certified General Real Property Appraiser credential by successfully completing the following additional educational hours:

1. General Appraiser Market Analysis and Highest and Best Use	15 Hours
2. Statistics, Modeling and Finance	15 Hours
3. General Appraiser Sales Comparison Approach	15 Hours
4. General Appraiser Site Valuation and Cost Approach	15 Hours
5. General Appraiser Income Approach	45 Hours
6. General Appraiser Report Writing and Case Studies	15 Hours
7. Appraisal Subject Matter Electives	30 Hours
<b>TOTAL</b>	<b>150 Hours</b>

- F. Appraisers holding a valid **Certified Residential Real Property Appraiser** credential may satisfy the educational requirements for the Certified General Real Property Appraiser credential by successfully completing the following additional educational hours:

1. General Appraiser Market Analysis and Highest and Best Use	15 Hours
2. General Appraiser Sales Comparison Approach	15 Hours
3. General Appraiser Site Valuation and Cost Approach	15 Hours
4. General Appraiser Income Approach	45 Hours
5. General Appraiser Report Writing and Case Studies	10 Hours
<b>TOTAL</b>	<b>100 Hours</b>

- G. **Trainee Appraisers, Licensed Residential Real Property Appraisers, and Certified Residential Real Property Appraisers** wishing to change to the Certified General Real Property Appraiser classification must also satisfy the requirements in III.A. and III.C.

#### IV. Experience

Three thousand (3,000) hours of experience are required to be obtained during no fewer than eighteen (18) months. One thousand five hundred (1,500) hours must be in non-residential appraisal work. While the hours may be cumulative, the required number of months must accrue before an individual can be certified.

# REQUIRED CORE CURRICULUM

TRAINEE APPRAISER	
BASIC APPRAISAL PRINCIPLES	30 HOURS
BASIC APPRAISAL PROCEDURES	30 HOURS
<i>15-HOUR NATIONAL USPAP COURSE (OR ITS EQUIVALENT)</i>	15 HOURS
<b>TOTAL</b>	<b>75 HOURS</b>
LICENSED RESIDENTIAL	
BASIC APPRAISAL PRINCIPLES	30 HOURS
BASIC APPRAISAL PROCEDURES	30 HOURS
<i>15-HOUR NATIONAL USPAP COURSE (OR ITS EQUIVALENT)</i>	15 HOURS
RESIDENTIAL MARKET ANALYSIS AND HIGHEST AND BEST USE	15 HOURS
RESIDENTIAL APPRAISER SITE VALUATION AND COST APPROACH	15 HOURS
RESIDENTIAL SALES COMPARISON AND INCOME APPROACHES	30 HOURS
RESIDENTIAL REPORT WRITING AND CASE STUDIES	15 HOURS
<b>TOTAL</b>	<b>150 HOURS</b>
CERTIFIED RESIDENTIAL	
BASIC APPRAISAL PRINCIPLES	30 HOURS
BASIC APPRAISAL PROCEDURES	30 HOURS
<i>15-HOUR NATIONAL USPAP COURSE (OR ITS EQUIVALENT)</i>	15 HOURS
RESIDENTIAL APPRAISER MARKET ANALYSIS AND HIGHEST AND BEST USE	15 HOURS
RESIDENTIAL APPRAISER SITE VALUATION AND COST APPROACH	15 HOURS
RESIDENTIAL SALES COMPARISON AND INCOME APPROACHES	30 HOURS
RESIDENTIAL REPORT WRITING AND CASE STUDIES	15 HOURS
STATISTICS, MODELING AND FINANCE	15 HOURS
ADVANCED RESIDENTIAL APPLICATIONS AND CASE STUDIES	15 HOURS
APPRAISAL SUBJECT MATTER ELECTIVES (May include hours over minimum shown above in other modules)	20 HOURS
<b>TOTAL</b>	<b>200 HOURS</b>

CERTIFIED GENERAL	
BASIC APPRAISAL PRINCIPLES	30 HOURS
BASIC APPRAISAL PROCEDURES	30 HOURS
<i>15-HOUR NATIONAL USPAP COURSE (OR ITS EQUIVALENT)</i>	15 HOURS
GENERAL APPRAISER MARKET ANALYSIS AND HIGHEST AND BEST USE	30 HOURS
STATISTICS, MODELING AND FINANCE	15 HOURS
GENERAL APPRAISER SITE VALUATION AND COST APPROACH	30 HOURS
GENERAL APPRAISER SALES COMPARISON APPROACH	30 HOURS
GENERAL APPRAISER INCOME APPROACH	60 HOURS
GENERAL APPRAISER REPORT WRITING AND CASE STUDIES	30 HOURS
APPRAISAL SUBJECT MATTER ELECTIVES (May include hours over minimum shown above in other modules)	30 HOURS
<b>TOTAL</b>	<b>300 HOURS</b>

# SUPERVISORY APPRAISER / TRAINEE APPRAISER COURSE OBJECTIVES AND OUTLINE

## COURSE OBJECTIVES

In developing the course, providers must include the following course objectives, which address both the Supervisory Appraiser and Trainee Appraiser.

### Supervisory Appraiser Objectives

The course must provide adequate information to ensure the Supervisory Appraiser understands the qualifications and responsibilities of that role. Specifically, the objective of the course shall be that the student understands:

- AQB minimum qualifications for becoming and remaining a Supervisory Appraiser;
- Jurisdictional credentialing requirements for both Supervisory Appraisers and Trainee Appraisers that may exceed those of the *Criteria*;
- Expectations and responsibilities of being a Supervisory Appraiser;
- Responsibilities and requirements of a Supervisory Appraiser in maintaining and signing all appropriate Trainee Appraiser experience logs; and
- Expectations and responsibilities of the Trainee Appraiser.

### Trainee Appraiser Objectives

The course must provide adequate information to ensure the Trainee Appraiser understands the qualifications and responsibilities of that role. Specifically, the objective of the course shall be that the student understands:

- AQB minimum qualifications for becoming a credentialed appraiser;
- Jurisdictional credentialing requirements for Trainee Appraisers that may exceed those of the *Criteria*;
- AQB minimum qualifications for becoming and remaining a Supervisory Appraiser, as well as jurisdictional credentialing requirements that may exceed those of the *Criteria*;
- Processes and roles of the entities involved in establishing qualifications for credentialed appraisers;
- Expectations and responsibilities of the Trainee Appraiser;
- Basics of the *Uniform Standards of Professional Appraisal Practice* (USPAP); and
- Responsibilities and requirements of a Trainee Appraiser's role in maintaining and signing all appropriate Trainee Appraiser experience logs.

# COURSE CONTENT OUTLINE

Education developers must include the topics contained in the following outline when creating course content:

## I. Table of Contents

## II. Course Introduction and Overview

## III. Qualification and Credentialing Entities

- A. The Appraisal Foundation
  - 1. Overview of the creation and role of The Appraisal Foundation
- B. The Appraiser Qualifications Board (AQB)
  - 1. Overview of the role of the AQB in establishing qualifications for real property appraisers
- C. Individual State or Territory Credentialing Authorities
  - 1. Overview of a jurisdiction's role in issuing appraiser credentials and disciplining appraisers
  - 2. Specific information regarding the regulatory structure of the individual jurisdiction (optional)
- D. Professional Appraiser Organizations
  - 1. Overview of the role of professional appraiser organizations
  - 2. Explain difference between required regulatory state appraiser credentials and "voluntary" professional appraiser organization designations

## IV. Qualifications for Appraiser Credentials

- A. AQB Qualifications
  - 1. Overview of the AQB minimum qualifications for real property appraisers, including the education, experience, and examination requirements for the following categories:
    - a. Trainee Appraiser
    - b. Licensed Residential
    - c. Certified Residential
    - d. Certified General

Comment: Course developers shall include a summary matrix outlining the minimum education, experience, and examination requirements necessary for each of the credentials.

- 2. Overview of Supervisory Appraiser Qualifications
  - a. AQB minimum qualifications
  - b. Discussion noting individual credentialing jurisdictions could have qualifications that may exceed AQB minimum qualifications
- B. Individual Jurisdiction Qualifications
  - 1. Overview explaining how AQB sets minimum qualifications, but states may have qualifications that exceed *AQB Criteria*
  - 2. Outline and explain the specific steps/requirements to becoming licensed or certified in the particular jurisdiction in which the course is being provided

## V. Overview of USPAP

- A. Provide brief overview of sections of USPAP relevant to Trainee Appraisers including overviews of:
  - 1. ETHICS RULE
  - 2. COMPETENCY RULE
  - 3. SCOPE OF WORK RULE
  - 4. RECORD KEEPING RULE
  - 5. STANDARD 1 (Development) and STANDARD 2 (Reporting)

Comment: This section is not intended to be a substitute for the *15-Hour National USPAP Course* (or its equivalent).

## VI. Overview of Supervisory Appraiser Expectations and Responsibilities

- A. The course material must include a presentation of the requirements, expectations, and responsibilities of the Supervisory Appraiser. At a minimum, the course materials must include the expectations and responsibilities of the Supervisory Appraiser to:
  1. Provide the Trainee Appraiser with a basic understanding of USPAP requirements
  2. Understand the AQB minimum requirements of both the Supervisory Appraiser and Trainee Appraiser, as well as the requirements of the credentialing jurisdiction that may exceed those of the *Criteria*
  3. Provide proper guidance to the Trainee Appraiser when he or she selects a specific credentialing path (i.e., Licensed Residential, Certified Residential, or Certified General)
  4. Monitor the Trainee Appraiser's progress in satisfying both the education and experience requirements necessary to achieve his or her selected credentialing path
  5. Verify that the Supervisory Appraiser and Trainee Appraiser are properly documenting all appropriate experience logs
  6. Accompany the Trainee Appraiser on all inspections until the Trainee Appraiser is competent to conduct inspections independently and has met all specific requirements pertaining to property inspection established by the credentialing jurisdiction
  7. Monitor and provide assignments and duties that ensure the Trainee Appraiser is developing an understanding and progression of knowledge and experience of all applicable valuation methodologies and approaches to value
  8. Verify that the Trainee Appraiser is properly identified and acknowledged in the appraisal report in compliance with USPAP requirements
  9. Immediately notify the Trainee Appraiser if the Supervisory Appraiser is no longer qualified to supervise and/or sign the Trainee Appraiser's experience log

## VII. Overview of Trainee Appraiser Expectations and Responsibilities

- A. The course material must include a presentation of the requirements, expectations, and responsibilities of the Trainee Appraiser. At a minimum, the course materials must include the expectations and responsibilities of the Trainee Appraiser to understand:
  1. The AQB minimum requirements to become a Trainee Appraiser, as well as the requirements of the credentialing jurisdiction that may exceed those of the *Criteria*
  2. The importance of selecting an appropriate Supervisory Appraiser. Points covered shall include:
    - a. The Supervisory Appraiser-Trainee Appraiser relationship is a long-term commitment by both parties
    - b. The Trainee Appraiser is inherently connected to the "good standing" of the Supervisory Appraiser
    - c. The importance of selecting a Supervisory Appraiser with the experience and competency that best matches the Trainee Appraiser's selected credentialing path
    - d. Options for the Trainee Appraiser if a Supervisory Appraiser is no longer qualified to serve as a Supervisory Appraiser
  3. How to determine if an appraiser is qualified and in good standing to be a Supervisory Appraiser by searching the Appraisal Subcommittee (ASC) National Registry and/or jurisdictional websites
  4. It is the Supervisory Appraiser's responsibility to monitor the progression of the Trainee Appraiser's education and experience necessary to achieve the Trainee Appraiser's selected credentialing path
  5. It is the Supervisory Appraiser's responsibility to provide assignments and duties that ensure the Trainee Appraiser is developing an understanding and progression of knowledge and experience of all applicable valuation methodologies and approaches to value
  6. The responsibilities of both the Trainee Appraiser and the Supervisory Appraiser in properly documenting all appropriate Trainee Appraiser's experience logs
  7. The Supervisory Appraiser must accompany the Trainee Appraiser on all inspections until he or she is competent to conduct inspections independently, and has met all requirements pertaining to property inspection established by the credentialing jurisdiction

## VIII. Overview of Jurisdictional Requirements for Supervisory Appraiser and Trainee Appraiser Requirements

- A. Provide summary of jurisdictional requirements that may exceed those of the AQB *Criteria*
- B. Course developers may elect to present jurisdictional requirements as a separate add-on module, or incorporate differences between AQB minimum and jurisdictional requirements in each appropriate section of the outline

## IX. Summary/Quiz (optional)

## X. Definitions

- A. Provide glossary of definitions utilized throughout the course



# APPENDIX

GUIDE NOTES



# GUIDE NOTES

## AQB GUIDE NOTE 1 (GN-1) AQB GUIDANCE FOR REQUIRED CORE CURRICULUM CONTENT

Guide Note 1 (GN-1) contains guidance for curriculum content with subtopics listed under each education module (I through XIV) listed. The subtopics in Guide Note 1 are used in developing examination content outlines for each respective credential level and may also be amended from time-to-time to reflect changes in technology or in the Body of Knowledge. The hours shown for each educational module are the minimums required; students may complete more than the minimum required for each module.

Candidates for a real property appraiser credential should carefully review the educational modules below, keeping in mind that some modules only apply to certain classifications. For example, education module IX (*Advanced Residential Applications and Case Studies*) is only required for the Certified Residential classification. Also, education module XIII (*General Appraiser Income Approach*) is required for the Certified General classification but no others. As a result, candidates should structure their education program giving careful consideration to the credential being sought.

### I. **BASIC APPRAISAL PRINCIPLES (required for the Trainee Appraiser, Licensed Residential, Certified Residential, and Certified General classifications)** 30 HOURS

- A. Real Property Concepts and Characteristics
    - 1. Basic Real Property Concepts
    - 2. Real Property Characteristics
    - 3. Legal Description
  - B. Legal Considerations
    - 1. Forms of Ownership
    - 2. Public and Private Controls
    - 3. Real Estate Contracts
    - 4. Leases
  - C. Influences on Real Estate Values
    - 1. Governmental
    - 2. Economic
    - 3. Social
    - 4. Environmental, Geographic, and Physical
  - D. Types of Value
    - 1. Market Value
    - 2. Other Value Types
  - E. Economic Principles
    - 1. Classic Economic Principles
    - 2. Application and Illustrations of the Economic Principles
  - F. Overview of Real Estate Markets and Analysis
    - 1. Market Fundamentals, Characteristics, and Definitions
    - 2. Supply Analysis
    - 3. Demand Analysis
    - 4. Use of Market Analysis
  - G. Ethics and How They Apply in Appraisal Theory and Practice
- ### II. **BASIC APPRAISAL PROCEDURES (required for the Trainee Appraiser, Licensed Residential, Certified Residential, and Certified General classifications)** 30 HOURS
- A. Overview of Approaches to Value
  - B. Valuation Procedures
    - 1. Defining the Problem
    - 2. Collecting and Selecting Data
    - 3. Analyzing

4. Reconciling and Final Value Opinion
  5. Communicating the Appraisal
- C. Property Description
1. Geographic Characteristics of the Land/Site
  2. Geologic Characteristics of the Land/Site
  3. Location and Neighborhood Characteristics
  4. Land/Site Considerations for Highest and Best Use
  5. Improvements - Architectural Styles and Types of Construction
  6. Special Energy-Efficient Characteristics of the Improvements
- D. Residential or General Applications
- III. 15-HOUR NATIONAL USPAP COURSE OR ITS EQUIVALENT (required for the Trainee Appraiser, Licensed Residential, Certified Residential, and Certified General classifications)**  
*15 HOURS*
- IV. RESIDENTIAL MARKET ANALYSIS AND HIGHEST AND BEST USE (required for the Licensed Residential and Certified Residential classifications)**  
*15 HOURS*
- A. Residential Markets and Analysis
1. Market Fundamentals, Characteristics, and Definitions
  2. Supply Analysis
  3. Demand Analysis
  4. Use of Market Analysis
- B. Highest and Best Use
1. Test Constraints
  2. Application of Highest and Best Use
  3. Special Considerations
  4. Market Analysis
  5. Case Studies
- V. RESIDENTIAL APPRAISER SITE VALUATION AND COST APPROACH (required for the Licensed Residential and Certified Residential classifications)**  
*15 HOURS*
- A. Site Valuation
1. Methods
  2. Case Studies
- B. Cost Approach
1. Concepts and Definitions
  2. Replacement/Reproduction Cost New
  3. Accrued Depreciation
  4. Methods of Estimating Accrued Depreciation
  5. Case Studies
- VI. RESIDENTIAL SALES COMPARISON AND INCOME APPROACHES (required for the Licensed Residential and Certified Residential classifications)**  
*30 HOURS*
- A. Valuation Principles & Procedures - Sales Comparison Approach
- B. Valuation Principles & Procedures - Income Approach
- C. Finance and Cash Equivalency
1. Identification of Seller Concessions and Their Impact on Value
- D. Financial Calculator Introduction
- E. Identification, Derivation, and Measurement of Adjustments
- F. Gross Rent Multipliers
- G. Partial Interests
- H. Reconciliation
- I. Case Studies and Applications
- VII. RESIDENTIAL REPORT WRITING AND CASE STUDIES (required for the Licensed Residential and Certified Residential classifications)**  
*15 HOURS*
- A. Writing and Reasoning Skills
- B. Common Writing Problems
- C. Form Reports
- D. Report Options and USPAP Compliance
- E. Case Studies
- VIII. STATISTICS, MODELING AND FINANCE (required for the Certified Residential and Certified General classifications)**  
*15 HOURS*
- A. Statistics
- B. Valuation Models (AVM's and Mass Appraisal)
- C. Real Estate Finance
- IX. ADVANCED RESIDENTIAL APPLICATIONS AND CASE STUDIES (required for the Certified Residential classification)**  
*15 HOURS*
- A. Complex Property, Ownership, and Market Conditions
- B. Deriving and Supporting Adjustments
- C. Residential Market Analysis
- D. Advanced Case Studies
1. Seller Concessions
  2. Special Energy-Efficient Items (i.e., "Green Buildings")
- X. GENERAL APPRAISER MARKET ANALYSIS AND HIGHEST AND BEST USE (required for the Certified General classification)**  
*30 HOURS*
- A. Real Estate Markets and Analysis
1. Market Fundamentals, Characteristics, and Definitions

2. Supply Analysis
  3. Demand Analysis
  4. Use of Market Analysis
- B. Highest and Best Use
1. Test Constraints
  2. Application of Highest and Best Use
  3. Special Considerations
  4. Market Analysis
  5. Case Studies

**XI. GENERAL APPRAISER SALES COMPARISON APPROACH (required for the Certified General classification)**

*30 HOURS*

- A. Value Principles
- B. Procedures
- C. Identification and Measurement of Adjustments
- D. Reconciliation
- E. Case Studies
  1. Seller Concessions
  2. Special Energy-Efficient Items (i.e., “Green Buildings”)

**XII. GENERAL APPRAISER SITE VALUATION AND COST APPROACH (required for the Certified General classification)**

*30 HOURS*

- A. Site Valuation
  1. Methods
  2. Case Studies
- B. Cost Approach
  1. Concepts and Definitions
  2. Replacement/Reproduction Cost New
  3. Accrued Depreciation
  4. Methods of Estimating Accrued Depreciation
  5. Case Studies

**XIII. GENERAL APPRAISER INCOME APPROACH (required for the Certified General classification)**

*60 HOURS*

- A. Overview
- B. Compound Interest
- C. Lease Analysis
- D. Income Analysis
- E. Vacancy and Collection Loss
- F. Estimating Operating Expenses and Reserves
- G. Reconstructed Income and Expense Statement
- H. Stabilized Net Operating Income Estimate
- I. Direct Capitalization
- J. Discounted Cash Flow
- K. Yield Capitalization
- L. Partial Interests
- M. Case Studies

**XIV. GENERAL APPRAISER REPORT WRITING AND CASE STUDIES (required for the Certified General classification)**

*30 HOURS*

- A. Writing and Reasoning Skills
- B. Common Writing Problems
- C. Report Options and USPAP Compliance
- D. Case Studies

# AQB GUIDE NOTE 2 (GN-2)

AQB GUIDANCE FOR CRITERIA IMPLEMENTATION

RETIRED, OCTOBER 2005

# AQB GUIDE NOTE 3 (GN-3)

## AQB GUIDANCE FOR CRITERIA IMPLEMENTATION

THIS GUIDE NOTE RELATES TO THE SCOPE OF PRACTICE FOR THE LICENSED RESIDENTIAL AND CERTIFIED RESIDENTIAL CLASSIFICATIONS IN THE REAL PROPERTY APPRAISER QUALIFICATION CRITERIA.

In pre-January 1, 2008 *Real Property Appraiser Qualification Criteria* for the Licensed Residential and Certified Residential classifications, the following paragraph appeared in the scope of practice section:

*The scope of practice identified herein represents the consensus of the Appraiser Qualifications Board. The Federal Financial Institutions Regulatory Agencies, as well as other agencies and regulatory bodies, permit the Certified Residential (or Licensed) classification to appraise properties other than those identified within these Criteria. Individuals should refer to agency regulations and state law to determine the type of property that may be appraised by the Certified Residential (or Licensed) appraiser.*

During the *Criteria* Exposure Draft and revision process, the AQB determined that this paragraph was more explanatory guidance than actual AQB *Criteria*. As a result, it was removed from the *Criteria* effective January 1, 2008.

However, while it is not contained in the post-2008 *Criteria*, it should be noted that the paragraph italicized above still reflects the consensus of the AQB. The scope of practice for the Licensed Residential and Certified Residential classifications did not change in 2008. Federal and state agencies continue to establish scope of practice thresholds that are specific to their particular needs.

For example, because federally-related transactions less than \$250,000 fall below the regulatory de minimus established by the Federal Financial Institution Regulatory Agencies, the scope of practice restrictions placed on individuals who can appraise commercial and residential properties below that threshold for financial institutions are few, if any.

The AQB continues to encourage individuals to refer to agency regulations and state law to determine the type of property that may be appraised by the Licensed Residential and Certified Residential classifications.

# AQB GUIDE NOTE 4 (GN-4)

## AQB GUIDANCE FOR CRITERIA IMPLEMENTATION

THIS GUIDE NOTE RELATES TO PRACTICUM COURSES TO BE USED FOR EXPERIENCE CREDIT, AS SPECIFIED IN THE REAL PROPERTY APPRAISER QUALIFICATION CRITERIA.

Under “Criteria Applicable to All Appraiser Classifications” in the *Real Property Appraiser Qualification Criteria*, Section V Generic Experience *Criteria*, Paragraph D, reads as follows:

*There need not be a client in a traditional sense (i.e., a client hiring an appraiser for a business purpose) in order for an appraisal to qualify for experience, but experience gained for work without a traditional client cannot exceed 50% of the total experience requirement.*

*Practicum courses that are approved by the AQB Course Approval Program or state appraiser regulatory agencies can satisfy the non-client experience requirement. **A practicum course must include the generally applicable methods of appraisal practice for the credential category. Content includes, but is not limited to: requiring the student to produce credible appraisals that utilize an actual subject property; performing market research containing sales analysis; and applying and reporting the applicable appraisal approaches in conformity with USPAP. Assignments must require problem solving skills for a variety of property types for the credential category.** 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. (Bold added for emphasis)*

The bolded language above sets forth the broad requirements for practicum courses. However, more detailed guidance is needed for developers of such courses, as well as state appraiser regulatory agencies seeking to approve such courses. The following is designed to offer this guidance:

1. General Practicum Course Guidelines
  - a. The time period for any non-residential practicum course should be consistent with the type and complexity of the assignment.
  - b. The time period for a residential practicum course should be consistent with the type and complexity of the assignment.
  - c. Practicum courses that cover multiple property types should allocate appropriate times for each assignment and subject properties should be significantly different from one another to provide appropriate training.
  - d. The maximum number of students per course should be consistent with best practices for proper student/instructor ratios.
  - e. In order for this type of experience to be compliant with USPAP, the student/appraiser must list the course provider for the practicum course as the client and the intended user.
  - f. The intended use of the report should be indicated as, “For experience credit.”
2. Appraisal Assignment Guidelines
  - a. The appraisal should employ all of the approaches to value applicable to the assignment.
  - b. Property types and complexity should be those typically encountered by an appraiser seeking experience within the specified credential category.

- c. The appraisal should indicate the intended user and intended use and should solve typical appraisal problems – e.g., mortgage assignments, tax appeals, estates, etc.
  - d. There should be an identifiable subject property and the student should inspect it.
  - e. The actual subject property may change from time to time, but the property type should remain the same.
  - f. All comparable data researched, analyzed, and used in the assignment should be actual and identifiable market data.
  - g. All comparables utilized should be verified with at least one market participant of the sale/rent – e.g., buyer, seller, or broker – and the student should also inspect the exterior of each comparable utilized.
  - h. The final assignment should be communicated in compliance with the Appraisal Report option of STANDARD 2 of USPAP.
  - i. The final reports should be maintained by the student according to the Record Keeping section of the ETHICS RULE of USPAP.
  - j. The practicum course should result in an appraisal and appraisal report completed in accordance with the current version of USPAP.
3. Instructor Guidelines
- a. An instructor conducting a residential experience practicum course should hold either a Certified Residential or Certified General credential in good standing.
  - b. An instructor conducting a general experience practicum course should hold a Certified General credential in good standing.
  - c. The instructor should demonstrate compliance with the COMPETENCY RULE of USPAP for the type of assignment.
  - d. The instructor should grade and correct all assignments and should ensure USPAP compliance.
  - e. The instructor should meet with the students a minimum of 50% of the course hours during the course.

There is an underlying assumption that experience is valuable because clients and instructors tend to demand competency. Because experience in a classroom setting calls this assumption into question, credentialing authorities should carefully assess the quality and adequacy of appraisals made under such circumstances. They should also give consideration to restricting the percentage of this type of experience.

Therefore, while practicum course appraisals are eligible to qualify for experience credit, the credentialing authority should audit a significant sample of appraisals made in such instances for quality and conformance with USPAP.

# AQB GUIDE NOTE 5 (GN-5)

## AQB GUIDANCE FOR CRITERIA IMPLEMENTATION

THIS GUIDE NOTE RELATES TO RECIPROCITY, TEMPORARY PRACTICE, RENEWALS, AND APPLICATIONS FOR THE SAME CREDENTIAL IN ANOTHER JURISDICTION, AS SPECIFIED IN THE REAL PROPERTY APPRAISER QUALIFICATION CRITERIA.

Under “*Criteria Applicable to All Appraiser Classifications*” in the *Criteria*, Section II Existing Credential Holders, reads as follows:

*Existing credential holders in good standing in any jurisdiction shall be considered in compliance with current Appraiser Qualifications Board Real Property Appraiser Qualification Criteria if they have passed an AQB approved qualifying examination for that credential. This applies to reciprocity, temporary practice, renewals, and applications for the same credential in another jurisdiction. All credential holders must comply with ongoing requirements for continuing education and state renewal procedures.*

The intent of the AQB is to allow current credential holders who are in good standing within their jurisdictions to obtain reciprocal credentials, temporary practice permits, renewals of existing credentials, and an equivalent credential in another jurisdiction without having to meet the current AQB *Criteria*. If an appraiser holds a valid appraiser credential supported by an AQB approved examination, the appraiser will be deemed by the AQB to be in full compliance with the current *Criteria*.

For example, if a Certified General credential holder who received a credential prior to adoption of the current *Criteria* in one jurisdiction were to relocate to another jurisdiction after adoption of the current *Criteria*, for AQB purposes that existing “home” state credential would be sufficient to support an equivalent credential in the “new” state. The credential holder would be deemed to have met the current *Criteria* for education, experience and examination.

The AQB understands that the individual Title XI jurisdictions must operate in compliance with applicable state laws with regard to reciprocity, temporary practice, renewals, and applications for the same credential in another jurisdiction. While Title XI jurisdictions are only required to meet the AQB *Criteria*, existing state laws may require that these minimums be exceeded. It is possible that a jurisdiction, because of existing law, might require an applicant for an equivalent credential from another jurisdiction to meet all of the current AQB *Criteria* (i.e., education, experience, and examination) in order to obtain the credential in their jurisdiction.

For example, consider an appraiser who holds a Certified General credential in State A and decides to relocate to State B. State B must apply both AQB *Criteria* and State law in determining whether the appraiser from State A qualifies for an appraiser credential in State B. While the AQB considers the valid existing credential in State A to be adequate documentation of conformance to AQB *Criteria*, some State laws might require the appraiser to submit a complete application, including appropriate documentation of experience, education, and successful exam completion. This new application requirement might involve some of the following issues:

- Depending on the wording of the State law, this could mean that the appraiser from State A would have to conform to the current *Criteria* to obtain a credential from State B. Among other things, the appraiser would have to reconstruct his/her appraisal education, perhaps going back as much as 20 to 30 years. The State, then, would have to determine whether that education conformed to the current AQB *Criteria* as implemented by State law.
- Virtually all appraiser education obtained prior to 2008 was provided in what is considered the “integrated” approach. If State B does not accept integrated educational courses, the appraiser from State A would be required to obtain 300 hours of education acceptable under current *Criteria*, plus a college degree, to qualify for a Certified General credential in State B.



It was not the AQB's intent to impose such hardships on appraisers or regulatory agencies. It was the intent of the AQB in drafting the language in Section II of "Existing Credential Holders" that jurisdictions would recognize those appraisers that held credentials prior to the adoption of the current *Criteria*. The acceptance of the existing credential holders would provide for a smooth transition from prior *Criteria* to the current (and beyond) *Criteria*.

The AQB encourages jurisdictions to examine their statutes and regulations and initiate any changes that might be necessary to facilitate a smooth transition.

# AQB GUIDE NOTE 6 (GN-6)

## AQB GUIDANCE FOR CRITERIA IMPLEMENTATION

THIS GUIDE NOTE RELATES TO THE VERIFICATION OF EXPERIENCE CREDIT AS SPECIFIED IN THE REAL PROPERTY APPRAISER QUALIFICATION CRITERIA.

Under “*Criteria Applicable to All Appraiser Classifications*” in the *Criteria*, Section V.G. (Generic Experience *Criteria*) reads as follows:

- G. *The verification for experience credit claimed by an applicant shall be on forms prescribed by the state certification/licensing agency, which shall include:*
1. *Type of property;*
  2. *Date of report;*
  3. *Address of appraised property;*
  4. ***Description of work performed by the trainee/applicant and scope of the review and supervision of the supervising appraiser;***
  5. *Number of actual work hours by the trainee/applicant on the assignment; and*
  6. *The signature and state certification number of the supervising appraiser, if applicable. Separate appraisal logs shall be maintained for each supervising appraiser, if applicable.*

*(Bold added for emphasis)*

As indicated above, the *Criteria* mandates that the forms used to verify experience credit include all of the identified items. Five of the six items listed are fairly self-explanatory; however, the AQB has received inquiries regarding the intent of item #4 above (the bolded text).

It is the intent of the AQB that the verification of experience clearly identifies three things under item #4:

- 1) A description of the work performed by the trainee or applicant;
- 2) The scope of the review performed by the supervising appraiser; and
- 3) The level of supervision performed by the supervising appraiser.

Although the scope of review and level of supervision performed by the supervising appraiser might appear to be redundant at first glance, they are not. For example, in certain assignments a supervising appraiser might determine that a lesser level of supervision is required, but that might not impact the level of review performed.

The AQB recognizes that assignments may differ significantly; therefore, the level of review and supervision by the supervising appraiser may also differ from assignment to assignment. Also, depending on the assignments involved, it might be expected that the supervising appraiser’s level of review and supervision diminish over time as the trainee/applicant gains competency.

The following page includes an example of an experience log that includes the information required by the *Criteria*. The attached is merely one possible example of an experience log. Any format that includes the items listed under Section V.G., Generic Experience *Criteria*, as specified in the *Real Property Appraiser Qualification Criteria*, is acceptable.

It should be noted that experience logs or other forms prescribed by a state appraiser regulatory agency to verify experience credit might appear very different, including requiring substantially more information than is identified in the example below. However, as stated above, all forms must, at a minimum, include the items listed under Section V.G., “Generic Experience *Criteria*,” as specified in the *Real Property Appraiser Qualification Criteria*.

Date of Report	Property Address, City, State, Zip	Type of Property (SFR, Condo, 2-4 Units)	Description Of Applicant’s Work Performed	Scope of Supervising Appraiser’s Review	Scope of Supervising Appraiser’s Supervision	Number of Actual Hours Worked By Applicant
1/3/08	123 Oak Street Washington, DC 20005	SFR	Neighborhood, subject and comp data research and analyses, interior/ exterior property inspection, cost/ sales comparison approaches, final reconciliation	Reviewed workfile and report, verified subject sales history, checked data and analyses in approaches to value utilized, discussed with applicant, co-signed appraisal report	Completed entire appraisal process with applicant, including physical inspection of subject property (first SFR appraisal for applicant)	7
6/7/08	455 Pine Street Washington, DC 20005	SFR	Neighborhood, subject and comp data research and analyses, interior/ exterior property inspection, cost/ sales comparison approach, final reconciliation	Reviewed workfile and report, verified all comparable data and analyses, verified homeowner’s association info, discussed with applicant, co-signed appraisal report	Oversight of comparable data selection and analyses, provided direction in site value analysis used in cost approach, did not physically inspect subject property	7
1/10/09	202 Spruce Street Washington, DC 20005	SFR	Neighborhood, subject and comp data research and analyses, interior/ exterior property inspection, cost/ sales comparison/ income approaches, final reconciliation	Reviewed workfile and report, checked data and analyses in approaches to value utilized, discussed with applicant, co-signed appraisal report	Review of comparable data selection and analyses, did not physically inspect subject property	10
1/24/09	115 Pennsylvania Ave. Washington, DC 20005	Retail Store	Neighborhood, subject and comp (sale and rental) data research and analyses, interior/ exterior property inspection, cost/ sales comparison/ income approaches, final reconciliation	Reviewed workfile and report, verified subject sales history and all data and analyses in approaches to value utilized, discussed with applicant, co-signed appraisal report	Completed entire appraisal process with applicant, including physical inspection of subject property (first commercial appraisal for applicant)	30

8/14/09	200 S Broadway Washington, DC 20005	Retail Store	Neighborhood, subject and comp (sale and rental) data research and analyses, interior/ exterior property inspection, cost/ sales comparison/ income approaches, final reconciliation	Reviewed workfile and report, verified subject sales history and all data and analyses in approaches to value utilized, discussed with applicant, co-signed appraisal report	Oversight of comparable data selection and analyses, provided direction in DCF analysis used in income approach, did not physically inspect subject property	40
1/10/10	300 Capitol Avenue Washington, DC 20005	Retail Store	Neighborhood, subject and comp (sale and rental) data research and analyses, interior/ exterior property inspection, cost/ sales comparison/ income approaches, final reconciliation	Reviewed workfile and report, checked data and analyses in approaches to value utilized, discussed with applicant, co-signed appraisal report	Review of comparable data selection and analyses, did not physically inspect subject property	40
2/12/10	144 Elm Avenue Washington, DC 20005	Golf Course	Completed entire appraisal process	Reviewed workfile and report, verified subject sales history and all data and analyses in approaches to value utilized, discussed with applicant, co-signed appraisal	Completed entire appraisal process	60

Thomas D. Trainee  
Applicant/Trainee Appraiser

Sally A. Supervisor  
Supervisory Appraiser

State  
Certification No.

# AQB GUIDE NOTE 7 (GN-7)

THIS GUIDE NOTE RELATES TO DEGREE PROGRAMS IN REAL ESTATE REVIEWED BY THE AQB, AND THEIR APPLICABILITY TOWARDS THE QUALIFYING EDUCATION SPECIFIED IN THE REQUIRED CORE CURRICULUM.  
RETIRED, JANUARY 2015

# AQB GUIDE NOTE 8 (GN-8)

THIS GUIDE NOTE RELATES TO THE COLLEGE-LEVEL EDUCATIONAL REQUIREMENTS AS SPECIFIED IN THE REAL PROPERTY APPRAISER QUALIFICATION CRITERIA THAT BECAME EFFECTIVE ON JANUARY 1, 2008.  
RETIRED, JANUARY 2015

# AQB GUIDE NOTE 9 (GN-9)

THIS GUIDE NOTE RELATES TO THE BACKGROUND CHECK REQUIREMENTS AS SPECIFIED IN THE REAL PROPERTY APPRAISER QUALIFICATION CRITERIA EFFECTIVE ON JANUARY 1, 2017.

Under “*Criteria Applicable to All Appraiser Classifications*” in the *Real Property Appraiser Qualification Criteria*, Section VI. Background Checks, reads as follows:

*All applicants for a real property appraiser credential shall possess a background that would not call into question public trust.*

Some jurisdictions have been performing background checks since the implementation of real property appraiser credentialing, while others have not. This Guide Note is intended to provide additional guidance, in particular to those jurisdictions with little to no experience in evaluating an applicant’s background as part of the applicant’s overall fitness for licensure or certification.

## EXAMPLES OF ISSUES TO CONSIDER

Some of the types of background issues that state appraiser regulatory agencies might consider include, but are not limited to, applicants who have:

- (1) Had an appraiser license or certification revoked in any governmental jurisdiction.
- (2) Been convicted of, or pled guilty or *nolo contendere* to, a crime involving moral turpitude.
- (3) Been convicted of any crime *that is substantially related* to the qualifications, functions, or duties of the profession of real estate appraisal.
- (4) Performed any act, which if done by the holder of a real property appraiser credential, would be grounds for revocation or suspension of such a credential.
- (5) Knowingly made a false statement of material fact required to be disclosed in an application for any professional license or certification.
- (6) Been prohibited from participating in the affairs of an insured depository institution pursuant to Section 19(a) of the Federal Deposit Insurance Act (12 U.S.C. Section 1829).

## SUBSTANTIAL RELATIONSHIP

A crime or act may be deemed substantially related to the qualifications, functions, or duties of an appraiser if, to a substantial degree, it evidences present or potential unfitness of a person applying for or holding a real property appraiser credential to perform the functions authorized by the credential. Examples of the types of crimes or acts include, but are not limited to, the following:

- (1) Taking, appropriating, or retaining the funds or property of another.
- (2) Forging, counterfeiting, or altering any instrument affecting the rights or obligations of another.
- (3) Evasion of a lawful debt or obligation, including but not limited to tax obligations.
- (4) Traffic in any narcotic or controlled substance in violation of law.

- (5) Violation of a relation of trust or confidence.
- (6) Theft of personal property or funds.
- (7) Crimes or acts of violence or threatened violence against persons or property.
- (8) The commission of any crime or act punishable as a sexually related crime.
- (9) Misrepresentation of facts or information on the appraisal license or certification application.
- (10) Cheating on an examination for a real property appraiser credential.

## REHABILITATION

Upon a determination that an applicant's background is inconsistent with public trust, state appraiser regulatory agencies should consider all evidence related to the extent an applicant is rehabilitated, including testimony or other documentation demonstrating things such as:

- (1) The effect of the passage of time since the most recent act or crime.
- (2) Restitution by the applicant to any person who has suffered monetary losses.
- (3) Judicial relief from the consequences of criminal convictions resulting from immoral or antisocial acts, including but not limited to release from probation, finding of factual innocence, a completed program of diversion, or other comparable orders of a court.
- (4) Successful completion or early discharge from probation or parole.
- (5) Abstinence from the use of controlled substances or alcohol for not less than two years if the crime or offense is attributable in part to the use of controlled substances or alcohol.
- (6) Payment of any fine or other imposed monetary penalty.
- (7) Stability of family life and fulfillment of parental and familial responsibilities subsequent to the act or conviction.
- (8) Completion of, or sustained enrollment in, formal education or vocational training courses for economic self-improvement.
- (9) Discharge of, or bona fide efforts toward discharging adjudicated debts or monetary obligations to others.
- (10) Mitigating facts or circumstances that reasonably indicate that an applicant will perform appraisal-related activities honestly, fairly, and ethically.
- (11) Correction of business practices resulting in injury to others or with the potential to cause such injury.
- (12) Significant or conscientious involvement in community, church, or privately-sponsored programs designed to provide social benefits.
- (13) New and different social and business relationships from those that existed at the time of the act or crime.
- (14) Change in attitude from that which existed at the time of the act or crime, as evidenced by any or all of the following:
  - a) Testimony of applicant.
  - b) Evidence from family members, friends, or other persons familiar with applicant's previous conduct and his or her subsequent attitudes and behavioral patterns.
  - c) Evidence from probation or parole officers or law enforcement officials competent to testify as to applicant's social adjustments.



- d) Evidence from psychiatrists or other persons competent to testify with regard to psychiatric or emotional disturbances.

The above is intended to be illustrative, not exhaustive. State appraiser regulatory agencies, in performing their due diligence when examining an applicant's qualifications for a real property appraiser credential, may elect to include additional items not identified in this Guide Note. Likewise, state appraiser regulatory agencies may determine, based on their own experience and history, that some of the items identified in this Guide Note may not be applicable to an applicant seeking a real property appraiser credential in that jurisdiction.

# AQB GUIDE NOTE 10 (GN-10)

THIS GUIDE NOTE RELATES TO THE COLLEGE-LEVEL EDUCATION REQUIREMENTS FOR THE CERTIFIED RESIDENTIAL CLASSIFICATION AS SPECIFIED IN THE REAL PROPERTY APPRAISER QUALIFICATION CRITERIA THAT BECAME EFFECTIVE MAY 1, 2018.

Section III. B. 3. of the “Qualifying Education” requirements for the Certified Residential credential in the *Real Property Appraiser Qualification Criteria* states that Certified Residential applicants may obtain a credential by successfully completing 30 semester hours of college-level courses that cover each of the following topic areas and hours:

- a. English Composition (3 semester hours);
- b. Microeconomics (3 semester hours);
- c. Macroeconomics (3 semester hours);
- d. Finance (3 semester hours);
- e. Algebra, Geometry, or higher mathematics (3 semester hours);
- f. Statistics (3 semester hours);
- g. Computer Science (3 semester hours);
- h. Business or Real Estate Law (3 semester hours); and
- i. Two elective courses in any of the topics listed above or accounting, geography, agricultural economics, business management, or real estate (3 semester hours each).

The intent of this guidance is to assist regulatory agencies and applicants with determining which types of college-level courses may count toward these requirements. Although several course titles are provided as acceptable options, the content of the course is far more meaningful than the actual title. Therefore, there may be acceptable courses that contain similar content but do not have titles referenced in this Guide Note.

1. **English Composition** – *English Composition is the professional field of writing.*

Possible alternative course titles for this section include, but are not limited to: College Composition; Descriptive / Critical / Expository / Technical / Public / Business / Professional Writing; Foundations of the English Language; Writing Fiction; Writing Creative Non-Fiction; or Rhetoric and Writing.

2. **Microeconomics** – *The study of individuals, households, and firms’ behavior in decision making and allocation of resources. It generally applies to markets of goods and services and deals with individual and economic issues.*

Most college-level education on this topic includes the word “microeconomics” in the course title.

3. **Macroeconomics** – *Studies of the behavior and performance of an economy as a whole. It focuses on the aggregate changes in the economy such as unemployment, growth rate, gross domestic product, and inflation.*

Most college-level education on this topic includes the word “macroeconomics” in the course title.

4. **Finance** – *The management of revenues; the conduct or transaction of money matters generally, especially those affecting the public, as in the fields of banking investment.*

Possible alternative course titles for this section include, but are not limited to: Corporate Finance; Introduction to Business; Financial Markets and Institutions; International Business Finance; Principles of Finance; or Real Estate Finance and Investment.

5. **Algebra, Geometry, or Higher Mathematics** – *Higher mathematics includes advanced portions of mathematics beyond ordinary arithmetic, geometry, and algebra.*

Possible alternative course titles for this section include, but are not limited to: Algebra; Applied Math; Calculus; Differential Equations; Finite Mathematics; Geometry; Logic; Precalculus; Probability and Statistics; or Trigonometry.

6. **Statistics** – *Branch of mathematics concerned with collection, classification, analysis, and interpretation of numerical facts, for drawing inferences based on their quantifiable likelihood (probability). Statistics can interpret aggregates of data too large to be intelligible by ordinary observation because such data (unlike individual quantities) tend to behave in a regular, predictable manner. It is subdivided into descriptive statistics and inferential statistics.*

Possible alternative course titles for this section include, but are not limited to: Applied Linear Models; Bayesian Theory and Data Analysis; Business Statistics; Exploratory Data Analysis; Introduction to Statistics; Multivariate Data Analysis; Non-Parametric Theory and Data Analysis; Probability Statistics; Sampling; Statistical Analysis; Statistical Reasoning; Statistical Methods; or Time Series Analysis.

7. **Computer Science** – *A branch of science that deals with the theory of computation or the design of computers.*

Possible alternative course titles for this section include, but are not limited to: The Computer Science Profession; Introduction to Computer Science / Computers / Information Technology / Programming / Software Systems / Software Development / Web Development; Data Management; Database Fundamentals; Integrated Computer Applications; Object Oriented Programming; or System Administration.

8. **Business or Real Estate Law** – *Business law, sometimes called mercantile law or commercial law, refers to the laws that govern the dealings between people and commercial matters. There are two distinct areas of business law: regulation of commercial entities through laws of partnership, company, bankruptcy, and agency; and regulation of the commercial transactions through the laws of contract. The course titles will typically include compliance, risk, legal framework, and writing contracts.*

*Real estate law is a branch of civil law that covers the right to possess, use, and enjoy land and the permanent man-made additions attached to it.*

Possible alternative course titles for this section include, but are not limited to: Business Law for Accountants; Corporate Law Compliance; Drafting Policies and Procedures; Enterprise Risk Management; Financial Ethics; Legal Aspects of Real Estate; The Legal Environment of Business; Business Organization Law; or Writing Contracts.

9. **Two elective courses in accounting, geography, agricultural economics, business management, or real estate.**

**Accounting** – *Accounting is the system of recording and summarizing business and financial transactions and analyzing, verifying, and reporting the results.*

Possible alternative course titles for this section include, but are not limited to: Accounting Principles; Financial Accounting; Financial Markets and Institutions; Managerial Accounting; or Real Estate Market Analysis.

**Geography** – *Geography is the study of the physical features of the earth and its atmosphere, and of human activity as it affects and is affected by these, including the distribution of populations and resources, land use, and industries.*

Possible alternative course titles for this section include, but are not limited to: GIS Data Capture; Introduction to Geographic Information; Physical Geography; or World / Regional Geography.

**Agricultural Economics** – *An applied field of economics concerned with the application of economic theory in optimizing the production and distribution of food and fiber — a discipline known as agronomics.*

Possible alternative course titles for this section include, but are not limited to: Agribusiness Management; Agricultural Management Principles; Concepts in Agricultural Economics; Issues in Agriculture; Microeconomic Concepts in Agricultural Economics; or Quantitative Methods and Price Analysis.

**Business Management** – *The activities associated with running a company, such as controlling, leading, monitoring, organizing, and planning.*

Possible alternative course titles for this section include, but are not limited to: Business Marketing; Human Resource Management; Organizational Behavior; or Operations Management.

**Real Estate** – *Real estate is the property, land, buildings, air rights above the land and underground rights below the land.*

Possible alternative course titles for this section include, but are not limited to: Commercial Lease Analysis; Fundamentals of Investment Analysis; Fundamentals of Real Estate Transactions; Managing Commercial Properties; Market Analysis; Real Estate Economics; Real Estate Finance; Real Estate Procedures; or Real Estate Studies.

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 Andrew Parsley  
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 Greg Harding  
 Katherine Kelton  
 Andrew Parsley  
 John F. Ryan



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APPRAISER QUALIFICATIONS BOARD

# 2018 AQB Cheatsheet



# AQB Real Property Appraiser Qualification Criteria Qualifications Tracking Sheet

<b>Trainee Appraiser</b>		
<b>Qualifying Education (75 hours)</b>		
75 classroom hours of the below topics <b>within the past five (5) year period</b> prior to the date of submission of the Trainee application		
Course Topic	Required Hours	Complete
<i>Basic Appraisal Principles</i>	30	
<i>Basic Appraisal Procedures</i>	30	
<i>15-Hour National USPAP Course (or its equivalent)</i>	15	
<b>Additional Education</b>		
Supervisory Appraiser/Trainee Appraiser Course		
<b>Jurisdiction-Specific Requirements (State Law, etc.), If Applicable</b>		

<b>Licensed Residential Appraiser</b>		
<b>Qualifying Education (150 hours)</b>		
<b>Course Topic</b>	<b>Required Hours</b>	<b>Complete</b>
<i>Basic Appraisal Principles</i>	30	
<i>Basic Appraisal Procedures</i>	30	
<i>15-Hour National USPAP Course (or its equivalent)</i>	15	
<i>Residential Appraiser Site Valuation and Cost Approach</i>	15	
<i>Residential Market Analysis and Highest and Best Use</i>	15	
<i>Residential Sales Comparison and Income Approaches</i>	30	
<i>Residential Report Writing and Case Studies</i>	15	
<b>Experience</b>		
One Thousand (1,000) Hours in No Fewer than Six (6) Months		
<b>National Exam</b>		
Successfully Pass the Licensed Residential Exam		
<b>Jurisdiction Specific Requirements (State Law, etc.), If Applicable</b>		

<b>Certified Residential Appraiser*</b>			
<b>Qualifying Education (200 hours)</b>			
<b>Course Topic</b>		<b>Required Hours</b>	<b>Complete</b>
<i>Basic Appraisal Principles</i>		30	
<i>Basic Appraisal Procedures</i>		30	
<i>15-Hour National USPAP Course (or its equivalent)</i>		15	
<i>Residential Appraiser Site Valuation and Cost Approach</i>		15	
<i>Residential Market Analysis and Highest and Best Use</i>		15	
<i>Residential Sales Comparison and Income Approaches</i>		30	
<i>Residential Report Writing and Case Studies</i>		15	
<i>Statistics, Modeling, and Finance</i>		15	
<i>Advanced Residential Applications and Case Studies</i>		15	
<i>Appraisal Subject Matter Electives (may include hours over minimum from above course topics)</i>		20	
<b>College-Level Education</b>			
Possession of a Bachelor's degree in any field of study; OR			
Possession of an Associate's degree in a field of study related to Business Administration, Accounting, Finance, Economics, or Real Estate; OR			
Successful completion of 30 semester hours of college level courses OR College Level Examination Program (CLEP®) examinations in the following specific topics:			
<b>College Level Course</b>	<b>CLEP Exam</b>	<b>Required Semester Hours</b>	<b>Complete</b>
English Composition (3 semester hours)	College Composition (3 semester hours) or College Composition Modular (6 semester hours)	3	
Microeconomics (3 semester hours)	Principles of Microeconomics (3 semester hours)	3	
Macroeconomics (3 semester hours)	Principles of Macroeconomics (3 semester hours)	3	
Finance (3 semester hours)	Principles of Macroeconomics or Principles of Macroeconomics (3 semester hours)	3	
Algebra, Geometry, or Higher Mathematics (3 semester hours)	College Mathematics (6 semester hours) or College Algebra (3 semester hours)	3	
Statistics (3 semester hours)	College Mathematics (6 semester hours) or College Algebra (3 semester hours)	3	
Computer Science (3 semester hours)	Information Systems (3 semester hours)	3	
Business or Real Estate Law (3 semester hours)	Introductory Business Law (3 semester hours)	3	
Two elective courses in any of the above topics, or accounting, geography, agricultural economics, business management, or real estate		3 (per course, for a total of 6 hours)	

**Certified Residential Appraiser\* (Continued)****Experience**

One Thousand Five Hundred (1,500) Hours in No Fewer than Twelve (12) Months

**National Exam**

Successfully Pass the Certified Residential Exam

**Jurisdiction Specific Requirements (State Law, etc.), If Applicable**


\*These requirements are applicable to those who have not held a Licensed Residential credential for a minimum of five years. For details please review the *Real Property Appraiser Qualification Criteria* booklet.

<b>Certified Residential Appraiser**</b>		
<b>Qualifying Education (200 hours)</b>		
<b>Course Topic</b>	<b>Required Hours</b>	<b>Complete</b>
<i>Basic Appraisal Principles</i>	30	
<i>Basic Appraisal Procedures</i>	30	
<i>15-Hour National USPAP Course (or its equivalent)</i>	15	
<i>Residential Appraiser Site Valuation and Cost Approach</i>	15	
<i>Residential Market Analysis and Highest and Best Use</i>	15	
<i>Residential Sales Comparison and Income Approaches</i>	30	
<i>Residential Report Writing and Case Studies</i>	15	
<i>Statistics, Modeling, and Finance</i>	15	
<i>Advanced Residential Applications and Case Studies</i>	15	
<i>Appraisal Subject Matter Electives (may include hours over minimum from above course topics)</i>	20	
<b>Experience</b>		
One Thousand Five Hundred (1,500) Hours in No Fewer than Twelve (12) Months		
<b>National Exam</b>		
Successfully Pass the Certified Residential Exam		
<b>Jurisdiction Specific Requirements (State Law, etc.), If Applicable</b>		

**\*\*These requirements are applicable to those who have held a Licensed Residential credential for a minimum of five (5) years. Additionally, the Licensed Residential appraiser must have no record of any adverse, final, and non-appealable disciplinary action affecting his/her legal eligibility to engage in appraisal practice within the five (5) years immediately preceding the date of application for a Certified Residential credential;**

**For details please review the requirements in the *Real Property Appraiser Qualification Criteria* booklet.**

**Certified General Appraiser****Qualifying Education (300 hours)**

<b>Course Topic</b>	<b>Required Hours</b>	<b>Complete</b>
<i>Basic Appraisal Principles</i>	30	
<i>Basic Appraisal Procedures</i>	30	
<i>15-Hour National USPAP Course (or its equivalent)</i>	15	
<i>General Appraiser Market Analysis and Highest and Best Use</i>	30	
<i>Statistics, Modeling, and Finance</i>	15	
<i>General Appraiser Sales Comparison Approach</i>	30	
<i>General Appraiser Site Valuation and Cost Approach</i>	30	
<i>General Appraiser Income Approach</i>	60	
<i>General Appraiser Report Writing and Case Studies</i>	30	
<i>Appraisal Subject Matter Electives (may include hours over minimum from above course topics)</i>	30	

**College-Level Education**

Bachelor's Degree or Higher in any Field	
--	--

**Experience**

Three Thousand (3,000) Hours in No Fewer than Eighteen (18) Months. One thousand five hundred (1,500) hours must be in non-residential appraisal work.	
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**National Exam**

Successfully Pass the Certified General Exam	
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**Jurisdiction Specific Requirements (State Law, etc.), If Applicable**


# CE Consent Agreements

## EXECUTIVE SESSION MOTION

### Sec. 44.62.310. Government meetings public.

(c) The following subject may be considered in an executive session:

- (1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
- (2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
- (3) matters which by law, municipal charter, or ordinance are required to be confidential;
- (4) matters involving consideration of government records that by law are not subject to public disclosure.

### MOTION WORDING:

**“In accordance with the provisions of Alaska Statute 44.62.310 (c), I move to go into executive session for the purpose of discussing (select the appropriate statutory citation for the situation):**

- (1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity; *OR***
- (2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; *OR***
- (3) matters which by law, municipal charter, or ordinance are required to be confidential; *OR***
- (4) matters involving consideration of government records that by law are not subject to public disclosure.**

**Board staff is requested to remain during the session *OR*  
Board only to remain during session.”**

Staff will then state **“The board is off the record at \_\_\_\_\_(time).”**



**EXECUTIVE SESSION MOTION**

I, \_\_\_\_\_, move that the Alaska State Board of Massage Therapists enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing \_\_\_\_\_

---

Board staff to remain during the session.

Off record: \_\_\_\_\_

On record: \_\_\_\_\_

Authority: AS 44.62.310(c), Government meetings public

The following subjects may be considered in executive session:

- **matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;**
- **subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;**
- **matters which by law, municipal charter, or ordinance are required to be confidential;**
- **matters involving consideration of government records that by law are not subject to public disclosure.**

## **Reprimand**

The Alaska Board of Certified Real Estate Appraisers (Board) issues the renewal of certificates in advance of requiring an applicant to provide documentation to verify completion of the reported continuing education requirements based upon an applicant's affirmative verification the continuing education requirements have been met.

In doing so, the Board expects each individual licensed or certified in Alaska to be aware of all laws and regulations pertaining to practice as a real estate appraiser in Alaska. Furthermore, the Board relies upon each applicant's honesty and integrity to respond to questions on the renewal application both truthfully and accurately.

The Board issues this reprimand to [licensee] for [his/her] failure to complete the continuing education required for the lawful renewal of [his/her] real estate appraiser certification under AS 08.87.120 and 12 AAC 70.200 *et seq.*, and for falsely certifying [his/her] completion of said hours when [he/she] renewed [his/her] certification on [date].

## CE AUDIT DISCIPLINE MATRIX

<b>PROGRAM</b>	<b>REMEDIAL CE REQUIREMENT</b>	<b>MANDATORY AUDIT REQUIREMENT</b>	<b>REPRIMAND</b>	<b>FINE</b>	<b>Imposition of Civil Fine used in some cases?</b>	<b>Letter of Advisement approved in some cases?</b>
ACU - Acupuncture	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$1,000 suspended for false/inaccurate response, plus \$100 unsuspended for each deficient hour.	No	Yes
AELS - Architects, Engineers & Land Surveyors	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,500 for false/inaccurate response with \$2,000 of that suspended, plus \$50 unsuspended for each deficient hour, up to a \$1,000 maximum.	Yes	Yes
APR - Real Estate Appraisers	Yes. Licensee must make up the deficient hours.	Yes	No	\$100 per hour deficient, unsuspended.		Include in Consent Agreement
CHI - Chiropractors	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,500 for false/inaccurate response (all or part of this amount may be suspended based on the gravity of the offense), plus \$200 unsuspended for each deficient hour, up to a \$1,000 maximum.	Yes	No
CPA	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$3,000 for false/inaccurate response (up to \$2,500 of this amount may be suspended based on the gravity of the offense), plus \$200 unsuspended for each deficient hour, up to \$2,000 maximum.	Yes	Yes
CSW - Clinical Social Workers	Yes. Licensee must make up the deficient hours.	Yes	No	\$100 unsuspended per deficient hour.	Yes	Yes

## CE AUDIT DISCIPLINE MATRIX

<b>PROGRAM</b>	<b>REMEDIAL CE REQUIREMENT</b>	<b>MANDATORY AUDIT REQUIREMENT</b>	<b>REPRIMAND</b>	<b>FINE</b>	<b>Imposition of Civil Fine used in some cases?</b>	<b>Letter of Advisement approved in some cases?</b>
DEN - Dentists and Dental Hygienists	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,000 suspended for false/inaccurate response, plus \$200 unsuspended for each deficient hour.	Yes	No
DOP - Dispensing Opticians	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,500, with \$100 suspended for each hour properly completed.	No	No
EAD - Electrical Administrators	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,500, with \$100 suspended for each hour properly completed.	No	No
HIN - Home inspectors	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,500, with \$100 suspended for each hour properly completed.	No	No
MFT - Marital and family therapists	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,000 (up to \$1,500 of this amount may be suspended based on the gravity of the offense), plus \$100 unsuspended for each deficient hour, up to a \$1,000 maximum.	No	No
MAS - Massage therapists	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$50 for each deficient hour.	No	Yes
MEC - Mechanical administrators	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,500, with \$100 suspended for each hour properly completed.	No	No

## CE AUDIT DISCIPLINE MATRIX

<b>PROGRAM</b>	<b>REMEDIAL CE REQUIREMENT</b>	<b>MANDATORY AUDIT REQUIREMENT</b>	<b>REPRIMAND</b>	<b>FINE</b>	<b>Imposition of Civil Fine used in some cases?</b>	<b>Letter of Advisement approved in some cases?</b>
MED - Doctors, Podiatrists, Physician Assistants, Paramedics	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,500 for false/inaccurate response (all or part of this amount may be suspended based on the gravity of the offense), plus \$200 unsuspended for each deficient hour, up to a \$1,000 maximum.	Yes	No
MID - Midwives	Yes. Licensee must make up the deficient hours. This may include additional chart and peer reviews.	Yes	Yes	\$2,500 with \$2,000 suspended.	Yes	No
NUAA - Nurse aides	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$500	No	Yes
NUR - Licensed practical nurses	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$1,500	No	Yes
NUR - Registered nurses	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,000	No	Yes
NUR - Advanced practice registered nurses	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,500	No	Yes
OPT - Optometrists	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$3,500 with \$3,000 suspended, plus \$100 unsuspended for each deficient hour up to a \$1000 maximum. (Total potential fine \$4,500.)	Yes, not to exceed \$5,000.	Yes

## CE AUDIT DISCIPLINE MATRIX

<b>PROGRAM</b>	<b>REMEDIAL CE REQUIREMENT</b>	<b>MANDATORY AUDIT REQUIREMENT</b>	<b>REPRIMAND</b>	<b>FINE</b>	<b>Imposition of Civil Fine used in some cases?</b>	<b>Letter of Advisement approved in some cases?</b>
PCO - Professional counselors	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,000 for false/inaccurate response (up to \$1,500 of this amount may be suspended based on the gravity of the offense), plus \$100 unsuspended for each deficient hour, up to a \$1,000 maximum.	Yes	No
PHA - Pharmacists	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,500, with \$100 suspended for each hour properly completed.	Yes	No
PHA - Pharmacy technicians	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,500 suspended for false/inaccurate response, plus \$25 unsuspended for each deficient hour .	Yes	No
PHY - Physical therapists and occupational therapists (including assistants)	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,500 for false/inaccurate response (up to \$2,000 of this amount may be suspended based on the gravity of the offense), plus \$100 unsuspended for each deficient hour.	Yes	Yes
PSY - Psychologists	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,500, with an amount suspended based on the gravity of the offense.	No	Yes
REC - Real Estate Commission	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,500 for false/inaccurate response (all or part of this amount may be suspended based on the gravity of the offense), plus \$50 unsuspended for each deficient hour.	Yes	No

## CE AUDIT DISCIPLINE MATRIX

<b>PROGRAM</b>	<b>REMEDIAL CE REQUIREMENT</b>	<b>MANDATORY AUDIT REQUIREMENT</b>	<b>REPRIMAND</b>	<b>FINE</b>	<b>Imposition of Civil Fine used in some cases?</b>	<b>Letter of Advisement approved in some cases?</b>
RES - Residential Contractor Endorsement	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,500, with \$100 suspended for each hour properly completed.	No	No
VET - Veterinarians	Yes. Licensee must make up the deficient hours.	Yes	Yes	\$2,500 for false/inaccurate response (all or part of this amount may be suspended based on the gravity of the offense), plus \$100 unsuspended for each deficient hour.	No	No

# Administrative Business



# STATE OF ALASKA

# 2018 HOLIDAY CALENDAR

## State Holidays

Date	Holiday
01/01	New Year's Day
01/15	MLK Jr.'s Birthday
02/19	Presidents' Day
03/26	Seward's Day
05/28	Memorial Day
07/04	Independence Day
09/03	Labor Day
10/18	Alaska Day
11/11	Veterans' Day (observed 11/12)
11/22	Thanksgiving Day
12/25	Christmas Day

Biweekly employees please refer to appropriate collective bargaining unit agreement for more information regarding holidays.

  Holiday

UNAVAILABLE

NEARLY UNAVAILABLE

APR MEETING

MAS MEETING

State calendar maintained by the  
Division of Finance,  
Department of Administration  
<http://doa.alaska.gov/calendars.html>  
Rev. 7/10/2017

## JANUARY

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

## FEBRUARY

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

## MARCH

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

## APRIL

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

## MAY

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

## JUNE

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

## JULY

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

## AUGUST

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

## SEPTEMBER

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

## OCTOBER

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

## NOVEMBER

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

## DECEMBER

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Fall AARO Conference

October 19-22, 2018

Westin Washington DC City Center  
Hotel



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND  
PROFESSIONAL LICENSING

P.O. Box 110806  
Juneau, Alaska 99811-0806  
Main: 907.465.2550  
Fax: 907.465.2974

## BOARD MEMBER TRAVEL APPROVAL REQUEST FORM

Effective September 1, 2014

This form is to be completed by each board member when requesting the CBPL Travel Desk book their travel. Submit 6-8 weeks before anticipated travel and include all relevant information.

**Traveler's Name (as appears on your ID):** \_\_\_\_\_

**Board:** \_\_\_\_\_

**Physical Address:** \_\_\_\_\_

**Daytime Phone Number:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Dates in Travel Status:** \_\_\_\_\_ **Destination:** \_\_\_\_\_

**Airline seating preference:** \_\_\_\_\_

**Alaska Airlines Mileage Plan Number:** \_\_\_\_\_

**Hotel Preference/Member Number:** \_\_\_\_\_

**Birth Date (for TSA):** \_\_\_\_\_

**Preferred time of flight to destination:**

*You may attach a screen shot of your preferred route from AlaskaAir.com or regional carriers.*

**Other information regarding your travel request:**

# Accepted Minutes Signature Pages

After addressing all the new tasks, Mr. Derry addressed that the Board still needs to fill the vacant Public Member position. Ms. Piszczek stated that she was able to speak with an individual regarding this. Mr. Derry pointed out that the Board would need someone from the general public without any definite real estate background.

Spring AARO Conference

Ms. Carrillo asked the Board if they could discuss the AARO conference happening in April 7<sup>th</sup>-9<sup>th</sup>, 2017 in Tampa, Florida. Mr. Derry suggested to have Mr. Tracy attend the AARO conference in April, as well as Ms. Zaguirre and Ms. Carrillo, which the rest of the Board approved.

**TASK:**

**The examiner of supervisor will submit a travel approval request for the AARO Conference in Tampa, FL.**

*Set next meeting date*

Mr. Derry suggested that the next meeting be after the April Conference, which Mr. Ferrera agreed to. The Board has decided to schedule their next teleconference meeting date for Friday, April 14<sup>th</sup>, 2017, at 9:00 a.m.

**Agenda Item #15**

**Adjourn**

**2:12 p.m.**

**Upon a motion duly made by Alfred Ferrera, seconded by Renee Piszczek, and approved unanimously by roll call, it was:**

**RESOLVED to adjourn the meeting at 2:12 p.m.**

Respectfully Submitted by:

Aiko Zaguirre, Licensing Examiner

Approved by:

---

David Derry, Chair

375 Respectfully Submitted,

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Dawn Dulebohn, Licensing Examiner

\_\_\_\_\_ Date

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David Derry, Chair

\_\_\_\_\_ Date

766 Respectfully Submitted,

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770 Dawn Dulebohn, Licensing Examiner

\_\_\_\_\_ Date

771

772

773 \_\_\_\_\_

774 David Derry, Chair

\_\_\_\_\_ Date





Adjourn