

State of Alaska
Board of Certified Real Estate Appraisers

Board Packet

January 17, 2019

Teleconference

333 Willoughby Ave.

Juneau, AK 99801

General Conference Line: 1-800-315-6338

Access Code: 52588


**Alaska Board of Certified Real Estate Appraisers
Board Roster (As of 01.08.2019)**

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

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. 4th 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
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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 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 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 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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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, 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. Please direct questions about reporting procedures to Kim Halstead at 269-7195 or kimberly.halstead@alaska.gov.

6/14

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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Review/Approve Agenda



The State of Alaska
Board of Certified Real Estate Appraisers
State Office Building
333 Willoughby Ave, 9th Floor
Conference Room B
Juneau, AK 99801
Conference Line Call In: 1-800-315-6338
Access Code: 52588

January 17, 2019
9:00 a.m.
Meeting Agenda (Draft)

<u>Item</u>	<u>Time</u>	<u>Subject</u>	<u>Lead</u>
1.	9:00 a.m.	Call to Order/Roll Call	Chair
2.	9:05 a.m.	Ethics Report	Chair
3.	9:10 a.m.	Review/Approve Agenda	Chair
4.	9:15 a.m.	Review/Approve Past Meeting Minutes	Chair
5.	9:20 a.m.	AMC/AQB Regulations Update	Regulations Specialist Zinn
6.	9:45 a.m.	Continuing Education Consent Agreements (Executive Session, if needed) <ul style="list-style-type: none">• Case # 2017-001175	Paralegal Zimmerman
7.	10:00 a.m.	Investigations Case Reviews & Probation Reports (Executive Session, if needed)	Investigator Consalo & Investigator Medina
8.	10:15 a.m.	Break	
9.	10:30 a.m.	Division Update & Financial Report <ul style="list-style-type: none">• Including EOY Indirect Costs	TBD
10.	11:30 a.m.	Review Tabled Applications (Executive Session, if needed) <ul style="list-style-type: none">• Applicant for General by Exam	Chair
11.	12:00 p.m.	Lunch	Chair
12.	1:15 p.m.	Public Comment	Chair



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January 17, 2019

9:00 a.m.

Meeting Agenda (Draft)

<u>Item</u>	<u>Time</u>	<u>Subject</u>	<u>Lead</u>
13.	1:30 p.m.	Old Business <ul style="list-style-type: none">• Course Delivery Definitions• Old Task List	Chair
14.	2:00 p.m.	Administrative Business <ul style="list-style-type: none">• AMC Application Forms• New Task List	Chair
15.	2:30 p.m.	New Business	
16.	3:00 p.m.	Adjourn	Chair

Review/Approve
Past Meeting Minutes

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 Monday, November 19, 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 By the authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article
15 6, a scheduled meeting of the Board of Certified Real Estate Appraisers was held via
16 teleconference at 333 Willoughby Ave, 9th Floor, Conference Room B, Juneau, Alaska on
17 Monday, November 19, 2018.

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

20
21 The meeting was called to order at 9:14 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 Wendy Lawrence, Certified Residential Real Estate Appraiser
26 Renee Piszczek, Mortgage Lending Member

27
28 Division Staff present at the meeting:

29 Tracy Wiard, Occupational Licensing Examiner
30 Shyla Consalo, Investigator III
31 Melissa Dumas, Administrative Officer II – via teleconference
32 Marylene Wales, Accountant III – via teleconference
33 Charles Ward – Acting Deputy Director
34 Marilyn Zimmerman, Paralegal II – via teleconference
35 Sher Zinn – Regulations Specialist

36
37 **Agenda Item #2** **Ethics Disclosure/Review Ethics**

38
39 No ethics issues or concerns were reported to the chair from the board. No ethic items or issues
40 were presented to the board for discussion at this meeting.

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

44

45 There was a discussion regarding the end of year Division Update and Financial Report. The
46 end of year report includes the indirect costs to the board and upcoming session information will
47 be conducted at the January 19, 2019 teleconference meeting with an hour block of time
48 scheduled. The end of year report was not included on today's agenda.

49

50 David Derry wanted to add an item for the board to discuss in executive session but advised the
51 board he would not address that item until the board was in executive session.

52

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

54

55 The board reviewed the minutes from the September 24, 2018 board meeting and OLE Wiard
56 noted the dates at the top of the minutes stating it was a May meeting were incorrect and needed
57 to be changed. The board concurred with the date changes and no other changes were addressed
58 in the meeting minutes from the September 24, 2018 board meeting.

59

60 **On a motion made by Renee Piszczek, seconded by Wendy Lawrence, and passed**
61 **unanimously, it was: RESOLVED to APPROVE the September 24 meeting minutes with**
62 **the discussed corrections.**

63

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

65

66 **Continuing Education Consent Agreement**

67

68 **On a motion made by Renee Piszczek, seconded by Wendy Lawrence, and passed**
69 **unanimously, it was: RESOLVED to enter into Executive Session in accordance with AS**
70 **44.62.310(a), and Alaska Constitutional Right to Privacy Provisions, for the purpose of**
71 **discussing active consent agreement cases, "subjects that tend to prejudice the reputation**
72 **and character of any person, provided the person may request a public discussion." Board**
73 **and Paralegal staff were requested to remain in the room for executive session.**

74

75 **The board went off the record at 9:21 am.**

76 **The board was back on the record at 9:45 am.**

77

78 **On a motion made by Renee Piszczek, seconded by Wendy Lawrence, and passed with a**
79 **roll call vote, it was: RESOLVED to APPROVE the consent agreement for case: 2017-**
80 **000176.**

81

82

83

84

85

86 **Agenda Item #6** **Investigations**

87
88 **Case Reviews and Probation Reports**

89
90 Shyla Consalo provided the investigations report to the board covering the dates of September
91 17, 2018 through November 7, 2018. The division has opened 3 matters and closed 1 matter.
92 There are currently 6 matters under ongoing investigations and none are under litigation now.
93 The board noted that there seems to be an increase in investigative cases regarding competency
94 issues. There was also discussion regarding the boards use of competency experts when
95 reviewing investigative cases. It was stated if the need was required, and the board submitted the
96 review worksheet indicating the need, a competency expert could be provided to the board.

97
98 **Agenda Item #7** **Division Update & Financial Report**

99
100 Marylene Wales, Melissa Dumas, and Charles Ward were present to provide the board with the
101 division update and financial report. The end of year report will be provided at the January 19,
102 2019 board meeting.

103

APR	FY 2018
\$76,010.00	Licensing Revenue
\$98,416.00	Direct Expenditures
\$36,827.00	Indirect Expenditures
\$135,243.00	Total Expenses
(\$57,699.00)	Annual Surplus (Deficit)
\$374,791.00	Beginning Cumulative Surplus (Deficit)
\$317,092.00	Ending Cumulative Surplus (Deficit)

104

105 **Agenda Item #8** **Regulations Draft Review**

106

107 **AQB / AMC / PROPOSED FEES**

108

109 Sher Zinn prompted the board to review the most updated revision of the regulations dated
110 November 08, 2018. There are several comments in the draft for the board to review.
111 Specifically, does bracketed language in 12 AAC 70.115(b) need to be deleted? Chair Derry
112 believed the board discussed this specific regulation and that not including it in the instructions
113 for the draft regulations was just an oversight. It was believed that the bracketed items should be
114 deleted from recollection. There was to be a review of the AQB but the board wanted to accept
115 the regulations draft as presented and update them later if additional changes were required.

116

117 There was discussion regarding the most recent draft regulations including the addition of listing
118 the number of course hours after the type of courses the AQB requires for CLEP credit for the
119 Certified Residential Real Estate Appraiser Credential. This listing is in alignment with the
120 requirements of the AQB and would give applicants definitive answers to the number of credit
121 hours required for each topic. This was a change from the first draft of the regulations. The
122 board agreed to keep the updated changes to the draft regulations.

123 The board reviewed the draft regulations for the AMC registry fees and the proposed license fees
124 for AMC's. It was noted that the SB 155 requires the Division to set the license fees. The board
125 reviewed the recommended fee schedule and provide feedback to the Division of a biennial
126 license fee of \$850.00. There was also discussion regarding separation of license renewal from
127 the AMC registration. The CBPL renewals are biennial per statute and the AMC registration are
128 annual per Federal Regulation. It was stated by Chair Derry that approximately 80-90 AMC's
129 are expected to become licensed in Alaska.

130

131 **On a motion made by Wendy Lawrence, seconded by Renee Piszczek, and passed**
132 **unanimously, it was: RESOLVED to APPROVE a fee of \$850.00 for an AMC biennial**
133 **recertification fee.**

134

135 The board discussed the timelines for license renewals of AMC's coinciding with appraisal
136 license renewals and AMC registrations. It was believed that the AMC professional license
137 renewals should coincide with Appraiser license renewals on June 30 of odd numbered years and
138 the AMC's would register with the federal registry annually at the end of February. In this way
139 all the appraiser and appraiser management professional licenses would renew at the same time
140 and the annual fee for AMC registration would be kept entirely separate.

141

142 **On a motion made by Renee Piszczek, seconded by Wendy Lawrence, and passed with a**
143 **roll call vote, it was: RESOLVED to APPROVE the current draft regulations for public**
144 **comment pending any received information.**

145

146 Chair Derry asked about the regulation allowing continuing education credits to appraisers for
147 attendance at board meetings. He recalled the board approving that regulation but has not seen it
148 in any of the regulation subsequent updates. OLE Wiard believed this regulation inclusion had
149 been taken care of by the Regulation Specialist and past OLE.

150

151 OLE Wiard addressed the board regarding ongoing questions from appraisers inquiring if they
152 can take all their continuing education online via a synchronous course that follows criteria for
153 online course approval. The board had previously discussed this and wants at least half of the
154 continuing education to be completed via in person classroom courses. There was comment
155 regarding the difficulties travelling to places that offer continuing education courses due to the
156 isolated geography of Alaska. It was also noted that UAA, UAF, and UAS offer many courses
157 online via blackboard and students attend lice lectures and can ask and answer questions in real
158 time. It was also noted that the AQB is creating PAREA for experience and qualifying education
159 for appraisers.

160

161 **TASK: OLE Wiard to contact the AQB directly to obtain their definition of synchronous**
162 **and what best practice information they have regarding synchronous, online, continuing**
163 **education courses.**

164

165

166

167 **Agenda Item #11** **Old Business**

168
169 AARO Report

170
171 Due to the loss of the boards quorum at noon, the board discussed agenda item 11. The board
172 reviewed OLE Wiard’s AARO report back. Chair Derry noted he had yet to complete his
173 AARO report back and would provide one to the board. Conversation ensued regarding the
174 bifurcated appraisals and their acceptance by Fannie Mae and USPAP.

175
176 Task List

177
178 The board reviewed the task list and OLE Wiard noted 3 items left for completion.

179
180 **TASK: OLE Wiard to add the FAQ to the website regarding the work product being**
181 **submitted prior to the exam, send the e-mail to organizations applying for approval of**
182 **continuing education courses informing them of division policies and procedures, and**
183 **review all applicants since 1/1/2018 and ensure they have taken the exam if needed.**

184
185 **In a motion made by Wendy Lawrence, it was RESOLVED to ADJOURN.**

186
187 Hearing nothing further, Chair Derry adjourned the meeting at 11:44 a.m.

188
189
190 Respectfully Submitted,

191
192
193 _____
194 Tracy Wiard, Licensing Examiner Date _____

195
196
197 _____
198 David Derry, Chair Date _____

Regulations Review



LAWS OF ALASKA

2018

Source

HCS CSSB 155(L&C) am H

Chapter No.

AN ACT

Relating to the registration and regulation of real estate appraisal management companies; relating to the establishment of fees by the Department of Commerce, Community, and Economic Development; relating to the Board of Certified Real Estate Appraisers; relating to real estate appraisers; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to the registration and regulation of real estate appraisal management companies;
2 relating to the establishment of fees by the Department of Commerce, Community, and
3 Economic Development; relating to the Board of Certified Real Estate Appraisers; relating to
4 real estate appraisers; and providing for an effective date.

5

6 * **Section 1.** AS 08.01.065(c) is amended to read:

7 (c) Except as provided in **(f) - (j)** [(f) - (i)] of this section, the department shall
8 establish fee levels under (a) of this section so that the total amount of fees collected
9 for an occupation approximately equals the actual regulatory costs for the occupation.
10 The department shall annually review each fee level to determine whether the
11 regulatory costs of each occupation are approximately equal to fee collections related
12 to that occupation. If the review indicates that an occupation's fee collections and
13 regulatory costs are not approximately equal, the department shall calculate fee
14 adjustments and adopt regulations under (a) of this section to implement the

1 adjustments. In January of each year, the department shall report on all fee levels and
2 revisions for the previous year under this subsection to the office of management and
3 budget. If a board regulates an occupation covered by this chapter, the department
4 shall consider the board's recommendations concerning the occupation's fee levels and
5 regulatory costs before revising fee schedules to comply with this subsection. In this
6 subsection, "regulatory costs" means costs of the department that are attributable to
7 regulation of an occupation plus

8 (1) all expenses of the board that regulates the occupation if the board
9 regulates only one occupation;

10 (2) the expenses of a board that are attributable to the occupation if the
11 board regulates more than one occupation.

12 * **Sec. 2.** AS 08.01.065 is amended by adding a new subsection to read:

13 (j) The department shall establish for real estate appraisal management
14 companies registered under AS 08.87 a registry fee in an amount that equals the
15 amount determined by the federal Appraisal Subcommittee established under 12
16 U.S.C. 3310 as a national registry fee for each real estate appraiser of the appraiser
17 panel of a real estate appraisal management company under 12 U.S.C. 3338 (Title XI,
18 Financial Institutions Reform, Recovery, and Enforcement Act of 1989), as amended
19 by 12 U.S.C. 5301 - 5641 (Dodd-Frank Wall Street Reform and Consumer Protection
20 Act); the department may annually remit fees paid under this subsection to the
21 Appraisal Subcommittee for participation in the national registry for real estate
22 appraisal management companies.

23 * **Sec. 3.** AS 08.87.020 is amended to read:

24 **Sec. 08.87.020. Powers and duties of board.** In addition to the powers and
25 duties conferred on the board by AS 08.01, the board shall

26 (1) establish the examination specifications for certification as a
27 general real estate appraiser, as a residential real estate appraiser, and as an
28 institutional real estate appraiser;

29 (2) adopt rules of professional conduct to establish and maintain a high
30 standard of integrity in the real estate appraisal profession; [AND]

31 (3) adopt regulations necessary to carry out the purposes of this

1 chapter, including regulations

2 **(A)** necessary to comply with the requirements of

3 **(i) 12 U.S.C. 3331 - 3355** [12 U.S.C. 3331 - 3351]

4 (Title XI, Financial Institutions Reform, Recovery, and Enforcement
5 Act of 1989), as amended by 12 U.S.C. 5301 - 5641 (Dodd-Frank Wall
6 Street Reform and Consumer Protection Act); the regulations adopted
7 by the board under AS 08.87.110, 08.87.120, **08.87.135, 08.87.220,** and
8 08.87.310 may not be more stringent than the corresponding minimum
9 requirements for receiving approval of the state's program of
10 certification of real estate appraisers **and registration of real estate**
11 **appraisal management companies** under **12 U.S.C. 3331 - 3355** [12
12 U.S.C. 3331 - 3351] or other federal law; **and**

13 **(ii) 15 U.S.C. 1639e (Truth in Lending Act);**

14 **(B) establishing registration procedures and standards for a**
15 **real estate appraisal management company; and**

16 **(C) establishing the standards for the real estate appraisal**
17 **management company's appraiser panel, including panel size and**
18 **member qualifications; and**

19 **(4) report relevant information regarding a real estate appraisal**
20 **management company's operations, including a disciplinary action under this**
21 **chapter or a violation of state or federal law, to the Appraisal Subcommittee**
22 **established under 12 U.S.C. 3310.**

23 * **Sec. 4.** AS 08.87.020 is amended by adding a new subsection to read:

24 (b) The board may

25 (1) examine the records of a real estate appraisal management
26 company operating in the state;

27 (2) require a real estate appraisal management company to submit
28 reports, information, and documents to the board;

29 (3) investigate alleged violations of this chapter;

30 (4) conduct background investigations as provided in AS 08.87.135(c).

31 * **Sec. 5.** AS 08.87 is amended by adding new sections to read:

1 **Article 2A. Real Estate Appraisal Management Companies.**

2 **Sec. 08.87.130. Registration required.** (a) A person shall register as a real
3 estate appraisal management company with the board to perform appraisal
4 management services if the person

5 (1) provides an appraisal management service

6 (A) to a creditor or secondary mortgage market participant,
7 including an affiliate; and

8 (B) in connection with valuing a borrower's principal dwelling
9 as security for a consumer credit transaction or incorporating consumer credit
10 transactions into a securitization; and

11 (2) oversees an appraiser panel.

12 (b) A person is guilty of a class B misdemeanor if the person engages in
13 business as or holds out as a real estate appraisal management company, or performs
14 or attempts to perform appraisal management services, at a time when the

15 (1) person does not hold a registration issued by the board; or

16 (2) registration issued by the board to the person is suspended,
17 revoked, lapsed, or surrendered.

18 **Sec. 08.87.135. Requirements for registration of real estate appraisal**
19 **management companies.** (a) The board shall register a real estate appraisal
20 management company operating in the state if the company applies on a form
21 approved by the board, pays the fee required under AS 08.01.065, and presents
22 evidence satisfactory to the board that the company

23 (1) has designated a controlling person who will be the main point of
24 contact between the board and the company and who meets the requirements under (b)
25 of this section;

26 (2) has, if the company is not a corporation that is domiciled in this
27 state, filed with the department a written consent to service of process on a resident of
28 this state for any court action arising from an activity regulated under this chapter or
29 12 U.S.C. 3331 - 3355 and provided the name and contact information for the
30 company's agent for service of process in this state;

31 (3) requires a real estate appraiser to comply with the Uniform

1 Standards of Professional Appraisal Practice adopted by the Appraisal Standards
2 Board of the Appraisal Foundation when completing appraisals at the company's
3 request;

4 (4) engages only appraisers who are certified under this chapter;

5 (5) has a process to verify that a person who is assigned to serve on an
6 appraiser panel of the company

7 (A) is certified under this chapter and maintains a certification
8 in good standing; and

9 (B) is qualified to conduct federally related transactions under
10 federal law; in this subparagraph, "federally related transaction" means a real
11 estate related transaction that involves an insured depository institution
12 regulated by the United States Comptroller of the Currency, the Board of
13 Governors of the Federal Reserve System, the Federal Deposit Insurance
14 Corporation, or the National Credit Union Administration and requires the
15 services of a real estate appraiser under the interagency appraisal rules;

16 (6) conducts appraisals independently and free from inappropriate
17 influence and coercion as required under 12 U.S.C. 3353;

18 (7) is not directly or indirectly owned in whole or in part by a person
19 that has had a certificate to act as a real estate appraiser denied, cancelled, suspended,
20 revoked, put on probation, or surrendered in lieu of a pending revocation in any state
21 unless the person has later had a certificate to act as a real estate appraiser granted or
22 reinstated by the same state;

23 (8) has posted a surety bond in an amount required by the board, not to
24 exceed \$50,000; and

25 (9) is owned by persons who meet the requirements under (c) of this
26 section.

27 (b) A controlling person designated under (a) of this section

28 (1) must be actively certified in a state as a real estate appraiser at all
29 times that the person is designated as a controlling person;

30 (2) may not have had a certificate to act as a real estate appraiser
31 denied, cancelled, suspended, revoked, put on probation, or surrendered in lieu of a

1 pending revocation in any state unless the person has later had the certificate to act as
2 a real estate appraiser granted or reinstated; and

3 (3) must be of good moral character.

4 (c) A person who owns at least 10 percent of a real estate appraisal
5 management company required to be registered under this chapter must be of good
6 moral character as determined by the board and shall submit to a background
7 investigation conducted by the board.

8 (d) The board shall provide a copy of a registration under this section to the
9 Appraisal Subcommittee established under 12 U.S.C. 3310 on a form approved by the
10 subcommittee.

11 (e) A registration under this section is valid for two years and may be renewed
12 upon proof of continued compliance with the requirements under (a) - (c) of this
13 section.

14 **Sec. 08.87.140. Mandatory reporting.** A real estate appraisal management
15 company or a controlling person, employee, director, officer, or agent of a real estate
16 appraisal management company that has reasonable cause to believe that a real estate
17 appraiser has failed to comply with the Uniform Standards of Professional Appraisal
18 Practice as adopted under 12 U.S.C. 3339 in a manner that materially affects a
19 valuation appraisal shall report the noncompliance to the board and to the Appraisal
20 Subcommittee established under 12 U.S.C. 3310.

21 **Sec. 08.87.142. Statement of fees.** (a) When reporting to a borrower, an
22 appraisal management company shall separately state the fees

23 (1) paid to an appraiser for the completion of an appraisal; and

24 (2) charged to the borrower for appraisal management services by the
25 appraisal management company.

26 (b) An appraisal management company may not include any fees for appraisal
27 services listed in (a)(1) of this section as charges for an appraisal management service
28 listed in (a)(2) of this section.

29 **Sec. 08.87.145. Retention of records and inspection.** A registered real estate
30 appraisal management company or a real estate appraisal management company that
31 has applied for registration shall allow the board to inspect and shall retain, for not less

1 than the later of either five years after the date a file is submitted to the company or
2 two years after final disposition of a related judicial proceeding,

3 (1) copies of all records related to requests for the company's appraisal
4 management services and the real estate appraisers who perform the appraisals;

5 (2) a written record of all substantive communications between a real
6 estate appraisal management company registered under this chapter and a real estate
7 appraiser relating to an appraisal or participation in an appraiser panel.

8 **Sec. 08.87.150. Reporting requirements for federally regulated real estate**
9 **appraisal management companies.** (a) A real estate appraisal management company
10 that is owned and controlled by an insured depository institution as defined in 12
11 U.S.C. 1813 and regulated by the United States Comptroller of the Currency, the
12 Board of Governors of the Federal Reserve System, or the Federal Deposit Insurance
13 Corporation, shall annually submit to the board information that the board is required
14 to submit to the Appraisal Subcommittee established under 12 U.S.C. 3310, including
15 a

16 (1) report of intent to operate in the state; and

17 (2) disclosure of whether the company is directly or indirectly owned
18 in whole or in part by any person that has had a certificate to act as a real estate
19 appraiser denied, cancelled, suspended, revoked, put on probation, or surrendered in
20 lieu of a pending revocation in any state.

21 (b) If a person has had disciplinary action taken against the person under
22 (a)(2) of this section, the board shall collect information related to whether the
23 certificate to act as a real estate appraiser was denied, cancelled, suspended, revoked,
24 put on probation, or surrendered in lieu of a pending revocation for a substantive cause
25 and whether the person has later had the certificate to act as a real estate appraiser
26 reinstated by the same state.

27 **Sec. 08.87.155. Exemptions.** AS 08.87.130 - 08.87.150, 08.87.215, and
28 08.87.220 do not apply to a

29 (1) person who is employed by a department or division of an entity
30 that provides appraisal management services only to that entity;

31 (2) real estate appraisal management company that is

1 (A) owned and controlled by an insured depository institution;
2 and

3 (B) regulated by the Consumer Financial Protection Bureau,
4 the Federal Housing Finance Agency, the Board of Governors of the Federal
5 Reserve System, the Federal Deposit Insurance Corporation, the United States
6 Comptroller of the Currency, or the National Credit Union Administration; or

7 (3) real estate appraiser who enters into an agreement with another real
8 estate appraiser for the performance of an appraisal that upon completion results in a
9 report signed by both the real estate appraiser who completed the appraisal and the
10 real estate appraiser who requested completion of the appraisal.

11 * **Sec. 6.** AS 08.87 is amended by adding new sections to article 3 to read:

12 **Sec. 08.87.215. Prohibited practices; real estate appraisal management**
13 **companies.** (a) A real estate appraisal management company may not, while
14 registered in the state, retain or enter into a business relationship with an employee,
15 contractor, or agent whose certificate to act as a real estate appraiser is denied,
16 cancelled, suspended, revoked, put on probation, or surrendered in lieu of a pending
17 revocation in any state unless the employee, contractor, or agent has later had a
18 certificate to act as a real estate appraiser granted or reinstated by the same state.

19 (b) A real estate appraisal management company or a controlling person,
20 employee, director, officer, or agent of a real estate appraisal management company
21 may not

22 (1) seek to influence a real estate appraiser through intimidation,
23 coercion, extortion, or bribery;

24 (2) condition payment of an appraisal fee on a real estate appraiser's
25 opinion, conclusion, or valuation;

26 (3) request that a real estate appraiser report a predetermined opinion,
27 conclusion, or valuation;

28 (4) alter, amend, or change an appraisal report submitted by a real
29 estate appraiser without the real estate appraiser's written consent;

30 (5) require a real estate appraiser to sign an indemnification agreement
31 for a claim that does not arise from a service performed by the real estate appraiser;

1 (6) prohibit an appraiser from recording in the body of the report
2 submitted by the appraiser to the appraisal management company the fee that the
3 appraiser was paid by the company for the performance of the appraisal;

4 (7) prohibit lawful communication between a real estate appraiser and
5 any other person who the real estate appraiser determines possesses information
6 relevant to the appraisal;

7 (8) engage in an act or practice with intent to impair a real estate
8 appraiser's independence, objectivity, and impartiality;

9 (9) knowingly make a false statement, submit false information, or fail
10 to provide complete information in response to a question in an application for
11 registration or renewal of a registration; or

12 (10) violate this chapter or a regulation adopted under this chapter.

13 **Sec. 08.87.220. Disciplinary proceedings; real estate appraisal**
14 **management companies.** The board may take disciplinary action under AS 08.01.075
15 or suspend or revoke a registration of a real estate appraisal management company if it
16 finds that the

17 (1) company or a controlling person, employee, director, officer, or
18 agent of a real estate appraisal management company has violated a provision of this
19 chapter or a regulation adopted by the board under this chapter;

20 (2) company or a controlling person of the company has had a
21 certificate to act as a real estate appraiser or a registration as a real estate appraisal
22 management company denied, cancelled, suspended, revoked, put on probation, or
23 surrendered in lieu of a pending revocation in any state;

24 (3) company fails to comply with the Uniform Standards of
25 Professional Appraisal Practice under 12 U.S.C. 3339;

26 (4) company performs appraisal management services in a manner that
27 causes injury or loss to the public;

28 (5) company has ceased to operate in the state as a real estate appraisal
29 management company; or

30 (6) company used fraud, deception, misrepresentation, or bribery in
31 securing a registration under this chapter.

1 * **Sec. 7.** AS 08.87.900 is amended by adding new paragraphs to read:

2 (14) "appraisal management services" includes the performance of any
3 of the following functions on behalf of a lender, financial institution, or other person:

4 (A) administration of an appraiser panel;

5 (B) recruitment, retention, or selection of real estate appraisers
6 for the performance of appraisal services;

7 (C) contracting with real estate appraisers to perform
8 appraisals;

9 (D) review of a completed appraisal before the delivery of the
10 appraisal or review assignment to the person that ordered the appraisal;

11 (15) "appraiser panel" means a group of licensed or certified real estate
12 appraisers who perform appraisals as independent contractors for a real estate
13 appraisal management company;

14 (16) "borrower" means a person who applies for a mortgage loan;

15 (17) "company" means a real estate appraisal management company
16 required to register under AS 08.87.130 that performs appraisal management services;

17 (18) "controlling person" means a person who

18 (A) owns more than 10 percent of a real estate appraisal
19 management company;

20 (B) is an officer or director of a real estate appraisal
21 management company;

22 (C) is employed and authorized by a real estate appraisal
23 management company to enter into a contractual relationship with another
24 person for the performance of appraisal management services or with a real
25 estate appraiser to perform an appraisal; or

26 (D) has the authority to direct the management or policies of a
27 real estate appraisal management company;

28 (19) "principal dwelling" means a residential structure or mobile home
29 that contains one to four units but does not include a vacation or second home unless
30 the borrower buys or builds a new dwelling that will become the primary location that
31 the borrower inhabits within a year after the purchase or completion of construction.

1 * **Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to
2 read:

3 APPLICABILITY. (a) This Act applies to a person offering or engaged in providing
4 appraisal management services for an appraisal on or after the effective date of secs. 1 - 7 of
5 this Act. In this subsection, "appraisal management services" has the meaning given in
6 AS 08.87.900.

7 (b) Notwithstanding the effective date of sec. 5 this Act, the Department of
8 Commerce, Community, and Economic Development and the Board of Certified Real Estate
9 Appraisers may not enforce the registration requirement under AS 08.87.130, added by sec. 5
10 of this Act, until March 1, 2019.

11 * **Sec. 9.** The uncodified law of the State of Alaska is amended by adding a new section to
12 read:

13 TRANSITION: REGULATIONS. The Department of Commerce, Community, and
14 Economic Development and the Board of Certified Real Estate Appraisers may adopt
15 regulations necessary to implement the changes made by this Act. The regulations take effect
16 under AS 44.62 (Administrative Procedure Act), but not before the effective date of the law
17 implemented by the regulation.

18 * **Sec. 10.** Section 9 of this Act takes effect immediately under AS 01.10.070(c).

19 * **Sec. 11.** Except as provided in sec. 10 of this Act, this Act takes effect January 1, 2019.



**Notice of Proposed Changes Relating to Fees for Registration of
Appraisal Management Companies in the Regulations of the
Department of Commerce, Community, and Economic Development**

Proposed Regulations - FAQ

December 2018

Appraisal Management Company Registration Fee Regulations

1. Why are the new fees being proposed?

Senate Bill 155 passed the legislature in the last legislative session giving the Board of Certified Real Estate Appraisers (Board) authority to register appraisal management companies (AMC). The Board currently has proposed regulations out for public comment regarding the qualifications for issuance of AMC registrations. The Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing is charged to set fees for occupations licensed by the division.

By law, fees must be analyzed annually and set to approximately recover the cost of program operations. Alaska's professional licensing statutes (AS 08.01.065) require the Division of Corporations, Business and Professional Licensing (CBPL) to "annually review each fee level to determine whether the regulatory costs of each occupation are approximately equal to fee collections related to that occupation." Alaska's licensing fee statutes go on to say, "If the review indicates that an occupation's fee collections and regulatory costs are not approximately equal, the department shall calculate fee adjustments and adopt regulations ... to implement the adjustments."

2. What fees are being proposed?

Proposed fees: non-fundable application fee of \$500; biennial registration and renewal fee of \$700; \$25 registration fee for each appraiser on the appraiser panel who conducted an appraisal for a federally related transaction during the previous calendar year; and a \$250 fee for change of owner or personnel associated with the AMC.

3. When will the fees go into effect?

If the fees are adopted, they must be reviewed by the Department of Law, then forwarded to the lieutenant governor for signing and filing. The division's goal is to have the fees in effect on or around March 1, 2019, the date the division may start accepting applications for the registration.

For further information on this subject, refer to the proposed regulations which are available on the Board's website.

Do you have a question that is not answered here? Please email RegulationsAndPublicComment@alaska.gov so it can be added.



Notice of Proposed Changes Relating to Qualifications for Real Estate Appraiser Certification

Proposed Regulations - FAQ

December 2018

Qualifications for Real Estate Appraiser Certification

1. Why are the new regulations being proposed?

The new regulations are being proposed because the Real Property Appraiser Qualification Criteria has been updated by the Appraiser Qualification Board (AQB).

2. What is the purpose of the new regulations?

To update Alaska's qualifications to match the AQB qualifications.

3. What are the changes to the qualifications?

The changes being proposed are updating the verification of work experience hours and classroom educational hours of instruction for an initial license. See the draft regulations on the Board's website for further information. In addition, the board is proposing to update the Real Property Appraiser Qualification Criteria to the May 1, 2018 version, as adopted by reference under 12 AAC 70.140.

Do you have a question that is not answered here? Please email RegulationsAndPublicComment@alaska.gov so it can be added.



Notice of Proposed Changes Relating to Registration of Appraisal Management Companies

Proposed Regulations - FAQ

December 2018

Appraisal Management Company Registration

1. Why are the new regulations being proposed?

Senate Bill 155 (Chapter 87, SLA 2018) passed during the last legislative session authorizing the Board of Certified Real Estate Appraisers (Board) to register appraisal management companies (AMC). Updates to federal law now requires states register AMCs if they perform appraisals for federally related transactions.

2. What is the purpose of the new regulations?

To implement the new statutes for registration of AMCs. The statutes follow the minimum requirements of Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as amended by the Dodd-Frank Wall Street Reform and Consumer Protection Act.

3. What are the requirements for registration?

The requirements for registration of AMCs is set out in the new statutes. The regulations are drafted to implement the requirements in the statutes and may be found in the bill posted on the Board's website. An AMC that employs independent contractors with 16 or more certified real estate appraisers in the state of Alaska, or 25 or more certified real estate appraisers in two or more states, must register with the Board as an AMC.

4. What is the federal registry and fee?

The AMC is responsible for submitting the \$25 federal mandated registration fee to the Board for each appraiser who conducts a federally related transaction during a given calendar year. The appraisal management company must submit the fee on an annual basis on a form provided by the department. In turn, the Board must report to the Appraisal Subcommittee (ASC) through a database, a roster listing appraisers who performed federally related transactions through a registered AMC, and submit the \$25 fee for each appraiser. The Board is also required to submit disciplinary action the Board has taken against an AMC or appraiser during that year.

5. Are there exemptions to the required registration?

If the AMC is regulated by the federal government, they are not required to obtain a registration through the Alaska Board of Certified Real Estate Appraisers. However, the federally regulated AMC is still required to report to the Board that they are exempt from registration and they must submit the \$25 fee per appraiser on the appraiser panel that performed appraisals for federally related transactions. The Board will then submit the registration fee for each appraiser to the ASC.

6. When will the AMC be required to register?

The new statute takes effect January 1, 2019. However, the division may not accept applications for registration until March 1, 2019. After March 1, 2019, a qualified AMC must obtain a registration to perform federally related transactions if they meet the threshold requirements as described in number 3 above.

Do you have a question that is not answered here? Please email RegulationsAndPublicComment@alaska.gov so it can be added.

Continuing Education Consent Agreements

(Executive Session if needed)

EXECUTIVE SESSION MOTION

I, _____, move that the Alaska State Board of Certified Real Estate Appraisers 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.**

Investigations / Probation Report

(Executive Session if needed)

EXECUTIVE SESSION MOTION

I, _____, move that the Alaska State Board of Certified Real Estate Appraisers 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.**



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community,
and Economic Development

DIVISION OF CORPORATIONS, BUSINESS, AND
PROFESSIONAL LICENSING
Anchorage Office

550 West Seventh Avenue, Suite 1500
Anchorage, AK 99501-3567
Main: 907.269.8160
Toll free fax: 907.269.8156

DATE: January 9, 2019
TO: Alaska Board of Certified Real Estate Appraisers
THRU: Amber Whaley, Senior Investigator *All*
FROM: Shyla Consalo, Investigator *SMC*

SUBJECT: Certified Real Estate Appraisers Report for January 17, 2019 Board Meeting

The following information was compiled as an investigative report to the Board for the period of November 8, 2018 through January 9, 2019. This report includes all investigations, complaints, and intake matters handled since the last report, the Division opened **two (2)** matters and closed **two (2)** matters. There are currently **six (6)** on-going matters under active investigation or pending litigation (as indicated by italics).

Matters opened by the Paralegal in Juneau, regarding continuing education audits and license action resulting from those matters are not covered in this report.

OPEN – 6

<u>Case #</u>	<u>Violation</u>	<u>Profession</u>	<u>Status</u>	<u>Status Date</u>
2018-000048	Incompetence	REAL ESTATE APPRAISER	Complaint	1/11/18
2018-000052	Misrepresentation	REAL ESTATE APPRAISER	Complaint	1/11/18
2018-000944	Falsified Application	REAL ESTATE APPRAISER	Complaint	8/16/18
2018-001261	Fraud or Misrepresentation	REAL ESTATE APPRAISER	Complaint	11/7/18
2018-001318	Violation of Licensing Regulation	REAL ESTATE APPRAISER	Complaint	11/19/18
2018-001336	Incompetence	REAL ESTATE APPRAISER	Complaint	11/19/18

CLOSED – 2

<u>Case #</u>	<u>Violation</u>	<u>Profession</u>	<u>Status</u>	<u>Status Date</u>	<u>Closure</u>
2018-001148	Incompetence	REAL ESTATE APPRAISER	Closed-Intake	12/6/18	Incomplete Complaint
2018-001149	Incompetence	REAL ESTATE APPRAISER	Closed-Intake	12/6/18	Incomplete Complaint

END OF REPORT

Break



Division Update
&
Financial Report

X. Board Finances: How Do They Work?

The division is authorized revenues and expenditures in the budget adopted annually by the Alaska State Legislature. The division’s annual budget is published by the Office of Management and Budget; fiscal year 2016 is shown below as an example in Figure 1 as the *Final FY16 Operating as Passed*. Once the budget is signed into law, it goes into effect for the next fiscal year, which begins July 1. Any adjustments to the current year’s budget are adopted as incremental or decremental supplements by the legislature during Legislative Session.

FIGURE 1: FY16 CBPL OPERATING BUDGET (IN MILLIONS):

	Final FY2016 Operating as Passed (12605)
1000 Personal Services	7,249.6
2000 Travel	677.1
3000 Services	4,074.7
4000 Commodities	110.4
5000 Capital Outlay	137.4
7000 Grants, Benefits	0.0
8000 Miscellaneous	0.0
Totals	12,249.2

The division’s operating budget is annually around \$12 to \$13 million; however, we do not receive general funds from the legislature; we are granted authority to spend the funds collected through licensing fees. While individual licensing program revenues are segregated, the total spending authority ceiling is shared among all CBPL activities. The division as a whole cannot spend more than its appropriated amount.

This total includes all aspects of administration of all professional and business licensing programs, board activity, corporation registration, and investigation expenses.

Spending authority gives the green light to expend revenues collected through licensing fees up to the stated limit in each functional area (numbers on the left are the account code series):

1000 Personal Services: Payroll and benefits for division staff (licensing, investigations, administration)

2000 Travel: All travel expenses for board members, staff, and investigators

3000 Services/Contractual:	<p>Agreements with other agencies to perform services outside the division’s expertise, including Department of Law, Office of Administrative Hearings, fingerprinting by the Department of Public Safety, inspections by Department of Environmental Conservation</p> <p>Contracts with vendors to provide services outside the state’s purview, such as printer maintenance, professional testing, program-specific consulting, postage and mailing</p>
4000 Commodities/Supplies:	Consumable supplies, such as paper, pens, envelopes, and staples
5000 Equipment/Capital Outlay:	Major durable purchases, including computers, desks, and office equipment

These functional areas shown in the division budget are the same as board members receive in the Quarterly Schedules of Revenues and Expenditures for their licensing programs and in the division’s Annual Report to the Legislature, the summary of which is included in this report as Appendix D. (The entire report, including individual licensing program detail, is on the division web site at the link shown in Appendix F.) This consistency allows board members to compare how their expenditures fit within the division’s overall spending authority—including all expenses for professional licensing functions and investigations for 40+ programs, corporations and business licensing, and administrative support for each of these sections of the division.

Professional Licensing Fee-Setting Process

The division is tasked in statute (AS 08.01.050) with proper administration of licensing fees, revenues, and expenditures. The state’s professional licensing activities are funded wholly by “receipt supported services.” This means that by statute, all costs must be covered by licensing fees.

State law delegates the responsibility for fee-setting to the division, which in turn must consult with the board when proposing changes to that program’s fees. It requires the division to “annually review each fee level to determine whether the regulatory costs of each occupation are approximately equal to fee collections.” The annual review informs fee-setting for the biennial licensing period—a cycle that, by design, collects a program’s significant source of revenue only once every two years.

Because AS 08.01.065 requires the division to assess fees that approximate the cost of that particular licensing program, boards should not maintain too large a roll-forward surplus or carry too extreme a deficit. If a licensing program collects a higher fee amount than needed, those funds carry forward from

one fiscal year to the next. The surplus may provide a future benefit to the licensees by allowing fees to be maintained or lowered and for use to offset ongoing program-specific expenses. Conversely, if the amount collected is not adequate to cover expenses, that deficit carries forward as a liability for the next fiscal year. This often results in fee increases for the next renewal or—if the deficit is significant—the deficit can be amortized through incremental increases over multiple licensing periods. (Dept. of Law opinion, Milks, 2014)

Board and Commission Review of Fiscal Documentation

Your board's staff liaison will include documentation of the board's most current finances in materials available before each scheduled meeting. In your board meeting packet, you will receive:

- Quarterly Schedule of Revenue & Expenditure (i.e. the board's quarterly report)
- Breakout of direct program expenditures

The fourth quarter report will contain all year-end revenue and expense information, including the final annual indirect allocation, as well as additional fiscal back-up documentation.

Board meetings may happen more frequently than new reports are published, which may result in a meeting without updated financial information. Please keep that in mind as meetings are scheduled.

Report publication schedule:

1st Quarter (July-September) = Reports ready the 15th of November

2nd Quarter (October-December) = Reports ready at the end of January

3rd Quarter (January-March) = Reports ready at the end of April

4th Quarter (April-June) = Reports ready mid-October

Due to the statewide year-end financial close-out process, the raw data to produce final end-of-year reports is available to the department becomes available September 1. Reporting for the various agencies within the department then requires additional time, so a little "radio silence" between May and October is necessary. Once this data is final, though, final reports will be issued, followed shortly by each program's first-quarter report.

Around this time, the division also publishes its Annual Professional Licensing Report to the Legislature, which contains a breakout of legal and investigative expenses for the prior six years. This and other reports are always available online at <https://www.commerce.alaska.gov/web/cbpl/AnnualPerformanceReports.aspx>.

Final year-end reporting is complete for FY14; each board member will receive a copy via email from their staff liaison, and these documents will also be included in board packets for the first regular meeting following this report.

Direct Expenses

Direct expenses are incurred specifically on behalf of the licensing program in implementation of the administrative and investigative responsibilities enumerated in statute to the division and/or a board appointed by the Governor.

Personal services charges (account code 1000) include the salaries and benefits of division staff working directly on behalf of a program—typically a licensing examiner, records and licensing supervisor, and investigator. Some programs may also directly utilize the services of an office assistant, project assistant, regulations specialist, paralegal, or executive administrator. Many licensing programs share staff, so only the time actually worked on their activities is charged to that program's code.

Travel expenses (2000) for board members, licensing staff, and investigators working in support of a specific licensing program are charged to that program. Travel through the state system requires adherence to the state travel policy, which is outlined in a separate document. Travel arranged directly through associations after obtaining pre-approval from the CBPL director will not reflect in a program's 2000 line of expenses.

Contractual expenses (3000) include services provided by agencies outside the division. These costs predominantly represent advice provided by an attorney with the Department of Law in conjunction with board meetings, regulations, enforcement, or appeals of board decisions. They may also include appeal expenses incurred by the Office of Administrative Hearings and expenses for licensing examinations, facilities usage, expert witnesses, credit card fees, FedEx, and other similar contracts required to support the mission of the program.

Supplies (4000) and equipment (5000) used for a program are usually fairly minimal and may include binders for board books, folders and labels for licensing files, and other tangible resources requested by a specific employee to meet the needs of their program(s). Equipment and supply requests are reviewed by a supervisor and purchased by the department through processes required by the state's procurement code.

Indirect Expenses

Indirect expenses are services and expenses that are not directly attributable to a singular program or profession. Within the Division of Corporations, Business & Professional Licensing (CBPL), costs meeting this criterion are charged to one administrative code, then allocated among the two revenue-generating units of the division: (1) Corporations and Business Licensing and (2) Professional Licensing.

CBPL's indirect costs include:

- Salaries for CBPL division management, front desk staff, and certain employees performing services for multiple programs.

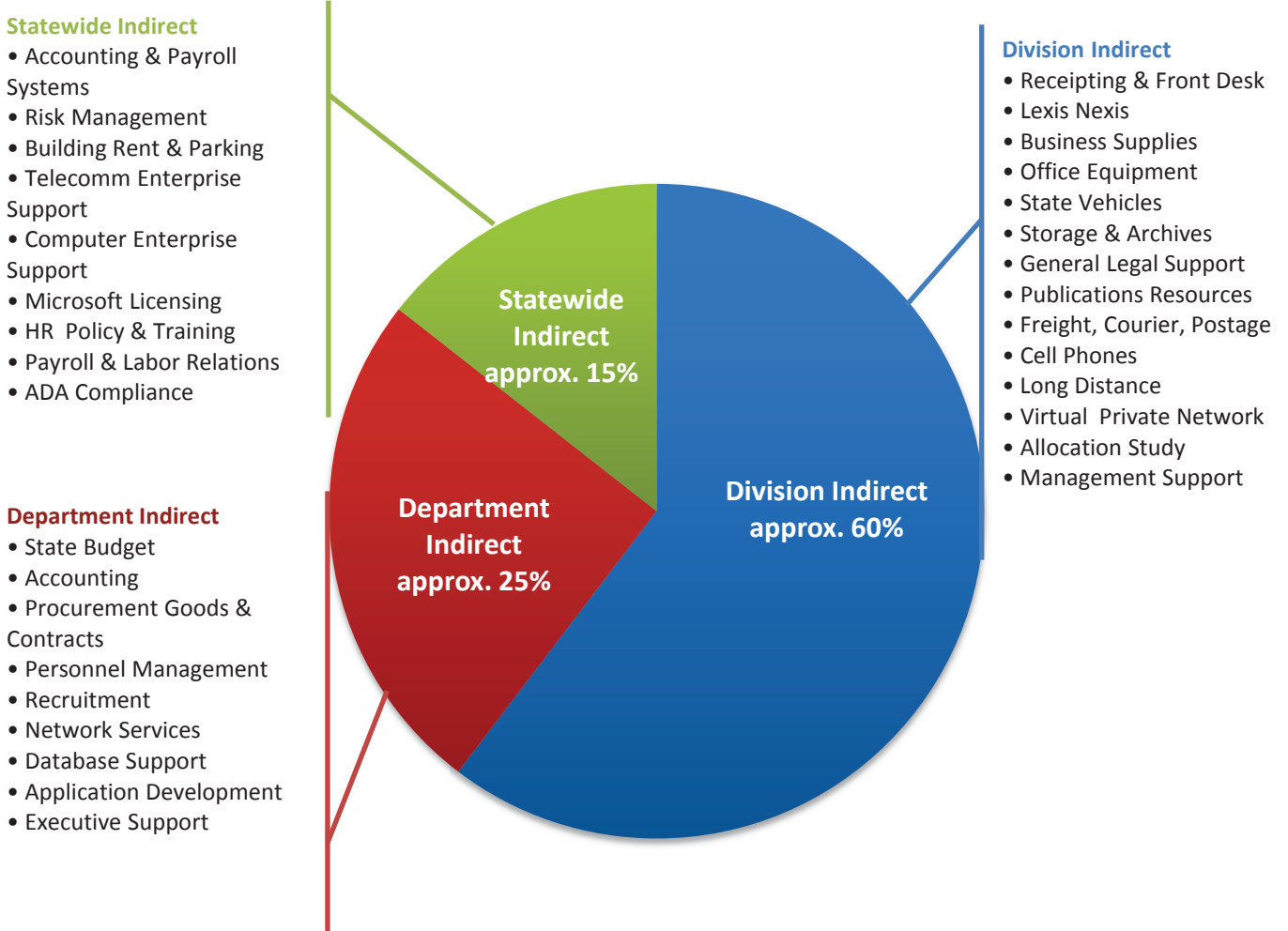
- Travel for management that is not directly chargeable to a singular program.
- Various services and commodities, such as the Lexis Nexis research database subscription, copies of statutes and regulations, records storage, purchase/lease and maintenance of printers and copiers, and other shared supplies and equipment.

It is more cost-effective for the division to share certain central resources with other agencies in the department and across the state. Department cost allocations, to which every department agency contributes, include services of the Commissioner's Office and the Division of Administrative Services (ASD). Costs are distributed equitably in accordance with a plan approved by the Office of Management and Budget and put into place in FY10.

Included in this indirect allocation are:

- Department-wide functional support areas, including fiscal oversight and accounting, network services and support, software programming and support, human resources, and procurement
- Statewide core costs for services that every state agency receives, including:
 - Department of Administration – Human Resources, Risk Management, AKSAS/AKPAY accounting systems, mail services, state-owned building rental, parking garages, Microsoft licenses, enterprise computer services, computer anti-virus protection, telecom support services, telecom PBX phones, pagers, and virtual private networks
 - Department of Labor – ADA management and compliance

FIGURE 2: BREAKDOWN OF INDIRECT ALLOCATION TO CBPL:



Indirect Expense Allocation Methodology

The division has strived to define and further refine its indirect allocation methodology since a Legislative Audit in FY11 revealed a deficiency in the indirect expenses carried by the Corporations and Business Licensing Unit. The legislature in FY12 provided \$3.4 million to recoup the indirect expenses overpaid by professional licensing programs. The division, in partnership with its sister Division of Administrative Services, undertook an exhaustive examination of all revenues and expenses for each of its professional licensing programs, ensuring each transaction was reconciled to the state accounting system. This project, sometimes referred to as the “10-year look-back,” provided boards and commissions with accurate documentation of accounting for their programs since 2001.

This effort did not make “whole” all programs that had been operating at a deficit; it only made correct the operating expenses over the last decade. Some programs converted their negative carry-forward

balances to surplus; some discovered that they were deeper in deficit than anticipated before the reconciliation. Regardless of the outcome of this massive effort in FY12, it paved the way for programs to receive transparent fiscal details—and for the division to be held accountable for its responsibility to accurately manage its fiscal affairs.

Another outflow of the project was to codify a reasonable, defensible, justifiable method of allocating indirect expenses to the division from the state and department levels—and then within the division across the work units and various licensing programs. From FY12-FY13, indirect expenses were allocated to the division according to level of effort, then distributed further to professional licensing programs by licensee count.

In FY14, from this position of strength, CBPL launched a deeper analysis of indirect costs. The result led to implementation of three new indirect allocation methodologies, as represented in Figure 4, below:

- 1) Allocating costs, both statewide and departmental, to agencies based on PCN, or position, count. It was determined that the division should be consistent with the statewide and department allocation methodology whenever possible. This methodology is based on percentage of time coded to each program; these percentages are driven by payroll reports for each position.

Examples of CBPL indirect expenses now allocated by PCN count are indicated by account code; a full explanation of each line of account code can be found on the Department of Administration's website.

Statewide (per federally approved cost allocation plans):

- 3805 IT/Non-Telecom
- 3806 IT/Telecom
- 3810 Human Resources
- 3811 Building Leases

Departmental:

- 3155 Software Maintenance
- 3979 Management/Consulting (support from the Division of Administrative Services and Commissioner's Office)

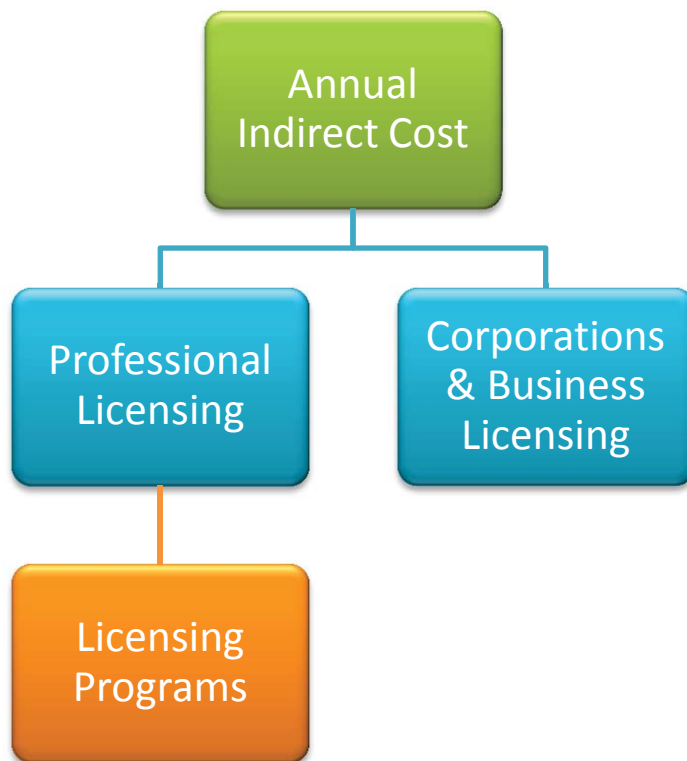
- 2) Allocation of CBPL personal services costs for administrative and accounting activity during high-volume renewal cycles. Following a review of CBPL administrative staff personal services, specifically the receipting staff & a portion of their supervisor's time, resulted in an updated allocation based on the number of transactions staff processed for each program in the department's receipting system.

This change resulted in the Business Licensing and Corporations programs paying a more accurate, higher percentage of the administrative staff's personal services costs due to the fact that there is a higher volume of business license and corporations transactions processed when compared to

professional licensing transactions. Professional Licensing programs were charged for 49.2% (\$193.9) of the personal services of CBPL administrative staff in FY14 vs. 84% (\$331.2) they would have been allocated if maintaining the allocation methodology used in FY13.

3) Allocation of ASD personal services costs for administrative and accounting activity during high-volume renewal cycles. The allocation for ASD revenue support staff that process CBPL's accounting transactions was similarly adjusted, now driven by the count of financial lines entered to the State Accounting System for each program.

FIGURE 4: INDIRECT ALLOCATION WITHIN CBPL



Looking forward, indirect expenses are expected to increase since Undesignated General Fund (UGF) allocations are being reduced to the DCCED Division of Administrative Services, Department of Administration, and other agencies providing services to CBPL. As positions are cut in other DCCED divisions, CBPL's percentage of costs allocated by PCN from the department to divisions will increase. As this dynamic will change year to year, division management will keep board members informed.

Division Update & Financial Report

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Board of Certified Real Estate Appraisers
Schedule of Revenues and Expenditures

	FY 12	FY 13	FY 14	FY 15	FY16	FY17	FY18
Licensing Revenue	\$ 42,190	\$ 269,948	\$ 56,250	\$ 279,525	\$ 49,440	\$ 272,590	\$ 76,010
Allowable Third Party Reimbursement	-	-	1,499	-	-	5,827	\$ 1,534
Total Revenue	42,190	269,948	57,749	279,525	49,440	278,417	77,544
Direct Expenditures							
Personal Services	78,181	46,148	34,915	53,294	44,158	33,252	70,136
Travel	8,534	3,759	2,920	2,217	12,596	13,106	16,384
Contractual	56,720	44,699	14,955	33,616	3,008	5,288	11,180
Supplies	233	61	24	42	22	13	716
Equipment	-	-	-	-	-	-	-
Total Direct Expenditures	143,668	94,667	52,814	89,169	59,784	51,659	98,416
Indirect Expenditures*	15,739	18,583	20,937	33,105	21,626	18,550	36,827
Total Expenses	159,407	113,250	73,751	122,274	81,410	70,209	135,243
Annual Surplus (Deficit)	(117,217)	156,698	(16,002)	157,251	(31,970)	208,208	(57,699)
Beginning Cumulative Surplus (Deficit)	17,823	(99,394)	57,304	41,302	198,553	166,583	374,791
Ending Cumulative Surplus (Deficit)	\$ (99,394)	\$ 57,304	\$ 41,302	\$ 198,553	\$ 166,583	\$ 374,791	\$ 317,092

The 4th quarter board reports reflect the current year's actual indirect expenses allocated to the boards.

Appropriation	(All)
Activity Code	APR1

Sum of Expenditures Row Labels	Column Labels			
	1000 - Personal Services	2000 - Travel	3000 - Services	4000 - Commodi ties
1011 - Regular Compensation	28,778.04			
1023 - Leave Taken	2,487.16			
1028 - Alaska Supplemental Benefit	1,921.01			
1029 - Public Employee's Retirement System Defined Benefits	175.04			
1030 - Public Employee's Retirement System Defined Contribution	1,572.42			
1034 - Public Employee's Retirement System Defined Cont Health Reim	1,191.50			
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	313.57			
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	3,625.46			
1039 - Unemployment Insurance	83.87			
1040 - Group Health Insurance	10,155.07			
1041 - Basic Life and Travel	16.09			
1042 - Worker's Compensation Insurance	299.93			
1047 - Leave Cash In Employer Charge	721.88			
1048 - Terminal Leave Employer Charge	398.65			
1053 - Medicare Tax	430.98			
1069 - SU Business Leave Bank Contributions	10.91			
1077 - ASEA Legal Trust	49.05			
1079 - ASEA Injury Leave Usage	1.77			
1080 - SU Legal Trst	13.73			
1970 - Personal Services Transfer	17,889.78			
2000 - In-State Employee Airfare		1,702.58		
2001 - In-State Employee Surface Transportation		97.64		
2002 - In-State Employee Lodging		675.00		
2003 - In-State Employee Meals and Incidentals		457.00		
2005 - In-State Non-Employee Airfare		281.08		
2007 - In-State Non-Employee Lodging		298.00		
2008 - In-State Non-Employee Meals and Incidentals		270.00		
2009 - In-State Non-Employee Taxable Per Diem		154.00		
2010 - In-State Non-Employee Non-Taxable Reimbursement		658.37		
2012 - Out-State Employee Airfare		5,271.35		
2013 - Out-State Employee Surface Transportation		219.86		
2014 - Out-State Employee Lodging		3,718.14		
2015 - Out-State Employee Meals and Incidentals		1,176.00		
2017 - Out-State Non-Employee Airfare		402.66		
2020 - Out-State Non-Employee Meals and Incidentals		259.00		
2022 - Out-State Non-Employee Non-Taxable Reimbursement		728.44		
2036 - Cash Advance Fee		15.34		
2970 - Travel Cost Transfer		-		
3000 - Training/Conferences			2,954.90	
3002 - Memberships			450.00	
3023 - Expert Witness			3,484.50	
3044 - Courier			10.63	
3045 - Postage			99.25	
3046 - Advertising			636.55	
3057 - Structure, Infrastructure and Land - Rentals/Leases			83.13	
3067 - Honorariums/Stipend			16.00	
3069 - Commission Sales			129.00	
3088 - Inter-Agency Legal			2,817.09	
3094 - Inter-Agency Hearing/Mediation			216.70	
4000 - Books and Educational Supplies				585.00
4002 - Business Supplies				104.63
4003 - Information Technology Equipment				26.00
3085 - Inter-Agency Mail			282.00	
Grand Total	70,135.91	16,384.46	11,179.75	715.63

FY 2018 CBPL COST ALLOCATIONS

Name	Activity Code	Direct Revenues	3rd Party Reimbursement	Total Revenues	Direct Expense	Percentage of board licenses/total licensees:	Division receiving personal services by transaction %:	Department Personal Services - Fiscal Revenue personal services by transaction %	Indirect Expense (Total Non-PCN Allocated)	Percentage of direct personal services:	Total Indirect Expenses	Total Expenses	2018 Annual Surplus (Deficit)
Acupuncture	ACU1	\$ 4,875	\$ -	\$ 4,875	\$ 6,772	\$ 2,955	\$ 342	\$ 259	\$ 3,566	2,387	\$ 5,943	\$ 12,715	\$ (7,840)
Architects, Engineer	AEL1	\$ 909,305	\$ 13,692	\$ 922,997	\$ 365,518	\$ 183,868	\$ 20,083	\$ 4,202	\$ 208,153	110,051	\$ 318,204	\$ 683,722	\$ 239,275
Athletic Trainers	ATH1	\$ 15,965	\$ -	\$ 15,965	\$ 1,934	\$ 1,083	\$ 135	\$ 309	\$ 1,527	726	\$ 2,253	\$ 4,187	\$ 11,778
Audiology/Speech Pathologists	AUD1	\$ 37,685	\$ -	\$ 37,685	\$ 33,745	\$ 19,195	\$ 2,921	\$ 1,364	\$ 23,480	12,577	\$ 36,057	\$ 69,802	\$ (32,117)
Barbers & Hairdressers	BAH1	\$ 1,210,958	\$ -	\$ 1,210,958	\$ 370,573	\$ 192,033	\$ 27,986	\$ 9,220	\$ 229,239	113,491	\$ 342,730	\$ 713,303	\$ 497,655
Behavior Analysts	BEV1	\$ 7,815	\$ -	\$ 7,815	\$ 4,167	\$ 1,286	\$ 176	\$ 169	\$ 1,631	1,118	\$ 2,749	\$ 6,916	\$ 899
Chiropractors	CHI1	\$ 36,390	\$ 505	\$ 36,895	\$ 87,493	\$ 8,548	\$ 1,719	\$ 1,065	\$ 11,332	22,375	\$ 33,707	\$ 121,200	\$ (84,305)
Collection Agencies	COA1	\$ 152,230	\$ -	\$ 152,230	\$ 29,563	\$ 20,954	\$ 2,134	\$ 1,125	\$ 24,213	9,571	\$ 33,784	\$ 63,347	\$ 88,883
Concert Promoters	CPR1	\$ 1,205	\$ -	\$ 1,205	\$ 874	\$ 519	\$ 114	\$ 110	\$ 743	338	\$ 1,081	\$ 1,955	\$ (750)
Construction Contractors	CON1	\$ 895,543	\$ -	\$ 895,543	\$ 614,413	\$ 221,512	\$ 24,133	\$ 6,233	\$ 251,878	119,600	\$ 371,478	\$ 985,891	\$ (90,348)
Home Inspectors	HIN1	\$ 21,035	\$ -	\$ 21,035	\$ 6,630	\$ 2,819	\$ 155	\$ 428	\$ 3,402	2,497	\$ 5,899	\$ 12,529	\$ 8,506
Dental	DEN1	\$ 179,011	\$ -	\$ 179,011	\$ 225,001	\$ 116,023	\$ 7,934	\$ 2,380	\$ 126,337	62,459	\$ 188,796	\$ 413,797	\$ (234,786)
Dietitians/Nutritionists	DTN1	\$ 34,685	\$ -	\$ 34,685	\$ 5,527	\$ 7,037	\$ 766	\$ 1,215	\$ 9,018	2,009	\$ 11,027	\$ 16,554	\$ 18,131
Direct Entry Midwife	MID1	\$ 24,565	\$ -	\$ 24,565	\$ 17,315	\$ 1,376	\$ 217	\$ 149	\$ 1,742	5,322	\$ 7,064	\$ 24,379	\$ 186
Dispensing Opticians	DOP1	\$ 8,465	\$ -	\$ 8,465	\$ 18,731	\$ 4,759	\$ 549	\$ 319	\$ 5,627	7,093	\$ 12,720	\$ 31,451	\$ (22,986)
Electrical Administrator	EAD1	\$ 183,575	\$ -	\$ 183,575	\$ 60,636	\$ 23,457	\$ 3,905	\$ 2,529	\$ 29,891	10,066	\$ 39,957	\$ 100,593	\$ 82,982
Euthanasia Services	EUT1	\$ 125	\$ -	\$ 125	\$ 76	\$ 338	\$ 31	\$ 60	\$ 429	29	\$ 458	\$ 534	\$ (409)
Geologists	GEO1	\$ 920	\$ -	\$ 920	\$ 1,011	\$ 316	\$ 197	\$ 179	\$ 692	369	\$ 1,061	\$ 2,072	\$ (1,152)
Guardians/Conservators	GCO1	\$ 2,688	\$ -	\$ 2,688	\$ 1,733	\$ 383	\$ 41	\$ 50	\$ 474	621	\$ 1,095	\$ 2,828	\$ (140)
Guide-Outfitters	GUI1	\$ 1,122,760	\$ -	\$ 1,122,760	\$ 378,702	\$ 39,020	\$ 14,428	\$ 4,879	\$ 58,327	84,045	\$ 142,372	\$ 521,074	\$ 601,686
Marine Pilots	MAR1	\$ 6,100	\$ -	\$ 6,100	\$ 103,406	\$ 3,428	\$ 207	\$ 110	\$ 3,745	32,195	\$ 35,940	\$ 139,346	\$ (133,246)
Foreign Pleasure Craft	FPC1	\$ 85,050	\$ -	\$ 85,050	\$ 7,520	\$ -	\$ 259	\$ 110	\$ 369	2,850	\$ 10,739	\$ 74,311	\$ 74,311
Marital & Family Therapy	MFT1	\$ 7,975	\$ -	\$ 7,975	\$ 46,122	\$ 2,346	\$ 269	\$ 259	\$ 2,874	14,232	\$ 17,106	\$ 63,228	\$ (55,253)
Massage Therapists	MAS1	\$ 346,505	\$ 1,161	\$ 347,666	\$ 275,296	\$ 33,787	\$ 10,627	\$ 4,212	\$ 48,626	57,328	\$ 105,954	\$ 381,250	\$ (33,584)
Mechanical Administrator	MEC1	\$ 140,540	\$ -	\$ 140,540	\$ 42,623	\$ 14,728	\$ 2,393	\$ 1,952	\$ 19,073	8,258	\$ 27,331	\$ 69,954	\$ 70,586
Medical	MED1	\$ 347,304	\$ 3,517	\$ 350,821	\$ 835,051	\$ 160,997	\$ 23,957	\$ 4,431	\$ 189,385	265,121	\$ 454,506	\$ 1,289,557	\$ (938,736)
Mortuary Science	MOR1	\$ 3,525	\$ -	\$ 3,525	\$ 4,617	\$ 3,564	\$ 269	\$ 239	\$ 4,072	1,644	\$ 5,716	\$ 10,333	\$ (6,808)
Naturopaths	NAT1	\$ 77,640	\$ -	\$ 77,640	\$ 16,825	\$ 1,218	\$ 207	\$ 239	\$ 1,664	1,741	\$ 3,405	\$ 20,230	\$ 57,410
Nurse Aides	NUA1	\$ 416,180	\$ -	\$ 416,180	\$ 291,375	\$ 99,940	\$ 17,318	\$ 3,735	\$ 120,993	68,460	\$ 189,453	\$ 480,828	\$ (64,648)
Nursing	NUR1	\$ 814,178	\$ 1,666	\$ 815,844	\$ 1,213,025	\$ 440,702	\$ 43,221	\$ 9,648	\$ 493,571	336,688	\$ 830,259	\$ 2,043,284	\$ (1,227,440)
Nursing Home Administrators	NHA1	\$ 1,740	\$ 131	\$ 1,871	\$ 7,888	\$ 1,308	\$ 124	\$ 60	\$ 1,492	1,685	\$ 3,177	\$ 11,065	\$ (9,194)
Optometry	OPT1	\$ 8,900	\$ 1,000	\$ 9,900	\$ 78,027	\$ 4,962	\$ 383	\$ 249	\$ 5,594	24,519	\$ 30,113	\$ 108,140	\$ (98,240)
Pawnbrokers	PAW1	\$ 20,300	\$ -	\$ 20,300	\$ 865	\$ 744	\$ 73	\$ 229	\$ 1,046	322	\$ 1,368	\$ 2,233	\$ 18,067
Pharmacy	PHA1	\$ 801,317	\$ 210	\$ 801,527	\$ 309,070	\$ 128,112	\$ 24,071	\$ 3,774	\$ 155,957	103,723	\$ 259,680	\$ 568,750	\$ 232,777
Physical/Occupational Therapy	PHY1	\$ 405,168	\$ 1,064	\$ 406,232	\$ 119,083	\$ 46,035	\$ 7,675	\$ 2,937	\$ 56,647	41,206	\$ 97,853	\$ 216,936	\$ 189,296
Professional Counselors	PCO1	\$ 345,905	\$ 246	\$ 346,151	\$ 94,113	\$ 18,540	\$ 3,221	\$ 2,509	\$ 24,270	28,620	\$ 52,890	\$ 147,003	\$ 199,148
Psychology	PSY1	\$ 17,080	\$ 1,017	\$ 18,097	\$ 72,032	\$ 6,541	\$ 829	\$ 587	\$ 7,957	18,943	\$ 26,900	\$ 98,932	\$ (80,835)
Public Accountancy	CPA1	\$ 730,935	\$ 6,580	\$ 737,515	\$ 265,624	\$ 40,960	\$ 6,090	\$ 2,579	\$ 49,629	76,215	\$ 125,844	\$ 391,468	\$ 346,047
Real Estate	REC1	\$ 766,875	\$ -	\$ 766,875	\$ 197,108	\$ 93,129	\$ 20,321	\$ 3,893	\$ 117,343	63,165	\$ 180,508	\$ 377,616	\$ 389,259
Real Estate Appraisers	APR1	\$ 76,010	\$ 1,534	\$ 77,544	\$ 98,416	\$ 7,714	\$ 1,699	\$ 846	\$ 10,259	26,568	\$ 36,827	\$ 135,243	\$ (57,699)
Social Workers	CSW1	\$ 250,209	\$ 1,116	\$ 251,325	\$ 95,707	\$ 21,269	\$ 3,470	\$ 2,011	\$ 26,750	30,588	\$ 57,338	\$ 153,045	\$ 98,280
Storage Tank Workers	UST1	\$ 17,105	\$ -	\$ 17,105	\$ 3,530	\$ 1,669	\$ 684	\$ 468	\$ 2,821	1,329	\$ 4,150	\$ 7,680	\$ 9,425
Veterinary	VET1	\$ 57,225	\$ -	\$ 57,225	\$ 79,311	\$ 19,848	\$ 2,662	\$ 1,275	\$ 23,785	28,190	\$ 51,975	\$ 131,286	\$ (74,061)
No longer existent board/commission (ie Athletic)													
Totals All Boards		\$ 10,593,566	\$ 33,439	\$ 10,627,005	\$ 6,487,048	\$ 1,999,022	\$ 277,995	\$ 82,596	\$ 2,359,613	\$ 1,800,334	\$ 4,159,947	\$ 10,646,995	\$ (19,990)

ABL & Corporations	080801005	\$ 9,564,539	\$ -	\$ 9,564,539	\$ 1,087,580	\$ 108,258	\$ 269,779	\$ 9,178	\$ 387,215	\$ 138,603	\$ 525,818	\$ 1,613,398	
Fines & Forfeit GF		174,538		174,538									-
Revenue Transfer In (Carry Forward)	CFWD	20,763		20,763									-
Reimbursable Service Agreements AR 080801007		-		-									-
RSA 0680470- DHSS Nurse Aide Program		120,000		120,000	120,000								120,000
RSA 0680378- DHSS PDMP		200,000		200,000	200,000								200,000
RSA 0680154- DHSS EPI PDMP		59,500		59,500	59,500								59,500
RSA 0680579- DHSS PDMP		34,391		34,391	34,391								34,391
RSA 0480042 Child Support Assistance		2,139		2,139	2,139								2,139
RSA 0880179- Publication Specialist Duties		222		222	222								222
Real Estate Recovery Fund	ZSU1	132,315		132,315	126,264								126,264
Clear SDRP training	8000		1,306	1,306	1,306								1,306
Total CBPL		\$ 20,901,973	\$ 34,745	\$ 20,936,718	\$ 8,118,450	\$ 2,107,280	\$ 547,774	\$ 91,774	\$ 2,746,828	\$ 1,938,937	\$ 4,685,765	\$ 12,804,215	

12,804,215

Indirect Expense Allocated by License %: license count by board / total professional licenses currently active Note: does not include Geologists
HIN1 and CON1 combined for board reports

DIVISION INDIRECT EXPENSES	Total		Prof Lic	Corp & Bus Lic
Percentage of direct personal services:				
Business Supplies	21,186		20,259	927
Office Equipment	82,223	**	73,972	8,251
State Vehicles	4,908		4,458	450
Storage and Archives	7,130		7,127	3
Legal Support	21,233		21,233	-
Mail postage	19,962		33,034	(13,072)
Software Licensing and Maintenance	54,275	***	53,533	742
Division coding adjustment - conversion				
Division Administrative Expenses - all other	354,300		350,369	3,931
Division allocated by percentage of direct personal services:	565,217		563,985	1,232
Percentage of board licenses/total licensees:				
Division supervisors of receiving Personal Services 75%	143,358	****	129,022	14,336
Receiving Personal Services 40%	333,326	****	299,993	33,333
Investigations indirect Personal Services	391,513	*****	362,108	29,405
Division Administration Personal Services	511,173		462,870	48,303
Professional License Administration Personal Services	131,941		219,324	(87,383)
Division allocated by percentage of board licenses/total licensees:	1,511,311		1,473,317	37,994
Receiving personal services by transaction %:				
Division supervisors of receiving Personal Services 25%	47,786	****	24,251	23,535
Receiving Personal Services 60%	499,988	****	253,744	246,244
Division receiving personal services by transaction %:	547,774		277,995	269,779
Total Division Indirect Expenses	2,624,302		2,315,297	309,005
DEPARTMENT INDIRECT EXPENSES				
Percentage of direct personal services:				
Commissioner's Office	201,103		180,993	20,110
Administrative Services - Director's Office	60,198		54,178	6,020
Administrative Services - Human Resources	69,920		62,928	6,992
Administrative Services - Fiscal	84,892		76,403	8,489
Administrative Services - Budget	56,286		50,657	5,629
Administrative Services - Information Technology	146,370		131,733	14,637
Administrative Services - Information Technology - Network & Database	147,192		132,473	14,719
Administrative Services - Mail postage	8,704		7,834	870
Administrative Services - Facilities - Maintenance	9,772		8,795	977
Department allocated by percentage of direct personal services:	784,437		705,994	78,443
Percentage of board licenses/total licensees:				
Department administrative services support: Fiscal, IT, Procurement	595,969	*	525,705	70,264
Receiving personal services by transaction %:				
Department Personal Services - Fiscal Revenue personal services by transaction %	91,774		82,596	9,178
Total DEPARTMENT INDIRECT EXPENSES	1,472,180	****	1,314,295	157,885
STATEWIDE INDIRECT EXPENSES				
Percentage of direct personal services:				
Accounting and Payroll Systems	16,397		14,757	1,640
State Owned Building Rental (Building Leases)	303,308	*****	272,977	30,331
Human Resources	63,573		57,216	6,357
IT Non-Telecommunications	75,572	*****	68,015	7,557
IT Telecommunications	128,543	*****	115,689	12,854
Risk Management	1,890		1,701	189
Statewide allocated by percentage of direct personal services:	589,283		530,355	58,928
FY18 TOTALS BY METHODOLOGY				
Percentage of direct personal services:	1,938,937		1,800,334	138,603
Percentage of board licenses/total licensees:	2,107,280		1,999,022	108,258
Receiving personal services by transaction %:	639,548		360,591	278,957
Grand Total	4,685,765		4,159,947	525,818

Review Tabled Applications for Board Vote

(Executive Session if needed)

EXECUTIVE SESSION MOTION

I, _____, move that the Alaska State Board of Certified Real Estate Appraisers 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.**

THE ALASKA BOARD OF CERTIFIED
REAL ESTATE APPRAISERS MAIL BALLOT
Please review the attached license application.

Applicant: _____

Application Type: Certified Residential Certified General Trainee Supervisor

Certified By: Exam Reciprocity Endorsement Trainee/Supervisor

I, _____ have reviewed the application of the above named applicant and vote to:

- Approve the application
- Approve the application pending
- Deny the application
- Table the application until the next meeting
- Abstain from voting

Selected Work Product (if applicable) (Assigning Members are Wendy Lawrence-R and David Derry-G):

Comments:

NOTE: If the vote is to approve pending, tabled, or is a conflict of interest, a **specific reason must be indicated in the comment field** above. If the vote to approve is denied, the **denial must be indicated in the comment field above and be accompanied by the applicable statute and/or regulation.**

IMPORTANT NOTICE: Board action on the matter noted above is being taken via a mail vote in accordance with AS 44.62.600. Due to open meeting requirements in this State, members are reminded not to discuss this matter with one another. If a member feels there are questions or concerns which warrant discussion by the Board prior to voting, the Licensing Examiner should be contacted. Depending upon the time frame involved, action on this matter may be delayed until a regularly scheduled meeting of the Board, or a special teleconference may be convened as applicable. **As a member of the Board of Certified Real Estate Appraisers, I have reviewed the above application and voted as indicated as above**

Signature
Board of Certified Real Estate Appraisers

Date

Public Comment

**NOTICE OF PROPOSED CHANGES RELATING TO APPRAISER QUALIFICATIONS
AND APPRAISAL MANAGEMENT COMPANY REGISTRATION, IN THE
REGULATIONS OF THE BOARD OF CERTIFIED REAL ESTATE APPRAISERS**

BRIEF DESCRIPTION: The Board of Certified Real Estate Appraisers proposes to update regulations regarding qualifications for appraisers and registration of Appraisal Management Companies, to implement changes to AS 08.87 enacted under Chapter 67, SLA 18 (SB155).

The Board of Certified Real Estate Appraisers (Board) proposes to adopt regulation changes in Title 12, Chapter 70 of the Alaska Administrative Code including the following:

1. **12 AAC 70.108. Work experience requirements for real estate appraiser certification**, is proposed to be changed to amend work experience requirements.
2. **12 AAC 70.115. Education requirements for real estate appraiser certification**, is proposed to be changed to amend the educational requirements.
3. **12 AAC 70.140. Standards for acceptable education**, is proposed to be changed to adopt by reference the updated Real Property Appraiser Qualification Criteria.
4. **12 AAC 70.160. Real estate appraisal management company registration**, is a proposed new section outlining application requirements for appraisal management companies.
5. **12 AAC 70.165. Real estate appraisal management company and panel standards**, is a proposed new section describing who must register as a real estate appraisal management company, requirements for appraisers, and reporting to the board of a change of an owner, or other person associated with the company.
6. **12 AAC 70.170. Renewal of an appraisal management company registration**, is a proposed new section describing the requirements for renewal of an appraisal management company registration.
7. **12 AAC 70.175. Annual reporting and federal registry requirements for appraisal management companies**, is a proposed new section describing the requirements for submitting the annual appraiser panel federal registry fee.
8. **12 AAC 70.180. Retention of records and inspection by the board**, is a proposed new section requiring appraisal management companies to retain records of appraisals, and make available to the board upon request.
9. **12 AAC 70.990. Definitions**, is proposed to be changed to amend the definition of “appraisal experience.”

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Sher Zinn, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974 and by electronic mail at RegulationsAndPublicComment@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/192250>, and using the comment link. **The comments must be received not later than 5:00 p.m. on January 4, 2019.** Comments received after this deadline will not be considered by the Board.

You may submit written questions relevant to the proposed action to Sher Zinn, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at RegulationsAndPublicComment@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Board will aggregate its response to substantially

similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/RealEstateAppraisers.aspx>.

The Board may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Sher Zinn at (907) 465-1049 or RegulationsAndPublicComment@alaska.gov, not later than December 27, 2018, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Sher Zinn at (907) 465-1049 or RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/APR-1118.pdf>.

After the public comment period ends, the Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.01.065; AS 08.01.100; AS 08.87.020; AS 08.87.110; AS 08.87.130; AS 08.87.135; AS 08.87.145; AS 08.87.150; AS 08.87.310

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.065; AS 08.01.100; AS 08.87.020; AS 08.87.110; AS 08.87.130; AS 08.87.135; AS 08.87.145; AS 08.87.150; AS 08.87.310

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 12/4/18

/s/
Sher Zinn, Regulations Specialist
Division of Corporations, Business and
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

ADDITIONAL REGULATION NOTICE INFORMATION (AS 44.62.190(d))

- 1. Adopting agency:** Board of Certified Real Estate Appraisers – Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
- 2. General subject of regulation:** Updates to regulations concerning initial qualifications for appraisers, and new regulations regarding registration of Appraisal Management Companies.
- 3. Citation of regulations:** 12 AAC 70.108; 12 AAC 70.115; 12 AAC 70.140; 12 AAC 70.160; 12 AAC 70.165; 12 AAC 70.170; 12 AAC 70.175; 12 AAC 70.180; 12 AAC 70.990

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 70.108(a) is amended to read:

(a) An applicant for certification as a general real estate appraiser shall submit verification of 3,000 hours of appraisal work obtained continuously over a period of not less than **18** [30] months. At least 1,500 hours of the appraisal work must be in nonresidential appraisal work. The board will only accept work experience that was obtained after January 30, 1989 and was performed in compliance with [STANDARD 1 AND STANDARD 2 OF] the Uniform Standards of Professional Appraisal Practice (USPAP) in effect at the time that the work experience was obtained.

12 AAC 70.108(b) is amended to read:

(b) An applicant for certification as a residential real estate appraiser shall submit verification of **1,500** [2,500] hours of appraisal experience obtained continuously over a period of not less than **12** [24] months. The board will only accept work experience that was obtained after January 30, 1989 and was performed in compliance with [STANDARD 1 AND STANDARD 2 OF] the USPAP in effect at the time that the work experience was obtained. (Eff. 12/13/94, Register 133; am 2/13/2002, Register 161; am 4/16/2004, Register 170; am 5/24/2007, Register 182; am 9/14/2012, Register 203; am ____/____/____, Register ____)

Authority: AS 08.87.020

The lead in language of 12 AAC 70.115(b) is amended to read:

(b) An applicant for the Appraiser Qualification Board approved examination for certification as a general real estate appraiser shall document satisfactory completion of 300 creditable classroom hours as specified in the following core curriculum[, OF WHICH AT LEAST 150 HOURS MUST BE COMPLETED NOT LATER THAN THE FIVE YEARS IMMEDIATELY PRECEDING THE DATE OF A COMPLETE APPLICATION]:

12 AAC 70.115(b)(10) is amended to read:

(10) appraisal subject matter electives, 30 hours, **and may include hours over the minimum of the course topics required under this subsection.**

12 AAC 70.115(c) is amended to read:

(c) An applicant for certification as a residential real estate appraiser must document satisfactory completion of 200 creditable classroom hours of instruction that meet the requirements in 12 AAC 70.140 with emphasis on appraisal of residential properties, and **one of the following:**

(1) a bachelor's degree or higher in any field from an accredited college or university;

(2) an associate's degree in a field of study related to business administration, accounting, finance, economics, or 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, three hours;

(B) microeconomics, three hours;

(C) macroeconomics, three hours;

(D) finance, three hours;

(E) algebra, geometry, or higher mathematics, three hours;

(F) statistics, three hours;

(G) computer science, three hours;

(H) business or real estate law, 3 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 hours each; or

(4) successful completion of at least 30 semester hours of the College Level

Examination Program (CLEP) examination in the following specific topic areas and hours;

(A) college algebra, three hours;

(B) college composition, six hours;

(C) college composition modular, three hours;

(D) college mathematics, six hours;

(E) principles of macroeconomics, three hours;

(F) principles of microeconomics, three hours;

(G) introductory business law, three hours; and

(H) information systems, three hours.

The lead in language of 12 AAC 70.115(d) is amended to read:

(d) An applicant for the Appraiser Qualification Board examination for certification as a residential real estate appraiser shall document satisfactory completion of 200 creditable classroom hours as specified in the following core curriculum[, OF WHICH AT LEAST 100 HOURS MUST BE COMPLETED NOT LATER THAN THE FIVE YEARS IMMEDIATELY PRECEDING THE DATE OF A COMPLETE APPLICATION]:

12 AAC 70.115(d)(10) is amended to read:

(10) appraisal subject matter electives, 20 hours, **and may include hours over the minimum of the course topics required under this subsection.**

(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 70.140(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 Appraiser Qualification Criteria developed by the Appraiser Qualifications Board of the Appraisal Foundation, *The Real Property Appraiser Qualification Criteria* effective **May 1, 2018** [JANUARY 1, 2015], 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 10/18/2017, Register 224; am ____/____/____, 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 70.160. Real estate appraisal management company registration. (a) An applicant for registration as a real estate appraisal management company shall submit

(1) a complete notarized application on a form approved by the board and provided by the department that includes

(A) the names and addresses of all owners of the company, including natural persons or entities;

(B) the name of the registered agent if applicable under AS 08.87.135(a)(2);

(C) a list of all certified appraisers;

(D) a list of all states in which the appraisal management company performs appraisals;

(E) the name of the controlling person and evidence satisfactory to the board the controlling person

(i) has an active real estate appraiser certificate in good standing in a state;

(ii) has not had a real estate appraiser certificate denied, cancelled,

suspended, revoked, put on probation, or surrendered in accordance with

AS 08.87.135(b)(2);

(iii) is of good moral character; and

(F) certification the

(i) appraisers on the appraiser panel are in compliance with the Uniform Standards of Professional Appraisal Practice (USPAP) and are qualified to conduct federally related transactions under federal law;

(ii) owners are in compliance with (b) of this section; and

(iii) appraisals are conducted independently and free from inappropriate influence and coercion as required by AS 08.87.135(a)(6);

(2) the applicable fees required in 12 AAC 02.370; and

(3) a copy of a surety bond in the amount of \$50,000.

(b) A person who owns more than 10 percent of a real estate management company must be of good moral character as defined in this section, and may not have had a real estate appraiser certificate denied, cancelled, suspended, revoked, put on probation, or surrendered in accordance with AS 08.87.135(a)(7).

(c) “Good moral character” under this section is defined as a personal history of honesty, fairness, and respect for the rights of others and for state and federal law. A person applying for a registration is ineligible for registration due to failure to satisfy the requirement of good moral character if

(1) there is substantial connection between the lack of good moral character of the person and the professional responsibilities of an appraiser, a controlling person, or owner of an

appraisal management company; and

(2) the finding by the board of lack of good moral character is supported by clear and convincing evidence. (Eff. ____/____/____, Register _____)

Authority: AS 08.87.020 AS 08.87.130 AS 08.87.135

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

12 AAC 70.165. Real estate appraisal management company and panel standards.

On or after March 1, 2019, a real estate appraisal management company operating in the state shall

(1) be registered in this state if the appraisal management company oversees a panel of more than 15 appraisers certified in this state, or 25 or more appraisers certified in two or more states within a 12-month period;

(2) have a process in place to verify all appraisers are certified by the state and in good standing, and have geographic competency for the market area in which the appraisal is performed; and

(3) report to the board on a form provided by the department and submit the fee required in 12 AAC 02.370(b)(4) within 30 days of a change of

(A) the designated controlling person who meets the requirements of 12 AAC 70.160(a)(1)(E);

(B) an owner who owns more than 10 percent of the company who meets the requirements of 12 AAC 70.160(b); or

Register _____, _____ 2019 PROFESSIONAL REGULATIONS

(C) an employee, director, officer, or agent. (Eff. ____/____/____,

Register _____)

Authority: AS 08.01.065 AS 08.87.130 AS 08.87.135
AS 08.87.020

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

12 AAC 70.170. Renewal of an appraisal management company registration. A registered appraisal management company applying for renewal of a registration shall submit

- (1) a completed renewal application, on a form provided by the department that meets the requirements of AS 08.87.135(e);
- (2) the renewal fee required in 12 AAC 02.370; and
- (3) proof of current bonding as described in 12 AAC 70.160(a)(3).

(Eff. ____/____/____, Register _____)

Authority: AS 08.01.065 AS 08.87.130 AS 08.87.135
AS 08.01.100

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

12 AAC 70.175. Annual reporting and federal registry requirements for appraisal management companies. (a) A registered appraisal management company shall report annually on a form provided by the department and submit the registry fee required in 12 AAC 02.370(b)(5) for each appraiser on the appraiser panel performing appraisals for federally related transactions during the preceding calendar year.

(b) Federally regulated appraisal management companies shall report annually to the

board information required by AS 08.87.150 on a form provided by the department and submit the registry fee required in 12 AAC 02.370(b)(5) for each appraiser on the appraiser panel performing appraisals for federally related transactions during the preceding calendar year. (Eff. ____/____/____, Register _____)

Authority: AS 08.87.020 AS 08.87.135 AS 08.87.150
AS 08.87.130

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

12 AAC 70.180. Retention of records and inspection by the board. A registered appraisal management company must retain all records as described in AS 08.87.145 and make the records available to the board or its designee upon request. (Eff. ____/____/____, Register _____)

Authority: AS 08.87.020 AS 08.87.145

12 AAC 70.990(1) is amended to read:

(1) “appraisal experience” includes fee and staff appraisals, ad valorem tax appraisals, appraisal reviews, appraisal analysis, real estate counseling, and feasibility analysis and study, all of which must have been performed in accordance with [STANDARD 1 AND STANDARD 2 OF] the *Uniform Standards of Professional Appraisal Practices* described in 12 AAC 70.900;

(Eff. 7/16/92, Register 123; am 4/15/94, Register 130; am 12/13/94, Register 133; am 6/5/98,

Register _____, _____ 2019 PROFESSIONAL REGULATIONS

Register 146; am 5/24/2007, Register 182; am 9/14/2012, Register 203; am ____/____/____,

Register _____)

Authority: AS 08.87.020

**NOTICE OF PROPOSED CHANGES TO OCCUPATIONAL LICENSING FEES FOR
PROFESSIONS REGULATED BY THE BOARD OF CERTIFIED REAL ESTATE
APPRAISERS, IN THE REGULATIONS OF THE DEPARTMENT OF COMMERCE,
COMMUNITY, AND ECONOMIC DEVELOPMENT**

BRIEF DESCRIPTION: The Department of Commerce, Community, and Economic Development proposes to add fees for Appraisal Management Companies, to implement amendments to AS 08.87 enacted under Chapter 67, SLA 2018 (SB155).

The Department of Commerce, Community, and Economic Development (Department) proposes to adopt regulation changes in Title 12, Chapter 02 of the Alaska Administrative Code, dealing with occupational licensing fees, including the following:

12 AAC 02.370. Board of Certified Real Estate Appraisers, is proposed to add fees for Appraisal Management Company (AMC) registration, and appraiser federal registration.

Under AS 08.01.065, the Department must establish fee levels so that the total amount of fees collected for an occupation approximately equals the actual regulatory costs for the occupation.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Sher Zinn, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Department will accept comments by facsimile at (907) 465-2974 and by electronic mail at RegulationsAndPublicComment@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/192259>, and using the comment link. **The comments must be received not later than 5:00 p.m. on January 2, 2019.**

You may submit written questions relevant to the proposed action to Sher Zinn, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at RegulationsAndPublicComment@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Department will aggregate its response to substantially similar questions and make the questions and responses available on the Department's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/RealEstateAppraisers.aspx> or on the Alaska Online Public Notice System. The Department may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Sher Zinn at (907) 465-1049 or RegulationsAndPublicComment@alaska.gov not later than December 26, 2018, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Sher Zinn at (907) 465-1049 or RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/APR-Fees-1118.pdf>.

After the public comment period ends, the Department will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.01.062; AS 08.01.065; AS 08.87.110; AS 08.87.120; AS 08.87.135; AS 08.87.310.

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.062; AS 08.01.065;

AS 08.87.110; AS 08.87.120; AS 08.87.135; AS 08.87.310.

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 12/3/2018

_____/s/
Sher Zinn, Regulations Specialist
Division of Corporations, Business and
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

**ADDITIONAL REGULATION NOTICE INFORMATION
(AS 44.62.190(d))**

1. **Adopting agency:** Department of Commerce, Community, and Economic Development – Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Occupational licensing fees.
3. **Citation of regulation:** 12 AAC 02.370.
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Compliance with state statute.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**
A private person: Costs of \$500 non-refundable application fee, \$700 biennial license and renewal fees for appraisal management companies, \$250 fee for change of personnel associated with the appraisal management company, \$25 federal mandated registry fee for each appraiser on the appraiser panel.
Another state agency: None known.
A municipality: None known.
8. **Cost of implementation to the state agency and available funding (in thousands of dollars):** No costs are expected in FY 2019 or in subsequent years.
9. **The name of the contact person for the regulation:**
Sher Zinn, Regulations Specialist
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
Telephone: (907) 465-1049
E-mail: RegulationsAndPublicComment@alaska.gov
10. **The origin of the proposed action:** Division of Corporations, Business and Professional Licensing.

11. Date: 12/3/2018

Prepared by: /s/

Sher Zinn
Regulations Specialist
(907) 465-1049

Chapter 02. General Occupational Licensing Functions.

(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 02.370 is amended by adding a new subsection to read:

(b) The following fees are established for real estate appraisal management companies:

- (1) nonrefundable application fee for initial registration, \$500;
- (2) registration fee for all or part of the initial biennial registration period, \$700;
- (3) biennial registration renewal fee, \$700;
- (4) change in controlling person, owner, employee, director, officer, or agent,

\$250;

(5) annual federal registry fee for each appraiser on the appraiser panel

performing one or more federally related transactions in the preceding calendar year, \$25. (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 10/7/2018, Register 228; am ____/____/____, Register ____)

Authority: AS 08.01.062 AS 08.87.110 **AS 08.87.135**

AS 08.01.065 AS 08.87.120 AS 08.87.310

Memorandum

- To: Alaska Board of Certified Real Estate Appraisers
- From: Dave Derry, Chair
- Thru: Tracy Wiard, Examiner
- November 30, 2018
- RE: Synchronous – online – classroom education delivery

Course delivery definitions, AQB Course Approval Program (CAP)

The following definitions are from the AQB Policies & Procedures manual for CAP approval. Note that when a course is approved as "Synchronous" it is also listed/described as "distance education".

For Continuing Education, Alaska regs, 12 AAC 70.220 (d) specifically says up to one-half obtained by "**distance**" education. Accordingly, my opinion is that even if a course is "synchronous" it is still classified as "distance". Note that there is no restriction for Qualifying Education regarding the delivery method, so an applicant could take all of their education by "distance" methods.

The Board previously went on record, and passed (at least two times) confirmation of the one half classroom delivery requirement for CE. This was also supported by a vote of the Alaska Chapter, Appraisal Institute Board of Directors.

Definitions:

Delivery Method – Courses may be delivered to students in one of three formats: Classroom (in-person), Synchronous Distance Education or Asynchronous Distance Education.

Asynchronous Distance Education -- Any distance education course that does not require a student to take the course at a specific time (i.e. tied to a live, active, verbal presentation by an instructor). Examples of asynchronous courses include: internet or web-based courses or CD ROM based training.

Classroom Education – Any course delivered in a setting where there is no geographical separation between the instructor(s) and student(s). Also sometimes referred to as "live" or "traditional" education.

Synchronous Distance Education – Any distance education course that requires a student to be engaged at a specific time (i.e., simultaneously tied to a live, active, verbal presentation by an instructor). The presentation may be delivered via any number of different technologies including the internet, satellite, or other telecommunications device.

Distance Education – Appraisal education that is creditable toward either OE or CE and where there is geographical separation of student and instructor.



THE STATE
of **ALASKA**

Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing

APR

FOR DIVISION USE ONLY

Real Estate Appraisers Program

State Office Building, 333 Willoughby Avenue, 9th Floor
PO Box 110806, Juneau, AK 99811-0806
Phone: (907) 465-2550 • Fax: (907) 465-2974
Email: RealEstateAppraisers@alaska.gov
Website: ProfessionalLicense.Alaska.Gov/RealEstateAppraisers

Appraisal Management Company Application

PART I		Payment of Fees	
Check Appropriate Box	<input type="checkbox"/>	Nonrefundable Application Fee	TBD
	<input type="checkbox"/>	Federal Registration Fee	TBD
	<input type="checkbox"/>	Initial Certification Fee	TBD
Make checks payable to: State of Alaska or use the attached credit card payment form.			TOTAL: TBD

Please fill out each section. Write "N/A" if not applicable.

PART II		Personal Information		Type or Print Legibly	
Full Legal Name of Controlling Person	Last	First	Middle		
	DBA Name				
Mailing Address	Address				
	City	State	ZIP Code		
Service of Process Address <small>(Must be a physical address, no PO Box)</small>	Address				
	City	State	ZIP Code		
Telephone	Work		Home		
	Agency E-Mail Address		FEIN		

Part III: OWNERSHIP

Check applicable box and provide complete names and addresses of owner(s), all partners, or corporate officers, or managing members, whichever is appropriate, and provide U.S. social security numbers of proprietor or partners.

- Sole Proprietorship* Partnership* Corporation LLC

Name	Percentage Owned <small>(owners of 10% or more must submit the owners certification form)</small>	Address	Social Security Number <small>(*For sole proprietorship or partnership only)</small>

Part IV: Controlling Person

List the full name, residential address, and license number of the AMC's Controlling person. The controlling person is defined as the individual serving as the main contact point between the board and the company.

Name	Address, City, State	License Number (or pending)

Part V: EMPLOYEES

Show below, or attach a separate list of, the names, residence addresses and License Numbers of all AMC employees who will be involved providing appraisals in Alaska. If a separate list is attached, the list must be titled with the company's DBA name and also include the name of the controlling person.

Name	Address, City, State	License Number (or pending)

Part VII: BONDING

The following is provided pursuant to the requirements of AS 08.87.135 (a)(8)

- Surety Bond not to exceed \$50,000.

ATTACH DOCUMENTS EVIDENCING THE ABOVE OBLIGATION - DOCUMENTS MUST BE ORIGINALS.

PART III Personal Fitness Questions: as it applies to Controlling Person

A "Yes" answer may not prejudice your application, failure to answer honestly may. If you answered "Yes" to any of the below questions, please explain dates, locations and circumstances on a separate piece of paper. Also, submit any/all supporting documents that are applicable (court records, board actions, investigation notices, etc.).

1. Have you ever been convicted of a crime involving moral turpitude?	Yes	No
2. Have you ever had a real estate appraiser license/certification revoked, suspended, denied, surrendered, or otherwise acted upon in any state or jurisdiction?	Yes	No
3. Are you the subject of an unresolved complaint or disciplinary action before an authority regulating real estate appraisers or a professional real estate appraisers' association?	Yes	No
4. Have you committed, or had a lawsuit filed against you, while acting as a real estate appraiser, an act or omission involving dishonesty, fraud, or misrepresentation?	Yes	No

PART VI Notarized Signature

Subject to the penalties of perjury, as defined in AS 11.56.200, I the applicant herein, state that all facts, statements, and answers contained in this application are true and correct. I am not omitting any information which might be of value to this board in determining any qualifications and character, whether it is called for or not, and I agree that any falsification, omission, or withholding of information of facts concerning my qualification as an applicant shall be sufficient to bar me from this or any future examination of my application by the Alaska board and such falsifications, omissions, or withholding shall serve as sufficient grounds for the suspension, cancellation, or revocation of my appraiser certificate even though it is not discovered until after issuance.

I hereby give my permission to the Board of Certified Real Estate Appraisers to secure additional information concerning me or any statement in this application from any person or any source the board may desire. I further agree to submit to questioning by the board or any member thereof, and to substantiate any statements if desired by the board.

I have read the Alaska Certified Real Estate Appraiser Practice Act. I solemnly declare upon my honor that if granted a certificate to practice in Alaska, I will respectfully comply with any law governing the practice of appraisers in this state, and will do my best to uphold and maintain the ethics of the profession.

I certify that no persons directly or indirectly owning in whole or in part of this appraisal management company has had a certificate to act as a real estate appraiser denied, cancelled, suspended, revoked, put on probation, or surrendered in lieu of a pending revocation in any state unless the person has later had a certificate to act as a real estate appraiser granted or reinstated by the same state

Notary Stamp

Signature of Applicant

Date

SUBSCRIBED AND SWORN TO before me on this day

Date

Notary Public for the State of: _____

My Commission Expires: _____



THE STATE
of

ALASKA

Department of Commerce, Community, and Economic Development
Division of Corporations, Business and Professional Licensing

Real Estate Appraisers Program

State Office Building, 333 Willoughby Avenue, 9th Floor

PO Box 110806, Juneau, AK 99811-0806

Phone: (907) 465-3811 • Fax: (907) 465-2974

E-mail: RealEstateAppraisers@alaska.gov

Website: ProfessionalLicense.Alaska.Gov/RealEstateAppraisers

Ownership Certification

A person who owns at least 10 percent of a real estate appraisal management company required to be registered under Sec 08.87.135 must be of good moral character as determined by the board and shall submit to a background investigation conducted by the board.

PART I Personal Information

Full Legal Name	Last	First	Middle
Other Names Used (nicknames or maiden names)			
Mailing Address	Address		
	City	State	ZIP Code
Telephone	Work	Home	
E-Mail Address			
Date of Birth			Percentage of ownership
			Social Security Number
SOCIAL SECURITY NUMBER: As required by state law, please provide your United States Social Security Number. It is considered CONFIDENTIAL information and is not for public disclosure; it may be used to verify inter-state licensure. (AS 08.01.100)			Social Security Number

PART II License / Certificate History

Are you currently licensed or certified in another state?	Yes	No
List all states or jurisdictions in which you are currently or ever have been licensed or certified:		
License / Certificate Number	State	Expiration Date

PART III Professional Fitness Questions

12 AAC 70.100 (5) requires an applicant to attest subject to the penalties of unsworn falsification as defined in AS 11.56.210, a list of crimes described in AS 08.87.110 and AS 08.87.210 for which the applicant has been convicted.

A "Yes" answer may not prejudice your application, failure to answer honestly may. If you answered "Yes" to any of the below questions, **please explain dates, locations and circumstances on a separate piece of paper. Also, submit any/all supporting documents that are applicable (court records, board actions, investigation notices, etc.).**

1. Have you ever been convicted of a crime involving moral turpitude?	Yes	No
2. Have you ever had a real estate appraiser license/certification revoked, suspended, denied, surrendered, or otherwise acted upon in any state or jurisdiction?	Yes	No
3. Are you the subject of an unresolved complaint or disciplinary action before an authority regulating real estate appraisers or a professional real estate appraisers' association?	Yes	No
4. Have you committed, or had a lawsuit filed against you, while acting as a real estate appraiser, an act or omission involving dishonesty, fraud, or misrepresentation?	Yes	No

PART IV Notarized Signature

I certify that the information in this application is true and correct to the best of my knowledge. The Division may deny, suspend or revoke the license of a person who has obtained or attempted to obtain a license by fraud or deceit. The person may also be subject to criminal charges for perjury or unsworn falsification. (AS 11.56.210)

Notary Stamp	Signature of Applicant:	Name of Applicant:
	Notary Public for the State of:	My Commission Expires:
	SUBSCRIBED AND SWORN TO before me on this day:	



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E-mail: *license@alaska.gov*

Website: *ProfessionalLicense.Alaska.Gov/RealEstateAppraisers*

PART

Authorization for Release of Records

To Whom It May Concern:

I, _____
First Name Middle Name Last Name

residing at _____
Address City State ZIP Code

authorize the Alaska Division of Corporations, Business and Professional Licensing and its investigators to examine my appraisal employment, educational records, and records pertaining to litigation, judgements, suits and/or settlements, and any law enforcement records pertaining to me and discuss them with persons having possession of them. I also expressly permit and authorize the release of all such records pertaining to me to the Alaska Division of Occupational Licensing and its investigators.

I request that upon presentation of this release, or a true copy, that you provide copies of those records to the division and its investigators.

I authorize the division to discuss my records with persons or organizations which are considered appropriate by the division in connection with an official investigation, and to provide copies of my records to those persons or organization if appropriate.

This authorization is given expressly in connection with my application (initial, renewal, reactivation) for Alaska Appraisal Certificate.

I hereby release you, your organization, the Alaska Department of Commerce, Community, and Economic Development, Division of Occupational Licensing and its investigators, and all others directly or indirectly involved in this matter from any liability or damage which may result from furnishing the information requested.

This authorization expires one year from the date of my signature.

Signature: _____ Date: _____

Date of Birth: _____ Social Security Number: _____

Home Telephone: _____ Work Telephone: _____



THE STATE
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Department of Commerce, Community, and Economic Development
Division of Corporations, Business and Professional Licensing

Real Estate Appraisers Program

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Website: ProfessionalLicense.Alaska.Gov/RealEstateAppraisers

Appraisal Management Company Surety Bond

Required by the Real Estate Appraiser Statute, AS 08.87.135

BOND NO. _____

KNOW ALL MEN BY THESE PRESENTS that we, _____,

as principal, and _____,

, as

surety, are

held and firmly bound to the State of Alaska, in the penal sum of FIFTY THOUSAND DOLLARS (\$50,000), lawful money of the United States, for the payment of which we bind ourselves, our heirs, executors, administrators, successors and assigns jointly and severally.

The condition of this obligation is such that, whereas the bonded principal, named above, has applied to the Department of Commerce, Community, and Economic Development of the State of Alaska for an appraisal management company under the provisions of AS 08.87.135 and is required by the provisions of that law to furnish a bond conditioned as set out in this document.

This bond becomes effective on _____
and expires on _____.

The surety may be relieved of future liability under it by giving 60 days' written notice to the principal and to the Department of Commerce, Community, and Economic Development of the State of Alaska.

This bond is one continuing obligation and the liability of the surety for the aggregate of all claims which may arise under it may in no event exceed the amount of the penalty set out in it.

IN WITNESS OF THE ABOVE, principal and surety have signed and sealed this bond on _____

PRINCIPAL (Applicant)

SURETY

Name: _____

Name: _____

Signature: _____

Signature: _____

Title: _____

Address: _____

Agency Name: _____

Address: _____

THIS BOND IS NOT VALID UNTIL SIGNED BY BOTH PRINCIPAL AND SURETY. NOTE: Surety's Power of Attorney **must be attached.**

Division of Corporations, Business
and Professional Licensing,
P.O. Box 110806
Juneau, Alaska 99811-0806

(Surety's Seal)



THE STATE

of

ALASKA

*Department of Commerce, Community, and Economic Development
Division of Corporations, Business and Professional Licensing*

Board of Certified Real Estate Appraisers

State Office Building, 333 Willoughby Avenue, 9th Floor

PO Box 110806, Juneau, AK 99811-0806

Phone: (907) 465-2550 • Email: RealEstateAppraisers@alaska.gov

Website: ProfessionalLicense.Alaska.Gov/RealEstateAppraisers

Appraisal Management Company Application

The following items must be on file before the Board will consider an application for a certificate by examination:

1. Completed, signed and notarized application (08-).
2. Payment of the required fees: Nonrefundable application fee of TBD; Registration fee of TBD; and Federal Registry fee of TBD.
3. Report of Intent to operate in the State of Alaska.
4. Ownership certification(s) as applicable.
5. Complete Authorization for Release of Records form.
6. Surety Bond not to exceed \$50,000

! General Information

APPLICATION REVIEW

The Board meets at least once a year and will review applications at the Board meeting. To be scheduled for a review, an application (and all supporting documents) must be complete and filed with the division at least 15 days before the scheduled date of a Board meeting (12 AAC 70.150). Contact the division for meeting dates.

The board also reviews complete applications between Board meetings via "mail ballot" voting process.

"YES" RESPONSES

A "Yes" response in the application does not mean your application will be denied. If you have responded "Yes" to any question in the application, additional time will be required for the gathering and assessment of pertinent information.

HOW CAN YOU HELP?

1. Apply far enough in advance to allow for application processing.
2. If you are concerned about your application being received in our office, mail it certified, return receipt.
3. Send any necessary verification forms out via overnight mail to the appropriate organization and include a return overnight mail envelope addressed to the licensing examiner for the organization's use. This may help them to respond quickly.
4. Insure that the application is complete when you submit it and provide any necessary explanations with the application. Print legibly or type your application.
5. Provide complete explanations for any "Yes" responses; it saves time if we don't have to request such information.

RENEWAL INFORMATION

A certificate for institutional real estate appraiser terminates when the person certified leaves the full-time employment of the financial institution with offices in the state. All certificates expire on June 30 of odd-numbered years, regardless of when issued, except certificates issued with 90 days of the expiration date which are issued through the next biennium.

ADDRESS CHANGE

In accordance with 12 AAC 02.900, a person must notify the division in writing of a change of address.

SOCIAL SECURITY NUMBERS

Alaska Statute 08.01.060(b) requires an applicant for an occupational license to provide a United States Social Security Number. Applicants who do not have a social security number must complete the Request for Exception from Social Security Number Requirement form located on the division's website at:

ProfessionalLicense.Alaska.gov

PUBLIC INFORMATION

Please be aware that all information on the initial application form will be available to the public, unless required to be kept confidential by state or federal law. Information about current licensees, including mailing addresses, is available on the division's website at ProfessionalLicense.Alaska.gov, under License Search.

PAYMENT OF CHILD SUPPORT AND STUDENT LOAN

If the Alaska Child Support Enforcement Division has determined that you are in arrears on child support, or if the Alaska Commission on Postsecondary Education has determined you are in loan default, you may be issued a nonrenewable temporary license valid for 150 days. Contact Child Support Services at (907) 269-6900 or the Postsecondary Education office at (907) 465-2962 or 1-800-441-2962 to resolve payment issues.



THE STATE
of **ALASKA**

Department of Commerce, Community, and Economic Development
Division of Corporations, Business and Professional Licensing

FOR DIVISION USE ONLY

State of Alaska
Department of Commerce, Community, and Economic Development
Division of Corporations, Business and Professional Licensing
333 Willoughby Avenue, 9th Floor, Juneau, AK 99801
PO Box 110806, Juneau, AK 99811
Phone: (907) 465-2550 • Fax: (907) 465-2974

CREDIT CARD PAYMENT

For security purposes please **do not email** credit card information. Fax or mail this credit card payment form to the Division. Completion of this form is not proof of payment until the Division processes the information. If any information on this form is illegible, the form will be rejected.

Name of Applicant or Licensee: _____

Type of License: _____ License Number (if applicable): _____

I wish to make payment by credit card for the following (check all that apply):

- | | Amount |
|--|---------------|
| <input type="checkbox"/> Application Fee: _____ | _____ |
| <input type="checkbox"/> License or Renewal Fee: _____ | _____ |
| <input type="checkbox"/> Other (name change, wall certificate, fine, duplicate license, exam, etc.): | |
| 1. _____ | _____ |
| 2. _____ | _____ |

Total: _____

Name (as shown on credit card): _____

Mailing Address: _____

Phone: _____ Email (optional): _____

Credit Card Type: VISA — or — Mastercard

→ **Signature of Credit Card Holder:** _____

VISA or Mastercard Number: _____ **Expiration Date:** _____

This section below the dotted line will be destroyed upon processing of the payment.