THE ALASKA BOARD OF CERTIFIED REAL ESTATE APPRAISERS

Board Meeting of April 14th, 2017
Teleconference

Board Packet

Alaska Board of Certified Real Estate Appraisers
Board Roster (As of 03/01/2017)

Board Member	Appointed	Reappointed	Term Expires
David Derry, *Chair* *Certified General Real Estate Appraiser* [redacted]	03/01/2014		03/01/2018
Alfred Ferrera *Certified General Real Estate Appraiser* [redacted]	03/01/2014		03/01/2018
Robert Tracy *Certified Residential Real Estate Appraiser* [redacted]	03/14/2016		03/01/2020
Renee Piszczek *Mortgage Banking Executive* [redacted]	09/02/2014	03/01/2017	03/01/2021
Vacant, *Public Member*			

2017 State Holiday Calendar

JANUARY

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DECEMBER

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State Holidays

Date	Holiday
01/01	New Year's Day (observed 01/02)
01/16	MLK Jr.'s Birthday
02/20	Presidents' Day
03/27	Seward's Day
05/29	Memorial Day
07/04	Independence Day

Holiday

State calendar maintained by the Division of Finance, Department of Administration
http://doa.alaska.gov/calendars.html
Rev. 04/08/2016

Biweekly employees please refer to appropriate collective bargaining unit agreement for more information regarding holidays.

State Holidays

Date	Holiday
09/04	Labor Day
10/18	Alaska Day
11/11	Veterans' Day (observed 11/10)
11/23	Thanksgiving Day
12/25	Christmas Day

Agenda Item #2

Review Agenda

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY & ECONOMIC DEVELOPMENT DIVISION OF CORPORATIONS, BUSINESS, AND PROFESSIONAL LICENSING BOARD OF CERTIFIED REAL ESTATE APPRAISERS

Conference Call Number: 1-800-315-6388 Access Code: 52588

TENTATIVE TELECONFERENCE MEETING AGENDA
Friday, April 14, 2017

	TIME	TOPIC	LEAD PERSON(S)
1.	9:00 a.m.	**Call to Order/Roll Call**	**David Derry, Chair**
2.	9:03 a.m.	**Review Agenda**	**Chair**
3.	9:07 a.m.	**Review/Approve Minutes (October 28th, 2016)**	**Chair**
4.	9:17 a.m.	**Ethics Disclosure/Review Ethics**	**Chair**
5.	9:20 a.m.	**AARO Conference Update**	**Robert Tracy**
6.	9:45 a.m.	**Investigations Report**	**July Lam, Investigator**
7.	10:00 a.m.	**CE Fines/Reprimands**	**Marilyn Zimmerman, Paralegal**
8.	10:25 a.m.	**Board Business**	**Chair**
		• Review/Approve Applications o Email Continuing Education Ballots to the Examiner* • Review/Update FAQ's • Review/Update Getting Started Document • Set/Draft Board Goals & Objectives	
9.	11:15 a.m.	**Old Business**	**Chair/Regulations Specialist**

		• Regulations Project Update
		  o Fingerprinting Requirements
		  o Transitional License/Certificate for Trainees
		• Discuss/Review recommendations for AMC regulations	

10.	12:00 p.m.	**Lunch**	
11.	1:15 p.m.	**New Business**	**Chair/Licensing Examiner**
		• Legislative Sunset Audit • Review Renewal Audit Process • Discuss Upcoming Federal Audit	
12.	2:00 p.m.	**Budget Report**	**Martha Hewlett, Admin. Officer**
13.	2:30 p.m.	**Public Comment/Correspondence**	**Chair**
14.	2:50 p.m.	**AQB/ASC Updates**	**Chair**
15.	3:15 p.m.	**Administrative Business**	
		• Task List • Set next meeting date(s)	
16.	3:30 p.m.	**Adjourn**	**Chair**

Board or Commission: _____

Meeting Date: _____

Agenda Item # _____ Tab #_____ Topic: _____

Primary Motion

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

Subsidiary Motion or Amendment

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.
(c) The following subject may be considered in an executive session:

(1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
(2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
(3) matters which by law, municipal charter, or ordinance are required to be confidential;
(4) matters involving consideration of government records that by law are not subject to public disclosure.

MOTION WORDING:

"In accordance with the provisions of Alaska Statute 44.62.310 (c), I move to go into executive session for the purpose of discussing (select the appropriate statutory citation for the situation):

(1) **matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;** ***OR***

(2) **subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;** ***OR***

(3) **matters which by law, municipal charter, or ordinance are required to be confidential;** ***OR***

(4) **matters involving consideration of government records that by law are not subject to public disclosure.**

Board staff is requested to remain during the session ***OR***
Board only to remain during session."

Staff will then state **"The board is off the record at _____(time)."**

Agenda Item #3

Review/Approve Minutes

- October 28th, 2017

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

BOARD OF CERTIFIED REAL ESTATE APPRAISERS

MINUTES OF THE MEETING
Friday, October 28th, 2016

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

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

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

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

Those present, constituting a quorum of the Board:

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

Division Staff present in the meeting:

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

Present from the Public:

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

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

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

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

RESOLVED to approve the agenda as amended.

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

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

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

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

RESOLVED to approve the meeting minutes.

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

There were no ethics to disclose

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

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

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

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

Appraisal Management Companies (AMC')

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

Supervisors/Trainee

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

Corrective Education

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

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

Criminal Background Checks

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

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

TASK:
Mr. Tracy and Ms. Piszczeck will work on the AMCs for clearing-up any misconceptions.

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

Agenda Item #6 **Investigations Report/Expert Review** **9:35 a.m.**

Jay Paff entered the room at 9:35 a.m.
Jay Paff left the room at 10:00 a.m.
Charles Ward and Marilyn Zimmerman joined the room in 9:21 a.m.
Charles Ward and Marilyn Zimmerman left the room in 9:46 a.m.

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

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

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

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

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

Off the record at 9:46 a.m.
On the record at 10:03 a.m.

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

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

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

Agenda Item #7 **<u>CE Fines/Reprimands</u>** **10:05 a.m.**

Charles Ward and Marilyn Zimmerman joined the room at 10:05 a.m.
Charles Ward and Marilyn Zimmerman left the room at 10:37 a.m.

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

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

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

Corrective Courses for Failed Continuing Education Audits

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

TASK:

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

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

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

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

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

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

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

Appraisal Board's Position Statement

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

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

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

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

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

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

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

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

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

Agenda Item #5 **AARO Conference Update** **10:45 a.m.**

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

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

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

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

Agenda Item #8 **Board Business** **11:00 a.m.**

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

Applications Review

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

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

RESOLVED to approve the <u>certified residential real estate appraiser</u> application submitted by Jasen Simcox.

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

RESOLVED to approve the <u>certified general real estate appraiser</u> application submitted by Brian Tankersley.

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

RESOLVED to approve the <u>supervisory request</u> of Robert Olchin, #APRR687.

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

RESOLVED to approve the <u>supervisory request</u> of Nancy Whitmore, #APRR677.

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

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

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

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

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

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

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

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

David Derry, Chair, called for a short break at 11:10 a.m.
The Board went back on the record at 11:24 a.m.

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

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

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

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

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

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

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

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

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

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

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

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

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

TASK:
Mr. Derry and Mr. Tracy will complete the review for the pending work products.
TASK:
Mr. Derry will draft the Goals and Objectives, and submit it to Ms. Carrillo.

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

Agenda Item #9 **<u>Lunch</u>** **12:00 p.m.**
David Derry, Chair, called for lunch at 12:00 p.m.
Robert Tracy left the meeting at 12:00 p.m.
Off the record 12:00 p.m.
On the record 1:19 p.m.

Agenda Item #10 **<u>Public Comment</u>** **1:19 p.m.**
Lee Borden entered the room at 1:19 a.m.
Lee Borden off the record at 1:33 p.m.

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

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

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

Agenda Item #8 **<u>Board Business</u>** **1:34 p.m.**

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

TASK:

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

Agenda Item #11 **<u>New Business</u>** **1:40 p.m.**

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

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

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

TASK:
Ms. Carrillo will forward the regulations draft to Mr. Maiquis.

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

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

Agenda Item #12 **<u>Budget Report</u>** **1:47 p.m.**

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

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

Agenda Item #13 **AQB Updates** **1:50 p.m.**

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

Agenda Item #14 **Administrative Business** **1:56 p.m.**

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

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

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

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

Spring AARO Conference

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

TASK:

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

Set next meeting date

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

Agenda Item #15 Adjourn 2:12 p.m.

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

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

Respectfully Submitted by:

_____

Aiko Zaguirre, Licensing Examiner

Approved by:

_____

David Derry, Chair

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Board or Commission: _____

Meeting Date: _____

Agenda Item # _____ Tab #_____ Topic: _____

Primary Motion

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

Subsidiary Motion or Amendment

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.
(c) The following subject may be considered in an executive session:

(1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
(2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
(3) matters which by law, municipal charter, or ordinance are required to be confidential;
(4) matters involving consideration of government records that by law are not subject to public disclosure.

MOTION WORDING:

"In accordance with the provisions of Alaska Statute 44.62.310 (c), I move to go into executive session for the purpose of discussing (select the appropriate statutory citation for the situation):

(1) **matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;** ***OR***

(2) **subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;** ***OR***

(3) **matters which by law, municipal charter, or ordinance are required to be confidential;** ***OR***

(4) **matters involving consideration of government records that by law are not subject to public disclosure.**

Board staff is requested to remain during the session ***OR***
Board only to remain during session."

Staff will then state **"The board is off the record at _____(time)."**

Agenda Item #4

Ethics

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):

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

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
[INSERT QUARTERLY DATE RANGE]

******SAMPLE LANGUAGE – PLEASE COPY <u>ONLY</u> 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.

<u>AND</u>

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.]

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State of Alaska
Department of Law
Who Is My Designated Ethics Supervisor?

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

Executive Agencies

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

Boards and Commissions

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

Public Corporations

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

Office of the Governor

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

University of Alaska

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

EXECUTIVE BRANCH AGENCIES

Administration: Leslie Ridle, Deputy Commissioner

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

Corrections: April Wilkerson, Director of Administrative Services

Education & Early Development: Les Morse, Deputy Commissioner

Environmental Conservation: Tom Cherian, Director of Administrative Services

Fish & Game: Kevin Brooks, Deputy Commissioner

Health & Social Services: Dallas Hargrave, Human Resource Manager

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

Law: Jonathan Woodman, Assistant Attorney General

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

Natural Resources: John Crowther, Inter-Governmental Coordinator

Public Safety: Terry Vrabec, Deputy Commissioner

Revenue: Dan DeBartolo, Administrative Services Director

Transportation & Public Facilities:

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

Updated April 2015

Department of Law attorney.general@alaska.gov P.O. Box 110300, Juneau, AK 99811-0300
Phone: 907-465-3600 Fax: 907-465-2075 TTY: 907-258-9161
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State of Alaska
Department of Law
Ethics Information for Members of Boards & Commissions (AS 39.52)

Introduction

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

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

Scope of Ethics Act (AS 39.52.110)

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

Misuse of Official Position (AS 39.52.120)

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

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

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

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

Improper Gifts (AS 39.52.130)

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

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

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

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

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

A form for reporting gifts is available at www.law.alaska.gov/doclibrary/ethics 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

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
State of Alaska © 2015 Webmaster

State of Alaska
Department of Law
Executive Branch Ethics Act

Responsibilities of Designated Ethics Supervisors for Boards and Commissions

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

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

1. Ensure that members and employees are provided copies of the guides, Ethics Information for Members of Boards and Commissions and Ethics Act Procedures for Boards and Commissions -- and keep a supply of disclosure forms.
    1. These guides, other educational materials, disclosure forms, statutes and regulations are available for review and copying on the Department of Law ethics web site. If access to this page is not available, please contact the Attorney General's office at 269-7195.
2. Review all disclosures, investigate potential ethics violations, make determinations regarding conduct, and take action.
3. Keep member or employee disclosure statements (of potential violations, receipt of gifts, and interests in grants/contracts/leases/loans) on file in your office. Disclosure of a gift received from another government must be forwarded to the Office of the Governor.
4. Submit an ethics report to the Department of Law in April, July, October and January for the preceding quarter. You will receive a reminder. There is a sample report on the ethics web page.
    1. Mail, email or fax to Kim Halstead, Litigation Assistant, Department of Law, Opinions, Appeals & Ethics Section, 1031 W. 4th Avenue, Suite 200, Anchorage, AK, 99501, ethicsreporting@alaska.gov, 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
State of Alaska © 2015 Webmaster

Board or Commission: _____

Meeting Date: _____

Agenda Item # _____ Tab #_____ Topic: _____

Primary Motion

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

Subsidiary Motion or Amendment

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.
(c) The following subject may be considered in an executive session:

(1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
(2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
(3) matters which by law, municipal charter, or ordinance are required to be confidential;
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MOTION WORDING:

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Board staff is requested to remain during the session ***OR***
Board only to remain during session."

Staff will then state **"The board is off the record at _____(time)."**

Agenda Item #5

AARO Conference Update

AARO 2017 Spring Conference Draft Agenda (as of 3/23/2017)

Friday, April 7, 2017

12:00p – 4:00p Registration

1:00p – 3:00 p
Opening Remarks
Debra Rudd, AARO President
Fran Oreto, Ambassador for FL
ASC &TAF Updates
Moderator: Debra Rudd, AARO Pres.
ASC – Jim Park
TAF- Dave Bunton
AQB- Joe Traynor
ASB- Margaret Hambleton
APB- John Brenan

3:00p – 3:15p – Break

3:15p – 4:30p
Policy Updates from the GSEs
Moderator: Fran Oreto, FL
Jeremy Staudenmaier, Fannie Mae
Scott Reuter, Freddie Mac

6:00p – 8:00p **Welcome Reception**

Saturday, April 8, 2017

8:00a – 4:00p Registration

7:45a- 8:30a Continental Breakfast

8:30a- 10:15a
Developing the Next Generation of Appraisers
Moderator: Craig Coffee, GA
Jeff Del Rey, PCV Murcor
John McIntyre, OH
Luke Tomaszewski, eValuation Zone
Vern Meyer, Accurity Valuation

10:15a – 10:30a – Break

10:30a – 12:00p
The Future of Regulatory Boards? Impact of NC Dental and the New Presidential Administration
Moderator: Brandy March, IA
Allison McDonald, FL
Larry Disney
Dale Atkinson, FARB

12:00 – 1:30p Lunch- On your own

1:30p – 2:45p
Accepting Mass Experience for Credit. Does AQB Criteria Allow It? Is it USPAP Compliant? Competency Testing?
Moderator: Dee Sharp, AARO VP
Larry Disney
Jake Parkinson, IAAO
Lisa Hobart, ASA

2:45p – 3:00p Break

3:00p – 5:00p **Job Function Breakouts**
 # 1- Executive Directors/ Administrators
Moderator – Jodie Campbell, ND
 # 2- Attorneys
Moderator – Roberta Ouellette, NC
#3- Board Members
Moderator – Joe Ibach, ND
#4- Investigators (Closed to Investigators only)
Moderator – Dennis Badger, KY
#5- Affiliates- AMCs, Education Providers, Appraisers Organizations, Appraiser Related Organizations
Moderator, Craig Steinley, AARO President Elect

5:30p- 10:15p **Optional off-site Activity- Sunset Charter Boat Cruise**

DRAFT

Sunday, April 9, 2017

8:00a – 3:00p Registration

7:45a- 8:30a Continental Breakfast

8:30a – 9:25a **Committee Meetings**
Policy & Planning- Dee Sharp, WA
Program- Craig Steinley, SD
Budget & Finance- Dave Campbell, ND
Communications- Jim Martin, CA
Nominating- Anne Petit, OH (Closed)

9:35a– 10:30a **Advisory Council Meetings**
Appraiser Qualifications – Kristen Worman, TX
USPAP – Tom Lewis, NC
ASC – Vanessa Beauchamp, MO
Professional Organizations – Debi Jones, SC PAC
AMC Organizations – Fran Oreto, FL
Past Presidents – Sherry Bren, SD

10:30a – 10:45a – Break

10:45a – 12:00p
Modernizing Appraisals- A Regulatory Review and the Future of the Industry
Moderator: Anne Petit, OH
Scott Robinson, Appraisal Institute
David Bunton, Appraisal Foundation
Jim Park, Appraisal Subcommittee

12:00p – 1:15p Lunch- Provided

1:30p – 3:00p
Best Practices for the Regulatory Supervision of AMCs - Investigations & Discipline, Audits, and ASC Compliance Reviews
Moderator: Sherry Bren, SD
Peter Christensen, LIA
Gae Lynne Cooper, OR
Kristen Worman, TX
Alice Ritter, Appraisal Subcommittee

3:00p – 3:05p
Closing Remarks
Debra Rudd, AARO President

3:15p – 4:30p
Board of Directors Meeting

DRAFT

Board or Commission: _____

Meeting Date: _____

Agenda Item # _____ Tab #_____ Topic: _____

Primary Motion

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

Subsidiary Motion or Amendment

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

EXECUTIVE SESSION MOTION

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(1) **matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity; *OR***

(2) **subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; *OR***

(3) **matters which by law, municipal charter, or ordinance are required to be confidential; *OR***

(4) **matters involving consideration of government records that by law are not subject to public disclosure.**

Board staff is requested to remain during the session *OR*
Board only to remain during session."

Staff will then state **"The board is off the record at _____(time)."**

Agenda Item #6

Investigative Report

Board or Commission: _____

Meeting Date: _____

Agenda Item # _____ Tab #_____ Topic: _____

Primary Motion

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

Subsidiary Motion or Amendment

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

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Board staff is requested to remain during the session ***OR***
Board only to remain during session."

Staff will then state **"The board is off the record at _____(time)."**

Agenda Item #7

CE Fines/Reprimands

Department of Commerce, Community, and Economic Development
Division of Corporations, Business and Professional Licensing
P.O. Box 110806
Juneau, Alaska 99811-0806

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Board or Commission: _____

Meeting Date: _____

Agenda Item # _____ Tab #_____ Topic: _____

Primary Motion

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

Subsidiary Motion or Amendment

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

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Board only to remain during session."

Staff will then state **"The board is off the record at _____(time)."**

Agenda Item #8

Board Business

- Review/Approve Applications
- Review/Update FAQ's
- Review Getting Started Document
- Set/Draft Goals and Objectives

BOARD OF CERTIFIED REAL ESTATE APPRAISERS
REGISTERED TRAINEE CHECK LIST – AS 08.87.310, 12 AAC 70.125

NAME: Debora Reid **DATE:** 03 / 28 / 2017

DATE RECEIVED

03/10/2017 **$450.00 Application Fee** - 12 AAC 02.370(1) **Receipt #** 3688630

03/10/2017 **$450.00 Registration Fee** - 12 AAC 02.370(4) **Receipt #** 3688630

_____ **$**_____ **Balance for** _____ **Receipt #** _____

04/06/2017 **COMPLETE, SIGNED AND NOTARIZED APPLICATION** - 12 AAC 70.125(b)(A)

03/10/2017 **AUTHORIZATION FOR RELEASE OF RECORDS** - 12 AAC 70.125(b)(A)

03/10/2017 **PART II – PERSONAL INFO; NAME, ADDRESS, DOB, SSN** - 12 AAC 70.125(b)(A)

03/10/2017 **PART III – PROFESSIONAL FITNESS SECTION**

04/06/2017 **PART IV – SUPERVISORY APPRAISER INFORMATION** - 12 AAC 70.935, 12 AAC 70.126

Supervisor: Mark Kasberg ❑R ■G Certificate #: 24

Board-Approved? ❑ Yes ■ No

Qualifying Education: - 12 AAC 70.125, 12 AAC 70.145 & 12 AAC 70.935(h)

03/10/2017 **PART IV - 75 CLASSROOM HOURS & CERTIFICATES** - 12 AAC 70.125(1)(B)

■ 30 Hrs - Basic Appraisal Principles ■ 15 Hrs – National USPAP Course or Equivalent

■ 30 Hrs - Basic Appraisal Procedures

N/A-Since 2014 **PART V – SUPERVISORY APPRAISER/TRAINEE APPRAISER COURSE-** 12 AAC 70.125(1)(B)

❑ Trainee Certificate provided **AND** ❑ Supervisor Certificate provided

All education completed within last 5 years? ■ Yes ❑ No – 12 AAC 70.125(1)(B)
Completed October 2016

04/06/2017 **Application is complete, including all supporting documentation**

INVESTIGATIONS: ❑ Yes ■ No	**REVIEW:** ❑Approved ❑Pending ❑Denied ❑Tabled Date: _____
Question #(s): _____ Documentation: _____ To Investigations/Supervisor: _____ From Investigations/Supervisor: _____	Certificate Number: 121563 Issue Date: _____ Lapse Date: 06/30/_____ Issued By: _____

List Additional Supervisors:
(*Must submit form **08-4597** Request for Adding Supervision*) Received: _____/_____/_____

1.) _____ 3.) _____

2.) _____ 4.) _____

3688630 03/15/17 66 file to scan TB

APR

THE STATE of ALASKA

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

FOR DIVISION USE ONLY

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MAR 10 2017
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CC 900 DA

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: *license@alaska.gov*
Website: *ProfessionalLicense.Alaska.Gov/RealEstateAppraisers*

Real Estate Appraiser Certified Trainee Application

PART I Payment of Fees

Total Fees Due:	☒ **Nonrefundable Application Fee**	**$450**
	☒ **Registration Fee**	**$450**
Make checks payable to: State of Alaska or use the attached credit card payment form.		**TOTAL: $900**

PART II Personal Information

Full Legal Name	Last: Reid	First: Deborah	Middle: Jane
Other Names Used (nicknames or maiden names)			
Legal Name Changes (Document Changes)	Kasberg	Deborah	Jane
Mailing Address	Address: 14050 Glacier Highway		
	City: Juneau	State: AK	ZIP Code: 99801
Residence Address	Address: 14050 Glacier Highway		
	City: Juneau	State: AK	ZIP Code: 99801
Telephone	Work: 907-500-9010	Home: 907-321-9225	
E-Mail Address	deborahjane.reid93@gmail.com	**Date of Birth**	10/16/1993
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: [redacted]	

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Juneau
MAR 10 2017
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PART III Personal Fitness Questions

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 Supervisory Appraiser Information

Supervisory Appraiser's Name	Last: Kasberg	First: Mark	Middle: David	
Certificate Information	Number: 24	Type: General Real Estate Appraiser	Date Issued: 05/27/2015	Expiration: 06/30/2017
Mailing Address	Address: PO Box 33514			
	City: Juneau	State: AK	ZIP Code: 99803	
Daytime Phone	907-321-3473			
DR ~~Registered~~ **Trainee Starting Date of Employment**	02/03/2014 DR			
Employing Appraiser's Signature	Signature: [signature]		Date: 2-24-17	

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PART III Personal Fitness Questions

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 Supervisory Appraiser Information

Supervisory Appraiser's Name	Last: Kasberg	First: Mark		Middle: David
Certificate Information	Number: 24	Type: General Real Estate Appraiser	Date Issued: 05/27/2015	Expiration: 06/30/2017
Mailing Address	Address: PO Box 33514			
	City: Juneau	State: AK		ZIP Code: 99803
Daytime Phone	907-321-3473			
Registered Trainee Starting Date of Employment				
Employing Appraiser's Signature	Signature: [signature]		Date: 2-24-17	

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PART V Statutory Education Requirement

List successful completion of Real Estate Appraisal Courses approved by a member organization of the Appraisal Foundation or regionally accredited junior college, college, or university. Use separate sheet to list additional courses, if necessary. An applicant for registration as a real estate trainee shall submit verification of satisfactory completion of 75 classroom hours of instruction that meet the requirements of 12 AAC 70.125(a)(3), 12 AAC 70.125(d), and 12 AAC 70.140(a). In order for a course to qualify for initial certification, the course must be 15 hours long and include an examination. The final examination will be counted toward the minimum course duration or credited toward the total classroom hours of instruction.

Required Courses	Course Sponsor	Course #	Date Completed	Hours Completed
1. **Basic Appraisal Principles** Hours Required: 30	Appraisal Institute	11307	10/22/16	30
2. **Basic Appraisal Procedures** Hours Required: 30	Appraisal Institute	11308	10/27/16	30
3. **15-Hour National USPAP Course or Equivalent** Hours Required: 15	Appraisal Institute	15512	10/29/16	15

Are the required course completion certificates attached? Yes ☒ No ☐

PART VI Statutory Appraiser/Trainee Appraiser Course Requirement n/a*

As required by the AQB, for a supervisor/trainee relationship beginning after January 1, 2015, both the supervisory appraiser and the trainee appraiser must complete a course oriented around the requirements and responsibilities of trainee appraisers and supervisory appraisers. In addition to filling out the below information, supervisors and trainees are required to submit documentation to verify completion of the aforementioned course.

* I started as a trainee in 2012, however I didn't start a log until 2014- See cover letter.

Trainee:

Date of Course	Title of Course	Provider	Hours

Supervisor:

Date of Course	Title of Course	Provider	Hours

Are the required course completion certificates attached? Yes ☐ No ☐

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MAR 10 2017
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Work Log Experience:

Supervisory appraisers and trainee appraisers are also required to jointly maintain an appraisal experience log (included in this application). A completed log will contain the following information:

1) Type of property
2) Date of report
3) Address of appraised property
4) Description of work performed by the trainee appraiser and scope of the review and supervision of the supervisory appraiser
5) Number of actual work hours by the trainee appraiser on the assignment
6) The signature and state certification number of the supervisory appraiser. Separate appraisal logs shall be maintained for each supervisory appraiser, if applicable.

PART VII 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:
	Deborah Reid	Deborah Reid
	Notary Public for the State of:	My Commission Expires:
	ALASKA	3/13/2018
	SUBSCRIBED AND SWORN TO before me on this day:	
	7th day of March, 2017	

Brenda Heimbuch

STATE OF ALASKA
OFFICIAL SEAL
Brenda Heimbuch
NOTARY PUBLIC
My Commission Expires 3/13/18

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: *license@alaska.gov*
Website: *ProfessionalLicense.Alaska.Gov/RealEstateAppraisers*

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Juneau
MAR 10 2017
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PART VIII Authorization for Release of Records

To Whom It May Concern:

I, Deborah (First Name) Jane (Middle Name) Reid (Last Name)

residing at 14050 Glacier Hwy (Address), Juneau (City), AK (State) 99801 (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: Debra Reid **Date:** 03/09/2017

Home Telephone: (907) 321-9225 **Work Telephone:** (907) 500-9010

OFFICIAL ACADEMIC RECORD for APPRAISERS – ALASKA

This document certifies that

Deborah J. Reid

RECEIVED
Juneau
MAR 10 2017
CBPL

Kasberg Appraisal Services
P O Box 33514
Juneau, AK 99803

has attended and passed the exam for this Appraisal Institute program

Basic Appraisal Principles

(AK Program License Number: 15146, expires 02/22/2019)
at Marriott Courtyard in Plano, TX

10/19/2016 - 10/22/2016.

Attendance Hours: 28.0 Exam Hours: 2.0

Attendance was 100% with a passing grade.

Verified by Suzanne M. Siradas on 10/27/2016

Suzanne M. Siradas
Director, Education Resources
State Certification/Licensing

Appraisal Institute®
Professionals Providing Real Estate Solutions

OFFICIAL ACADEMIC RECORD for APPRAISERS – ALASKA

RECEIVED
Juneau
MAR 10 2017

This document certifies that

Deborah J. Reid

Kasberg Appraisal Services
P O Box 33514
Juneau, AK 99803

has attended and passed the exam for this Appraisal Institute program

Basic Appraisal Procedures

(AK Program License Number: 15149, expires 02/22/2019)
at Marriott Courtyard in Plano, TX

10/24/2016 - 10/27/2016.

Attendance Hours: 28.0 Exam Hours: 2.0

Attendance was 100% with a passing grade.

Verified by Suzanne M. Siradas on 11/03/2016

Suzanne M. Siradas
Director, Education Resources
State Certification/Licensing

Appraisal Institute®
Professionals Providing Real Estate Solutions

OFFICIAL ACADEMIC RECORD for APPRAISERS – ALASKA

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This document certifies that

Deborah J. Reid

Kasberg Appraisal Services
P O Box 33514
Juneau, AK 99803

has attended and passed the exam for this Appraisal Institute program

2016-2017 15-Hour National USPAP Course

(AK Program License Number: 15040, expires 12/31/2017)
at Marriott Courtyard in Plano, TX

10/28/2016 - 10/29/2016.

Attendance Hours: 14.0 Exam Hours: 1.0

Attendance was 100% with a passing grade.

Verified by Suzanne M. Siradas on 11/10/2016

Suzanne M. Siradas
Director, Education Resources
State Certification/Licensing

Appraisal Institute®
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RECEIVED
Juneau
MAR 10 2017
CBPL

Deborah Reid
PO Box 33514, Juneau, AK 99803
Work: (907) 500-9010 • Mobil: (907) 321-9225
kasbergappraisal@gci.net

March 7, 2017

Alaska State Board of Certified Real Estate Appraisers
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

To Whom it May Concern,

I am applying for certification as a Real Estate Appraiser Trainee. I believe my education and work experience has exceeded the minimum requirements.

Mark Kasberg, State of Alaska Certified General Appraiser and owner of Kasberg Appraisal Services, has been my supervisor and mentor since 2012. With the intent to become a Certified Residential Real Estate Appraiser, I worked with Kasberg Appraisal Services part time for four years while I attended college at the University of Alaska Southeast. In the spring of 2016, I received my Bachelor of Business Administration Management degree. Since then, I have been working full time and obtaining the core education requirements necessary for the Real Estate Appraiser Trainee certification.

In addition to the experience outlined on my log, work experience with Kasberg Appraisal Services includes identifying the scope of work, working with numerous clients, developing the appropriate approaches to value, developing rent schedules, and practicing the final reconciliation. I have completed the 75 hours of statutory education requirements for this application. Furthermore, I have received my official certification for completion of Real estate Finance, Statistics and Valuation Modeling, and I am registered for several qualifying Certified Residential Real Estate Appraiser courses in June.

Thank you for your consideration.

Sincerely,

Deborah Reid

Deborah Reid

Enclosed: Real Estate Appraiser Certified Trainee Application

Work Verification Log

Official Academic Record Certificates

Payment

Board or Commission: _____

Meeting Date: _____

Agenda Item # _____ Tab #_____ Topic: _____

Primary Motion

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

Subsidiary Motion or Amendment

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.
(c) The following subject may be considered in an executive session:

(1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
(2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
(3) matters which by law, municipal charter, or ordinance are required to be confidential;
(4) matters involving consideration of government records that by law are not subject to public disclosure.

MOTION WORDING:

"In accordance with the provisions of Alaska Statute 44.62.310 (c), I move to go into executive session for the purpose of discussing (select the appropriate statutory citation for the situation):

(1) **matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;** ***OR***

(2) **subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;** ***OR***

(3) **matters which by law, municipal charter, or ordinance are required to be confidential;** ***OR***

(4) **matters involving consideration of government records that by law are not subject to public disclosure.**

Board staff is requested to remain during the session ***OR***
Board only to remain during session."

Staff will then state **"The board is off the record at _____(time)."**

Frequently Asked Questions:

- **What does the Board mean by "Core Curriculum"?**
  The Appraisal Subcommittee (ASC) establishes the minimum requirements for certification via the Appraisal Qualifications Board (AQB). They have determined that in order to become a **Certified General or Institutional Real Estate Appraiser**, a total of 300 hours in core curriculum courses must be completed:

CERTIFIED GENERAL	
BASIC APPRAISAL PRINCIPLES	30 HOURS
BASIC APPRAISAL PROCEDURES	30 HOURS
15-HOUR NATIONAL USPAP COURSE OR ITS EQUIVALENT	15 HOURS
GENERAL APPRAISER MARKET ANALYSIS AND HIGHEST AND BEST USE	30 HOURS
STATISTICS, MODELING AND FINANCE	15 HOURS
GENERAL APPRAISER SALES COMPARISON APPROACH	30 HOURS
GENERAL APPRAISER SITE VALUATION AND COST APPROACH	30 HOURS
GENERAL APPRAISER INCOME APPROACH	60 HOURS
GENERAL APPRAISER REPORT WRITING AND CASE STUDIES	30 HOURS
APPRAISAL SUBJECT MATTER ELECTIVES (May include hours over minimum shown above in other modules)	30 HOURS
CERTIFIED GENERAL EDUCATION REQUIREMENTS	300 HOURS

To become a **Certified Residential Real Estate Appraiser**, the following 200 hours of core curriculum courses are required:

CERTIFIED RESIDENTIAL	
BASIC APPRAISAL PRINCIPLES	30 HOURS
BASIC APPRAISAL PROCEDURES	30 HOURS
15-HOUR NATIONAL USPAP COURSE OR ITS EQUIVALENT	15 HOURS
RESIDENTIAL MARKET ANALYSIS AND HIGHEST AND BEST USE	15 HOURS
RESIDENTIAL APPRAISER SITE VALUATION AND COST APPROACH	15 HOURS
RESIDENTIAL SALES COMPARISON AND INCOME APPROACHES	30 HOURS
RESIDENTIAL REPORT WRITING AND CASE STUDIES	15 HOURS
STATISTICS, MODELING AND FINANCE	15 HOURS
ADVANCED RESIDENTIAL APPLICATIONS AND CASE STUDIES	15 HOURS
APPRAISAL SUBJECT MATTER ELECTIVES (May include hours over minimum shown above in other modules)	20 HOURS
CERTIFIED RESIDENTIAL EDUCATION REQUIREMENTS	200 HOURS

To become a **Registered Trainee**, the following 75 hours of core curriculum courses are required:

TRAINEE APPRAISER	
BASIC APPRAISAL PRINCIPLES	30 HOURS
BASIC APPRAISAL PROCEDURES	30 HOURS
15-HOUR NATIONAL USPAP COURSE OR ITS EQUIVALENT	15 HOURS
TRAINEE APPRAISER EDUCATION REQUIREMENTS	75 HOURS

- **What is the timeframe in which the core curriculum hours must be completed?**
  150 hours out of the total hours required must have been completed within 5 years preceding the date of application.
- **How do I find/participate in core curriculum courses?**
  Core curriculum and continuing education courses must first be approved by the Board of Certified Real Estate Appraisers and issued a unique course approval number. Providers of continuing education submit course approval applications for various courses to be reviewed/approved by the Board. Once approved, courses are updated to the Board's continuing education website at https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/RealEstateAppraisers/ContinuingEducation.aspx
- **What does the Board mean by "Experience"?**
  The Appraisal Subcommittee (ASC) establishes the minimum requirements for certification via the Appraisal Qualifications Board (AQB). They have determined that in order to become a **Certified General Real Estate Appraiser**, a total of 3,000 hours of experience in property appraisal be completed in no fewer than 30 months. A minimum of 1,500 hours of experience must be related to non-residential appraising.

  To become a **Certified Residential Real Estate Appraiser**, a total of 2,500 hours of experience in property appraisal be completed in no fewer than 24 months.

  If applying by **Examination**, a copy of an appraisal review must be submitted along with the initial application to verify USPAP compliance. When filling out the "Work Log Verification" form (included at the end of the application), choose one work product from your work log to submit to the Board for review. The Board will need to review this work product before an applicant is approved to take the national examination.
- **Where can I find additional information on certification requirements?**
  Statutes and regulations pertaining to certification requirements can be found at: https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/RealEstateAppraisers/LicensingStatutesRegulations.aspx as well as on the applications.
- **If I am an out-of-state certified appraiser employed by a financial institution, do I have to obtain a certificate or courtesy license in order to conduct an appraisal in Alaska?**
  No, Alaska does not require an appraiser be credentialed in Alaska to perform an appraisal or appraisal review, provided the appraiser does not represent her/himself as a certified appraiser, and the appraisal is not required by law. Per AS 08.87.100, it is considered a class B misdemeanor if an individual states that s/he is certified in Alaska when in fact they are not.
- **What is required for continuing education requirements?**
  Licenses lapse on June 30th of odd-numbered years, at which time those who are certified must submit an application for renewal. Certified Real Estate Appraisers who have been licensed **for at least two years** must complete 28 hours of continuing education, including the required 7-hour USPAP course. Those who have been licensed for **less than 2 years** must complete 14 hours of continuing education, including the required 7-hour USPAP course.

Only half of the required courses can be taken via **online or distance methods**. In other words, if you are licensed for at least 2 years, a maximum 14 hours of continuing education can be taken online.

Trainees are not required to complete continuing education, but are required to submit a renewal if intending on maintaining trainee registration status.

Core curriculum and continuing education courses must first be approved by the Board of Certified Real Estate Appraisers and issued a unique course approval number. Providers of continuing education submit course approval applications for various courses to be reviewed/approved by the Board. Once approved, courses are updated to the Board's continuing education website at https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/RealEstateAppraisers/ContinuingEducation.aspx

- **Is it required to become *registered* as a trainee in Alaska?**
  At its meeting on January 15th, 2016, the Board of Certified Real Estate Appraisers resolved to not require registration as a trainee in order for experience to count for certification as a general or residential appraiser. Documentation of work experience would still need to be completed on the form provided by the Division.
- **What is the required course for Trainees and Supervisors?**
  Trainee and Supervisory appraisers must participate in and submit a certificate showing completion of a Supervisory Appraiser/Trainee Appraiser course. The course must be previously approved by the Board of Certified Real Estate Appraisers. Note that this course is acceptable for qualifying education only, not continuing education.
- **How do I become a Board-approved supervisor?**
  Certificate holders who have been licensed in Alaska for at least 3 years (and are in good standing) qualify to become a Board-approved supervisor. To submit an application, fill out form # 08-4663, and include a copy of a certificate demonstrating completion of a Supervisory Appraiser/Trainee Appraiser course. Supervisory Appraisers are limited to no more than 3 trainees.
- **What is a supervisor responsible for?**
  A Board-approved supervisor should become familiar with 12 AAC 70.935 (located in the statutes/regulations booklet). Supervisors are responsible for signing/certifying that appraisal reports are USPAP compliant, reviewing/signing the trainee's appraisal report(s), inspecting appraised property until it is determined that the individual is competent to independently do so, and submitting a Determination of Competency form on behalf of the trainee. The Determination of Competency form is located within the Certified General Real Estate Appraiser application and Certified Residential Real Estate Appraiser Application.
- **Registered trainees must be supervised by a certified real estate appraiser—how do I find an approved supervisor?**
  The licensing examiner keeps an internal list of Board-approved supervisors. Refer to the contact information for the examiner assigned to this program on the Board Home Page. A trainee can have unlimited supervisory appraisers.
- **I would like to add a supervisory appraiser and keep my current supervisory appraiser—how do I do this?**

The new supervisor must complete the required Supervisory Appraiser/Trainee Appraiser course and submit an application (form #08-4663), if not already a Board-approved supervisor. The trainee must then submit a Change of Supervisor form (08-4597).

- **I am currently a Trainee Appraiser—what additional qualifications do I need in order to transition to a certified general or residential real estate appraiser?**
- Depending on whether you wish to transition to a Certified Residential Real Estate Appraiser, or Certified General Real Estate Appraiser, you will need to complete 225 or 125 additional core curriculum hours, respectively. A trainee transitioning to a residential real estate appraiser will need 2,500 total hours of experience; a trainee transitioning to a general real estate appraiser will need 3,000 total hours of experience in which no less than 1,500 hours is in non-residential work. Please see the respective applications (08-4163 and 08-4164) for a breakdown on core curriculum requirements.
- **Do I have to become registered as a Trainee before I become a certified real estate appraiser?**
  It is not required to become registered as a Trainee, however, it is recommended that the trainee register with a supervisory appraiser and follow the criteria under that relationship. This is particularly helpful for the trainee to receive full experience credit when applying for certification.
- **I am currently a Certified Residential Real Estate Appraiser—what additional qualifications do I need in order to transition to a Certified General Real Estate Appraiser?**
  An additional 100 hours related to general real estate appraising, 1,500 hours of general appraisal experience, passing score on the Certified General Real Property Exam, and transcripts showing completion of a college degree are required. The application for this transition is #08-4163.
- **What do I need to know about applying for a courtesy license?**
  Applicants should note that no more than 2 courtesy licenses can be issued within a 12-month period. A license verification from <u>one</u> state is sufficient and must be submitted directly from the state licensing agency/board to our office. These must be <u>mailed</u>, not e-mailed. The courtesy license is valid for a maximum of 180 days, after which time a copy of the appraisal report must be submitted to this office.

  The Board of Certified Real Estate Appraisers is required by the ASC to issue courtesy licenses within 5 days of the complete application. At the time of initial application, the properties listed will fall into one "assignment", however, if the courtesy license applicant wishes to add a new property *after* the license has already been issued, the applicant will need to re-apply.
- **I have a concern about a certified appraiser, how do I file a complaint?**
  Complaints are addressed via the Investigations Section. To file a complaint, fill out a "Request for Contact" form. The investigator assigned to the Board of Certified Real Estate Appraisal will conduct the investigation based on the information provided on the form. Please visit https://www.commerce.alaska.gov/web/cbpl/ComplaintFAQs.aspx
- **Are Appraisal Management Companies (AMCs) subject to regulations?**
  No, regulations are being drafted now, and a board task group is working on it, however no "Draft" regulations are available for dissemination yet. Regulations will be reviewed/approved by the board, then published for public comment, with enactment prior to the federally mandated implementation date.
- **Are background checks and/or fingerprints required as part of the application process for certification?**

Alaska Statute AS 12.62.400(a)(8) requires that applicants submit fingerprints for a background check, however, this has not yet been implemented in the Board's specific program statutes and regulations yet. A change to this requirement is expected on or around January 1st, 2017. Currently, as part of the application process you will be asked for specific background details including criminal and disciplinary incidents which require explanations and may initiate investigations.

- **What type of land appraisals is a Certified Residential Appraiser allowed to do?**
  A Residential credentialed appraiser is allowed to appraise vacant or unimproved land that is utilized for one-to-four family purposes or for which the highest and best use is for one-to-four family purposes. The appraisal of subdivisions is not allowed where a development analysis/appraisal is necessary.
- **Am I allowed to take my core curriculum (qualifying education) and/or continuing education online?**
  The Appraisal Qualifications Board allows an applicant for certification as a general, residential, or trainee appraiser to complete qualifying education online, so long as the course provides verbal or written communication from the instructor and if it is specifically approved by the AQB and the Alaska Board of Certified Real Estate appraisers. The Board will allow applicants to complete up to half of the hours required online, for both qualifying and continuing education. The AQB further requires that for qualifying education, online courses must include a closed-book proctored examination. An online continuing education course must be at least 2 hours in length and approved by the AQB, IDECC and the Board.

Getting Started: A Brief Summary

The Alaska Board of Certified Real Estate Appraisers is excited to welcome new appraisers into the last frontier. If you are wondering whether you qualify to become a certified real estate appraiser, trainee, or supervisory appraiser, the following information may help guide you in your decision to apply:

	Institutional (Form 08-4233)	**General** (Form 08-4163)	**Residential** (Form 08-4164)	**Courtesy** (Form 08-4223)	**Trainee** (Form 08-4162)	**Supervisor** (Form 08-4663)
Required Education*	Bachelor's Degree (any field)	Bachelor's Degree (any field)	Bachelor's Degree (any field)	-	Bachelor's Degree (any field)	(see general or residential)
Core Curriculum**	300	300	200	-	75	(see general or residential)
Required Experience	-	3,000	2,500	-	-	(see general or residential)
Required Training Certificate	-	-	-	-	Any supervisory Appraiser/Trainee Appraiser Course	Any supervisory Appraiser/Trainee Appraiser Course
Required Exam if applying via examination***	AQB-Approved Certified General Real Property Examination	AQB-Approved Certified General Real Property Examination	AQB-Approved Certified Residential Real Property Examination **or** AQB-Approved Certified General Real Property Examination	-	-	(see general or residential)
USPAP Requirement for *initial certification*	15-Hour USPAP	15-Hour USPAP	15-Hour USPAP	-	15-Hour USPAP	(see general or residential)
USPAP Requirement for *continuing education*	7-Hour USPAP	7-Hour USPAP	7-Hour USPAP	-	7-Hour USPAP	(see general or residential)
Required License Verification *if applying via reciprocity*	-	Verification of license needed from only one state, sent directly from the agency to this office. You must document on the application all the states where you have ever held a license.	Verification of license needed from only one state, sent directly from the agency to this office. You must document on the application all the states where you have ever held a license.	Verification of license needed from only one state, sent directly from the agency to this office. You must document on the application all the states where you have ever held a license.	-	(see general or residential)
Certificate/License/ Work Status	Must be employed full-time with a financial institution	Must be in good standing if licensed in other state(s)	Must be in good standing if licensed in other state(s)	Must be in good standing if licensed in other state(s)	-	Must be certified and in good standing in Alaska for at least 3 years

***If certified or registered *before* January 1st, 2015, those without a Bachelor's degree are "grandfathered" in. A list of approved education courses can be found at **https://www.commerce.alaska.gov/cbp/ContinuingEducation/Sponsor**

****Core curriculum hours are courses that are required by the Appraisal subcommittee and are specific to *General, Residential, and Institutional* application types. For a quick look at the list of core curriculum courses, please visit the "Frequently Asked Questions" document at: **https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/RealEstateAppraisers/FAQs.aspx.** You may also find these on the "General Information" (instruction pages) of forms #'s 08-4163 (Certified General Real Estate Appraiser application) and 08-4164 (Certified Residential Real Estate Appraiser) located at **https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/RealEstateAppraisers/Applications.aspx**

*****Verification of work experience via an appraisal report listed on the Work Log Verification is needed to be reviewed by the Board in order to be approved to take the national examination. The Work Log Verification form is at the end of the application. The Board will choose one (1) appraisal report from the work log for you to submit for USPAP compliance.

Goal 1: Carry out assigned duties of the board:

Objective 1: Conduct a minimum of three board meetings a year and rotate the location of the meetings between different regions of the state.

Objective 2: Continue licensing chiropractic physicians and processing applications in a timely manner.

Objective 3: Review investigative reports, monitor disciplinary actions and provide professional direction to Division investigative staff regarding disciplinary actions, probation matters, criminal history record information and chiropractic practice.

Objective 4: Utilize the National Board of Chiropractic Examiners (NBCE) Special Purposes Examination for Chiropractic (SPEC) and Ethics & Boundaries Examination (E&B) in memorandum of agreements.

Objective 5: Continue to review and process requests for continuing education credit approval in a timely manner.

Objective 6: Continue to administer the jurisprudence exam concurrent with Board meetings and to include candidate interviews as part of the examination.

Goal 2: Provide information regarding board activities to the profession and the public.

Objective 1: Inform all licensees of any pending regulation changes in the customary manner.

Objective 2: Provide a public comment period at each meeting.

Objective 3: Address concerns presented by licensees and the public at each meeting.

Objective 4: Provide copies of agendas and/or minutes of the meetings to all who request them.

Objective 5: Continue to work with other licensing boards, at both the district and national level.

Objective 6: Continue to address the reporting requirements for domestic violence and sexual assault.

Objective 7: Support efforts to educate the public regarding the benefit of chiropractic care as a health care form.

Objective 8: Raise awareness regarding public health, emergency training, hazardous materials and OSHA requirements.

Objective 9: Ensure current information is available on the Board website through regular updates by staff and regular monitoring by Board members.

Goal 3: Continue affiliation with the Alaska Chiropractic Society (ACS) to work cooperatively in the best interest of the profession and the public.

Objective 1: Encourage regular Alaska Chiropractic Society (ACS) participation at Board meetings.

Objective 2: Support the Alaska Chiropractic Society (ACS) in its efforts to provide information to the profession and the public.

Objective 3: Support the Alaska Chiropractic Society (ACS) in its efforts in pursuing

statutory changes relevant to the profession and public safety.

Objective 4: Support the Alaska Chiropractic Society (ACS) in pursuing statutory authority for licensing chiropractic assistants, technicians and interns/preceptors.

Objective 5: Support the Alaska Chiropractic Society (ACS) in its efforts in pursuing a statutory change to allow for animal chiropractic in cooperation with the Veterinary Board.

Goal 4: Access and evaluate regulations.

Objective 1: Continue to assess and evaluate continuing education requirements.

Objective 2: Continue to assess and evaluate radiological safety, professional ethics and boundaries, public health and emergency training.

Objective 3: Proactively make recommendations through regulations to anticipate changes in the health industry.

Goal 5: Assess and evaluate the review process available through the Peer Review Committee.

Objective 1: Refine procedures for committee review of cases and the reporting process; consider establishing criteria (guidelines) for utilization review under 12 AAC 16.430.

Objective 2: Direct review inquiries to the committee.

Objective 3: Keep the committee roster fully staffed with three chiropractors and one public member at all times.

Goal 6: Continue affiliation with the Federation of Chiropractic Licensing Boards (FCLB), the National Board of Chiropractic Examiners (NBCE), the Association of Chiropractic Board Administrators (ACBA), and the Council on Chiropractic Education (CCE), as well as the Council on Licensure, Enforcement and Regulation (CLEAR) and the Federation of Associations of Regulatory Boards (FARB):

Objective 1: Promote attendance of Board members and staff at district and annual meetings of the FCLB and NBCE in order to provide input and obtain information at both national and state levels regarding matters impacting Alaska Chiropractors.

Objective 2: Work with the FCLB on maintaining a listing of Alaskan Chiropractors on the National Database (CIN-BAD).

Objective 3: Promote attendance of Board members at the semi-annual NBCE Part IV Examinations and Part IV Examination Review committee meetings of the NBCE to provide input and obtain information on the Exams required for chiropractic licensure in Alaska.

Objective 4: Promote attendance of the Licensing Examiner at the annual meetings of the ACBA and FCLB to provide input and obtain information at both national and state levels regarding matters impacting the regulation and licensure of Alaskan Chiropractors.

Objective 5: Promote attendance by Board members and staff at the annual CLEAR and/or FARB conferences.

Goal 7: The Board will endeavor, through the legislative process, to add the Board of Chiropractic Examiners to relevant centralized and non-centralized statutes that enhance the profession and its administrative efficiency.

Objective 1: The Board will pursue authority to utilize National Criminal History Record checks under AS 12.62.200, and will pursue similar authority under AS 08.20.

Objective 2: The Board will pursue inclusion into AS 08.01.050(d) for the purpose of providing licensed chiropractors the resources needed to address abuse of alcohol, drugs, or other substances.

Board or Commission: _____

Meeting Date: _____

Agenda Item # _____ Tab #_____ Topic: _____

Primary Motion

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

Subsidiary Motion or Amendment

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

EXECUTIVE SESSION MOTION

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(1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
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(3) matters which by law, municipal charter, or ordinance are required to be confidential;
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MOTION WORDING:

"In accordance with the provisions of Alaska Statute 44.62.310 (c), I move to go into executive session for the purpose of discussing (select the appropriate statutory citation for the situation):

(1) **matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;** ***OR***

(2) **subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;** ***OR***

(3) **matters which by law, municipal charter, or ordinance are required to be confidential;** ***OR***

(4) **matters involving consideration of government records that by law are not subject to public disclosure.**

Board staff is requested to remain during the session ***OR***
Board only to remain during session."

Staff will then state **"The board is off the record at _____(time)."**

Agenda Item # 9

Old Business

- Regulations Project Update
- Discuss/Review Recommendations for AMC regulations

[redacted]

[redacted]

[redacted]

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[redacted]

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[redacted]

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[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

November 7, 2016

Ms. Laura Carrillo
Division of Corporations, Business, and Professional Licensing
Board of Certified Real Estate Appraisers
PO Box 110806
Juneau, AK 99811-0806

Dear Ms. Carrillo:

Please accept my apology for not connecting with you in Washington, D.C. at the recent AARO conference.

On behalf of the Appraisal Management Companies (AMCs) represented by the Real Estate Valuation Advocacy Association's (REVAA), most of whom would become licensees in Alaska, please accept the following perspective on why AMCs want to be regulated in Alaska and the value AMCs provide to consumers and lenders in the state.

Generally, REVAA members share the sentiment of those who believe in less state government regulation. However, due to federal law AMC regulation by the states is voluntary, despite the integral role AMCs play to safeguard appraiser independence and protect consumer safety and the investments made in mortgage transactions. Therefore, AMCs and lenders are in the odd position of having to advocate for at least minimal AMC regulation to avoid what would without question be a massive disruption in the residential mortgage market that would result in negative consequences to consumers and lenders in Federally Related Transactions.

The American Bankers Association supports AMC state regulation, as do other national and local lender organizations. The following is from the Mortgage Bankers Association's 2016 state residential issue priorities:

> ***MINIMUM STANDARDS FOR APPRAISAL MANAGEMENT COMPANIES***
> *Dodd-Frank required the creation of minimum standards for state registration and supervision of appraisal management companies (AMCs). A corresponding interagency rule issued in 2015 outlined certain minimum requirements each state must meet, which include a variety of registry requirements and oversight controls. While the AMC rule does not compel states to establish such minimum standards, if states do not adopt an appropriate regulatory structure by August 10, 2018, certain non-federally regulated AMCs will be barred from providing appraisal management services for federally related transactions. Working with state associations and industry partners, in 2016 MBA will advocate for states that have not yet created an "appraiser certifying and licensing agency" for non-federally regulated AMCs within their state to pass such legislation prior to the end of the aforementioned 36-month window. MBA will also advocate that states which currently have some form of AMC licensing regime update their scheme to fully comport with the new minimum standards.*

REVAA Strongly Believes Alaska Should Regulate Appraisal Management Companies. The lack of AMC regulation in Alaska would create unintended consequences for consumers and all others involved in the residential appraisal process. It is also important to note that, in fulfilling their responsibilities, AMCs would help support the obligations that Alaska has in regulating appraisers (i.e., by reporting on appraiser violations of the USPAP and other relevant professional licensing standards). AMCs are important to the appraisal/valuations process due to the functions they perform, including:

- Maintaining a qualified panel of licensed appraisers ready to execute lender valuation assignments.
- Ensuring appraiser independence by safeguarding against undue influence in the valuation process.
- Providing quality assurance processes in the delivery of final appraisal and valuation products.
- Supporting a smooth, timely and responsive mortgage process for consumers and lenders.
- Complying with federal and state laws governing valuation products and services.

REVAA members welcome the opportunity to work with the you and other stakeholders on legislation and AMC rules that comply with federal minimum standards while minimizing the state's regulatory burden. We are very concerned about fast approaching timeline of August 2018 and are anxious to get started.

REVAA Member Companies Want to be Regulated. As mentioned above, we are in a precarious situation whereby we need to advocate for being regulated by the states. We want fair, balanced and consistent AMC regulation in all 50 states and the five U.S. territories to help safeguard public trust and ensure quality and consistency in serving consumers, lenders and appraisers. Our simple request is that AMCs be treated fairly and respectfully as a co-licensee in each jurisdiction. AMC regulation does not need not be burdensome, especially if the regulation is implemented using the minimum standards set out in the Final Rule.

AMCs Play a Vital Role in Protecting Consumers.

- Safeguard Appraiser Independence and Protect Against Fraud – AMCs help ensure that appraisals are completed in compliance with federal and state law and that the opinion of value was achieved by the appraiser independently, without undue influence. Prevention of coercion is critical to avoiding collusion within the valuation process and therefore potential fraud.
  - » A lack of appraiser independence has led to previous housing bubbles and predatory lending. Long before the HVCC and Dodd-Frank the nation had been adversely affected by prior valuation crises in the 1930s and 1980s. FIRREA was part of an effort to rein in abuse but was inadequate. The same independence protects consumers and lenders by providing assurance that real estate assets are correctly valued as there are reams of federal/state reports estimating the losses to the economy from valuation fraud.
  - » Most AMCs have systems and processes in place to:
    - Investigate appraiser concerns regarding attempts to influence valuation
    - Investigate consumer complaints regarding unprofessional conduct
    - Communications with consumers to help educate them regarding misunderstandings of appraisal practices and/or principles
- Help Lower Costs Associated with Borrowing – While compliance with state and federal laws and rules is a big reason for lenders use of AMCs, another one is that lenders have high overhead and must compete in a competitive marketplace and the use of AMCs helps them provide the service efficiently and cost effectively to benefit the consumer while ensuring payment of Customary and Reasonable Fees to appraisers.
- Provide Quality Controls - AMCs employ quality control measures to ensure the integrity of a supportable, dependable and credible appraisal, which can identify mistakes and fraud in appraisal reports that protect consumers from faulty opinions of value.
- Reduce Turnaround Times - AMCs employ valuation experts to screen appraisal reports to identify issues early, and have a much larger success rate in resolving valuation issues without causing unnecessary delays and mitigation consumer dissatisfaction.
- Assure that a Competent Appraiser is Selected - Ensure only the most qualified and geographically competent appraisers are sent to a consumer's home.
- Protect Public Safety – Consumers are provided an extra layer of safety and protection as AMCs complete background checks of appraisers before they can be employed or empaneled. Further, AMCs continue to monitor their appraisers while they are employed or empaneled to ensure that unqualified appraisers or those that may pose a threat to public trust or safety are removed.
- Assist Appraisers with Consumer Questions - AMCs work with appraisers to resolve borrower questions and provide the borrower/lender an ability to submit value appeals while complying with appraiser independence.
- Provide Customer Service Issue Resolutions - AMCs resolve customer service escalations that are not directly related to the appraisal process through their access to lenders that the consumer may not otherwise have.

AMCs are Integrated into America's Mortgage Lending and Secondary Markets. It is estimated that 66% of lenders now use AMCs exclusively for their facilitation of residential appraisals. The remaining one-third of lenders (primarily smaller lenders) manage their own in-house appraiser panels, many of which use their own panels which often include the use of AMCs. But, there is great uncertainty by lenders and AMCs as to what will or won't qualify as an FRT because it may change over the loan life-cycle from FRT to non-FRT and back to FRT.

- Act as a Compliance Partner for AMC Regulations - Serve as invaluable partners for ensuring efficiency and compliance with state and federal AMC regulations.
- Ensure Lender Compliance with Banking and Mortgage Regulations - Support lender compliance with federal banking regulations (e.g., Fed, FDIC, OCC, CFPB) governing mortgage lending (i.e., appraisal review).
- Help Reduce Costs & Ensure Appraiser Independence - Large and medium sized lending institutions have indicated that they need independent AMCs, because of the cost for them to establish and maintain the necessary internal firewalls for effective appraiser independence compliance.
- Protects Against Marketplace Disruption - Ensures that lenders who use AMCs get their valuation work completed. If AMCs were not to be regulated in Alaska, lenders would be forced to create elaborate internal controls and firewalls that they would not have to create in other states to obtain their appraisal procurement functions on FRTs, with the least disruption to mortgage lending in the state.

Not Regulating AMCs in Alaska Doesn't Mean AMCs Will Cease to Exist. If Alaska chooses not to regulate AMCs, lenders would not be able to use AMCs to facilitate FRTs but AMCs would still operate to serve lenders for non-FRTs (roughly still comprise an estimated 88-94% of all residential transactions). As mentioned above, it is our preference to be regulated.

AMCs Provide Important Value to Independent Fee Appraisers.

- Ensure a Firewall from Undue Influence - Create a safeguard for appraisers from undue influence on their independence so they may remain in business.
- Reduce Appraiser Business and Marketing Costs - Eliminate the need for appraisers to spend time and resources on marketing to lenders to solicit business.
- Provide Support and Mentorship - Provide mentorship to appraisers who operate single appraiser shops and don't often get the opportunity to bounce complex appraisal issues off anyone else prior to delivery. AMCs employ seasoned and/or designated appraisers who are available to assist in providing guidance when complex appraisal issues arise.

Thank you for considering our comments. Please do not hesitate to contact me with questions.

Respectfully,

Mark Schiffman
Executive Director

From: Carrillo, Laura N (CED)
To: Zaguirre, Aiko B (CED)
Subject: FW: Alaska AMC Regulation
Date: Monday, November 07, 2016 9:14:13 AM
Attachments: 1116 Alaska letter .pdf

Could you save this to the I drive/your folder? If there isn't an AMC folder already, please create one. Also, please include this in the packet for the April meeting.

Thank you,

Laura Carrillo
Records & Licensing Supervisor
Professional Licensing
State of Alaska – DCCED
Phone: 907-465-2588
E-mail: laura.carrillo@alaska.gov
Fax: 907-465-2974

From: Mark Schiffman [mailto:mark.schiffman@revaa.org]
Sent: Monday, November 07, 2016 9:02 AM
To: Carrillo, Laura N (CED)
Subject: Alaska AMC Regulation

Good morning Laura,

Please see the attached note on AMC regulation. We would like to see it happen in Alaska and want to help.

Please let me know if you have questions.

Thank you,

Mark

Mark A. Schiffman
Executive Director
Real Estate Valuation Advocacy Association (REVAA)
www.revaa.org
(612) 716-1812

Agenda Item #11

New Business

-Legislative Sunset Audit
-Review Renewal Audit Process
-Discuss Upcoming Federal Auditment

THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

BOARD OF CERTIFIED REAL ESTATE APPRAISERS
Aiko Zaguirre, Licensing Examiner

P.O. Box 110806
Juneau, AK 99811-0806
Main: 907.465.5470
Fax: 907.465.2974

Continuing Education (CE)
Hand-Out

Biennial Renewal Period	Certificate Expiration Date After Renewal	*When You Should Complete CE Activity	Required Courses (Unless amended in regulation)
06/30/2015 – 06/30/2017	06/30/2017	07/01/2013 to 06/30/2015	7-hour National USPAP Update Course (Board Approved)
06/30/2017 – 06/30/2019	06/30/2019	07/01/2015 to 06/30/2017	7-hour National USPAP Update Course (Board Approved)
06/30/2019 – 06/30/2021	06/30/2021	07/01/2017 to 06/30/2019	7-hour National USPAP Update Course (Board Approved)
06/30/2021 – 06/30/2023	06/30/2023	07/01/2019 to 06/30/2021	7-hour National USPAP Update Course (Board Approved)
06/30/2023 – 06/30/2025	06/30/2025	07/01/2021 to 06/30/2023	7-hour National USPAP Update Course (Board Approved)

*If an audit of your continuing education shows you are missing credits, you can use credits earned after this period to make up the credits, however, credits completed during prior renewal periods cannot be applied to satisfy hours. The activity must be Board-approved; see FAQ's on reverse for questions regarding CE applications.

Length of Certification	Minimum Hours Required	Allowable Online Hours
Licensed for less than 185 Days	**0; See FAQ**	-
Licensed for at least 185 Days, but less than 24 months	**14 total, including completion of a 7-hour National USPAP Update Course**	Up to 7 can be online
Licensed for 24 months or more	**28 total, including completion of a 7-hour National USPAP Update Course**	Up to 14 can be online

Fees Related to Continuing Education/Renewal	
Biennial Renewal Fee	$ 1050
Prorated Renewal Fee (If licensed <185 Days)	$ 525
Federal Registry Fee	$ 80 ($40 per calendar year)
Continuing Education Course Approval Fee	$ 400

(See reverse side for Frequently Asked Questions)

FAQ's:

1.) **Q: Where can I find the renewal application?**
A: You can download the paper application form on our website here:
https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/RealEstateAppraisers/Applications.aspx
Please be aware that paper renewal application processing may take up to 4-6 weeks. You are highly encouraged to renew your certificate online.

Beginning from the 2017-2019 Renewal Period, you may now renew your certificate online on our website here: https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/RealEstateAppraisers.aspx
However, if it is your first time to renew, you would have to submit a paper renewal application.

2.) **Q: Am I required to submit continuing education certificates with my renewal application?**
A: No, please only submit certificates if you have been notified of an audit of your continuing education activity.

3.) **Q: What if I am audited?**
A: If selected for an audit of your continuing education activity, you will be sent a letter requesting certificates of all activity used to satisfy the renewal requirements. The certificates must be received by our office within 30 days subsequent to the date of the notice.

4.) **Q: I have been certified for less than 185 days. Am I required to submit continuing education activity?**
A: No, you are not required to complete any hours of continuing education. Please refer to the first table on the reverse side of this document for guidance on when to participate in continuing education activity.

5.) **Q: How do I search for Board-approved continuing education activity?**
A: You can search it through the Division of Corporations, Business and Professional Licensing's Website here: https://www.commerce.alaska.gov/cbp/ContinuingEducation/Sponsor
You may also find it on the Alaska Board of Certified Real Eshttps://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/RealEstateAppraisers.aspx
You can search by course provider, title, or course.

6.) **Q: How many hours of continuing education may I take online?**
A: You may take up to half the required hours online depending on the length of your certification.

7.) **Q: I am interested in taking a course, but it is not listed on the website of Board-approved courses. How can I participate in this course and earn credit?**
A: You may contact the provider of the course/seminar/conference, and request that they submit a continuing education course approval application that can be downloaded here:
https://www.commerce.alaska.gov/web/portals/5/pub/apr4292.pdf

8.) **Q: I instructed and/or facilitated a course and would like to earn credit for this—is this possible?**
A: Yes, the Board—on an individual basis—may award up to 10 hours of continuing education credit for nonstudent participation in a course that relates to real estate analysis or real property appraisal theory, practice, or technique. "Nonstudent participation" includes teaching, program development, and preparation for textbooks, monographs, articles, and other instructional materials. Please note that the course should still be approved by the Board.

9.) **Q: If I mail out my renewal application on June 30th, but it does not arrive to the office of the Board until a later date, will my renewal be considered late?**

A: As long as the postmark date of your renewal application is on or before June 30th, your renewal form will not be considered late. That is why you are encouraged to renew your certificate online, which will be a more efficient way for your certificate renewal.

10.)Q: Can I still renew my license after it has lapsed?

A: You may apply for a late renewal, but you would have to submit additional documents such as a letter of explanation for the delay of your certificate renewal, as well as copies of certificates documenting completion of continuing education.

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	APPROVED BY Rick Urion, Director	
DIVISION Occupational Licensing	SECTION Licensing	

For licensing programs which require Continuing Education (CE) as a condition of renewal, the division will randomly audit a percentage of licensees to monitor CE compliance. There are many steps involved in the audit process and staff should review and become familiar with 12 AAC 02.960 and any applicable statute or regulation for assigned program area(s). The procedures listed below are to be followed in verifying compliance with CE and for random audit of CE courses:

RENEWAL PREPARATION AND PROCESSING

License renewal forms shall contain a statement advising the licensee of the CE requirements and that renewal applicants are subject to a random audit. The statute and/or regulation mandating the CE will be included in the statement. The renewal form will contain a "certification" or "affidavit" to be signed by the applicant, confirming that the applicant has completed the CE as required by law. The certification must include the unsworn falsification statute. Some licensing programs require the CE form to be notarized. Check your licensing statutes and regulations to see what specifics are required for the particular program you are administering.

The week of the renewal mailing (BEFORE any renewals are processed), the licensing supervisor, or the board's executive administrator, will run the "audit flagging" program and queue the computer to randomly select licenses for audit. (See Note Below *)

The following number if licenses will be selected for a random audit:

a. Programs with 3,000 or more current licenses – 5 percent will be selected for audit.

b. Programs with fewer than 3,000 licenses – 10 percent will be selected for audit.

The license screen will display those selected for audit.

A master roster of all the licensees selected for the audit must be printed and maintained in a file folder labeled appropriately. Example: 2004 Board of Veterinary Examiners License Audit Record. This file will be given to the staff person responsible for the audit (executive administrator or licensing examiner if there is no executive administrator for the program).

All renewal applications will be processed as usual. However, if a licensee is currently under an MOA, additional renewal requirements may apply.

Problem with Outstanding Audits:

* Before running the new audit flagging program, determine if there are any outstanding audits which were not properly followed-up on from the past renewal cycle. Print a roster of any outstanding records from the past flagging cycle - - the supervisor or executive administrator will need to address each one with staff to determine where the breakdown occurred. Once the list of outstanding audit records has been printed, delete the flags and proceed with queue of the new audit flagging cycle.

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NOTIFICATION TO LICENSEE

Once the majority of renewals have been processed (30 – 60 days after the expiration date of licenses), the licensing examiner will mail a first class letter notifying the licensees **who have renewed to date,** that they were randomly selected for audit. The letter should advise the licensee to submit documentation supporting the continuing education claimed on their renewal application. The letter of notification must be very clear about the requirements, acceptable documentation, and the name/address of the staff person who will be collecting the information. A copy of all correspondence generated from the division must go in the licensee file. A copy of the letter supported by a roster showing who the letter was sent to must be placed in the "Audit Record File"

Note: For audited licensees who renew after this first notice has been mailed, the licensing examiner processing the renewal will need to ensure the licensee is notified of their audit at the time of processing the late renewal(this includes renewal applicants issued temporary licenses due to CSED or student loan problems must be sent CE letters). A copy of this notice should be forwarded to the executive administrator, if applicable.

The first notification must advise the licensee to respond within 30 days and that if they need more time to comply, they must contact the lead staff person and discuss the need for additional time. Staff may verbally extend the time for gathering documentation up to an additional 30 days, but must document the verbal approval in writing in the audit record file. If more than 30 days is needed by the licensee, the request must be made in writing and approved by the board/commission via mail ballot vote. (If delegated, the executive administrator may grant such extensions; for programs with no board/commission, the program coordinator will approve extensions beyond 30 days).

THE EXTENSION TIME ALLOWED ABOVE IS FOR GATHERING DOCUMENTS ONLY – NOT FOR TAKING CONTINUING EDUCATION COURSES.

If the licensee fails to respond to the first notice within 45 days of mailing, send a second letter, "certified return receipt requested" and advise the licensee previous notice was sent to which a response has not been received. The second letter must direct the licensee to respond within 15 days from the date of receipt of second letter either by submitting required documentation or by contacting the staff person to request additional time to submit documentation. If the licensee requests additional time to gather documentation, staff may verbally grant an additional 30 days noting such extension in licensee's file and the audit record file. Extensions of time beyond 30 days must be in writing and approved by the board/commission/program coordinator or executive administrator. Staff are required to document verbal agreement for time extension in the file. <u>EXTREMELY IMPORTANT.</u>

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RESPONSE FROM LICENSEE

Maintain CE documents received from licensees in a folder awaiting board/commission/director approval. (Executive administrators may be delegated review and approval by the board.)

As documents are received, and before board/commission/director approval, the staff member should review the CE documents submitted and ensure:

a. that the education is within the appropriate time frame required by the program;

b. that the total number of hours add up to the number required;

c. that the documents are certified as true copies (if applicable), or are originals with instructor signature;

d. if applicable, confirm that the education was obtained through acceptable organizations or sponsors; and

e. content of education submitted appears to be within scope deemed acceptable according to program statute or regulation and that limited number of correspondence courses are within the particular program's requirements and/or that specific mandatory CE is represented - - such as required ethics or cross cultured education etc.

If CE documentation is incomplete or unclear, contact the licensee and advise them to submit needed information within 15 days of date of letter. If the licensee has submitted required information, but you are unsure whether it's acceptable, hold it for board review.

OTHER: If a licensee indicates being unable to comply with the audit – the audit file should be given to the paralegal.

PRESENTATION OF CONTINUING EDUCATION

When the majority of audit responses have been received, attach an "approval/rejection" form to each licensee's CE record and then present all audit responses to the board at the next regularly scheduled meeting. The board must complete the approval/rejection form by either indicating "approved" or "not approved." If the CE is not approved, the board must cite statutory/regulatory authority and clearly state why the education is not acceptable.

Within 30 days following the board meeting, the examiner must notify the licensee whether his/her CE has been accepted.

For programs in which the executive administrator has approval authority, attach an "approval/rejection" form and forward all audit information to the executive administrator for review. The executive administrator is responsible for notifying the licensee whether his/her CE has been accepted.

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For programs requiring director approval, prepare a memorandum listing each licensee's name and a recommendation for approval or rejection. Give the memorandum with all CE documents as backup attached to the memorandum to program coordinator for submission to the director.

Once the CE has been accepted, the licensing examiner will remove the audit flag from the license screen.

PARALEGAL INVOLVEMENT

If a licensee fails to respond to the second notification letter or fails to respond to the request for clarification regarding submitted documentation OR the board, executive administrator or director determines that a licensee's CE is not acceptable, all audit information will be immediately forwarded to the paralegal.

The paralegal will correspond, via certified mail, with the licensee advising what options may be available to resolve the CE audit. Options may vary depending upon the audit problem and what a particular board desires as options. The licensee will be given 15 days to respond to this notice.

Note: This is not intended to be an opportunity for licensees who failed to substantiate credits claimed on the renewal form to make it up with credits earned subsequent to the expiration date of the license.

The paralegal will work with the program coordinator, licensing staff, director, licensing board, and the attorney general's office in pursuing any license action deemed appropriate due to the circumstances of the licensee who fails to comply with the continuing education requirement and/or the audit. (The chief investigator may also be consulted for guidance.)

Once a license action (Memorandum of Agreement, etc.) has been accepted by the licensee or decided upon by the hearing officer subsequent to filing an accusation, the paralegal will give the original document to the licensing examiner/executive administrator to present to the board.

After the action is adopted by the board/commission or department, the paralegal will be responsible for service of process. The program coordinator will note the action on the computer license record flagging the "other" field on the license for mandatory CE audits, and remove the audit flag. The original document will ultimately be forwarded to the examiner for the license file and to remove the audit flag from the license screen.

The paralegal will monitor compliance with conditions in any Memorandum of Agreement pertaining to receipt of applicable civil fines. License actions reporting will be done by Investigation Unit staff.

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MAINTAINING THE CE AUDIT RECORD FILE

A. Compliance with the Continuing Education Requirement and/or Audit Procedure.

Once licensees have complied with the continuing education requirement and/or the audit without requiring a memorandum of agreement or other disciplinary action, the CE audit record file will ultimately be returned to the licensing examiner for maintenance and archiving with other program records.

B. Noncompliance with the Continuing Education Requirement and/or Audit Procedure.

Copies of a licensee's CE audit record file should be given to the paralegal in cases where the continuing education and/or audit requirements are not satisfied in response to the request for CE documentation. The CE audit records should be made part of the license file. The CE audit materials maintained by the paralegal is considered an investigative file.

FINAL COMMENTS

All audits should be completed by the licensing examiner/executive administrator **within 6 months** from the date licenses for the program expired, unless unusual circumstances are involved.

For example:

Licenses for which the new licensing period began in January would have been mailed the initial letter in 30 – 60 days and given 30 days to respond. If a licensee fails to respond, then a second notice is sent by certified mail within 45 days from the date the initial notice was sent allowing the licensee an additional 15 days to respond. A licensing examiner/executive administrator may grant an additional 30 days to a licensee who requests additional time to gather documentation. The required CE documentation should be received no later than June of that same year.

All communication with licensees regarding their audit (letters, telephone conversations, and office visits) must be documented in division files.

THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

BOARD OF CHIROPRACTIC EXAMINERS

P.O. Box 110806
Juneau, AK 99811-0806
Main: 907.465.2588
Fax: 907.465.2974

Renewal Complete Letter

November 8th, 2016

Dear Licensee,

Your license has been renewed per compliance with the Continuing Education requirements of 12 AAC 16.280 through 12 AAC 16.390. Your new license is enclosed and valid until **December 31, 2018**, at which time it is again due for renewal.

The mission of the Alaska State Board of Chiropractic Examiners is to foster the highest professional standards relative to the practice of Chiropractic in the State of Alaska consistent with the best interest of the health, welfare and safety of the public. The values embraced by the Board are equity, honesty, responsibility and collaboration. With your renewal, you are attesting to the adherence of such principles.

Please note that it is your responsibility to keep the Division informed of your current address. Forms for address and name changes, as well as statutes and regulations are posted on the Board's webpage at:
http://commerce.alaska.gov/dnn/cbpl/ProfessionalLicensing/BoardofChiropracticExaminers.aspx

Please also note that in accordance with 12 AAC 16.900, you are required to report all known instances of suspected unlicensed practice of chiropractic.

Thank you,

Laura Carrillo
Records & Licensing Supervisor
Alaska State Board of Chiropractic Examiners
Phone: 907-465-2588
E-mail: laura.carrillo@alaska.gov

THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development
BOARD OF CHIROPRACTIC EXAMINERS

P.O. Box 110806
Juneau, AK 99811-0806
Main: 907.465.3811
Fax: 907.465.2974

_____, 2016

30 Day Audit Letter

_____
P.O. Box 2740
Kenai, AK 99611

Dear Dr. _____

Your Chiropractic license has been randomly selected for audit. Your renewal application included an Affidavit of Compliance with the continuing education requirements of 12 AAC 16.280 – 12 AAC16.390, during the concluding license period from January 1, 2015 through December 31, 2016.

Per 12 AAC 02.960, you must submit documentation of your continuing education completion to verify competency activities. The certificates or similar verifications of satisfactory completion of the above continuing education requirements must include the following information:

- Your name
- Amount of continuing education credit awarded
- A description of the continuing education activity, including the course title
- Dates of actual participation
- The name, mailing address and signature of the instructor, sponsor, or other verifier.

The said documentation must be submitted to this office within 30 days of this notice. Failure to comply with the audit of your continuing education activity may result in disciplinary sanctions by the Alaska State Board of Chiropractic Examiners and this Department per AS 08.20.170.

Please note that the Board—in its discretion—may grant an extension for submitting the requested documentation if the licensee submits a written request illustrating good cause for the extension. It is the licensee's responsibility, however, to maintain adequate and detailed records of all continuing education competencies. Further formation regarding this audit process and its requirements are outlined at the following link: http://commerce.state.ak.us/dnn/Portals/5/pub/Centralized_Licensing_Regs.pdf

If you have any further questions, please feel free to contact me at 907-465-2588.

Sincerely,

Laura Carrillo
Records & Licensing Supervisor
Alaska State Board of Chiropractic Examiners
E-mail: laura.carrillo@alaska.gov

THE STATE of ALASKA

GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

BOARD OF CHIROPRACTIC EXAMINERS
Laura Carrillo, Licensing Examiner

P.O. Box 110806
Juneau, AK 99811-0806
Main: 907.465.3811
Fax: 907.465.2974

15 Day Audit Letter

_____, 2015

Maurice M. Michaud
5535 East 43rd Ave #3
Anchorage, AK 99504
RE: Renewal Audit – Certified Return Receipt Requested

Dear Dr. _____,

This is your **second** notice of request for documentation of continuing education activity during the period of January 1st, 2015 to December 31st, 2016. This office initially notified you in a letter dated February 20th, 2015 that you had been randomly selected for audit, and to submit verification of continuing education within 30 days of the request. You responded to this request on 03/20/15 via e-mail by submitting your certificates, which totaled 24.5 credits, including 18.5 clinical hours and 6 x-ray hours, respectively. You had reported on your renewal form, however, that you had completed a total of 46 credits in Section I. An informal request was sent to you via e-mail on 04/02/15 requesting clarification of the certificate for, "Integrative Spine and Hip Care Strategies", which granted you 20 hours in continuing education but did not specify the number of clinical and x-ray hours completed. You had indicated on your renewal form that this course offered 12 clinical credits and 8 x-ray credits. You responded to this request via fax on 04/17/15 by submitting a detailed description of the course, however, it still did not indicate the breakdown of hours as requested. You also submitted a certificate demonstrating successful participation in required ethics education per the request for additional information dated 04/02/15.

In addition, I requested on 04/02/15 for you to submit a certificate from your April 17th, 2013 participation in course 10703 for 1 x-ray credit, and a certificate from your 03/20/2013 participation in course 10704 for 1 clinical credit. These two pieces of documentation have not yet been received.

Please respond to this final request no later than **May 1st, 2015**. Failure to respond to this request will result in your file being forwarded to this Division's paralegal, and may result in disciplinary actions by the Board.

Your cooperation is greatly appreciated. If you have any further questions, please contact this office.

Sincerely,

Laura Carrillo
Licensing Examiner
Board of Chiropractic Examiners
State of Alaska – DCCED – CBPL
Phone: (907) 465-2588
Fax: (907) 465-2974
E-mail: laura.carrillo@alaska.gov

THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development
BOARD OF CHIROPRACTIC EXAMINERS

P.O. Box 110806
Juneau, AK 99811-0806
Main: 907.465.3811
Fax: 907.465.2974

_____, 2016

Audit Complete Letter

_____
5535 East 43rd Ave #3
Anchorage, AK 99504

Dear Dr. _____,

Thank you for responding to the audit of your 2015-2016 Chiropractic license renewal application, which required completion of continuing education activity from January 1st, 2015 to December 31st, 2016.

I am pleased to inform you that the Alaska State Board of Chiropractic Examiners has reviewed and approved your documentation through an e-mail ballot, and a quorum was established on _____. The audit of your renewal is now closed.

Please be advised that licensees are randomly selected for audit by a computer-generated program, and that satisfying this audit does not preclude you from being selected in the future.

Thank you for your cooperation. If you have any further questions, please contact this office.

Sincerely,

Laura Carrillo
Records & Licensing Supervisor
Board of Chiropractic Examiners
State of Alaska – DCCED – CBPL
Phone: (907) 465-2588
Fax: (907) 465-2974
E-mail: laura.carrillo@alaska.gov

Board or Commission: _____

Meeting Date: _____

Agenda Item # _____ Tab #_____ Topic: _____

Primary Motion

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

Subsidiary Motion or Amendment

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.
(c) The following subject may be considered in an executive session:

(1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
(2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
(3) matters which by law, municipal charter, or ordinance are required to be confidential;
(4) matters involving consideration of government records that by law are not subject to public disclosure.

MOTION WORDING:

"In accordance with the provisions of Alaska Statute 44.62.310 (c), I move to go into executive session for the purpose of discussing (select the appropriate statutory citation for the situation):

(1) **matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;** ***OR***

(2) **subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;** ***OR***

(3) **matters which by law, municipal charter, or ordinance are required to be confidential;** ***OR***

(4) **matters involving consideration of government records that by law are not subject to public disclosure.**

Board staff is requested to remain during the session ***OR***
Board only to remain during session."

Staff will then state **"The board is off the record at _____(time)."**

Agenda Item #1

Budget Report/
Division Updates

Board of Certified Real Estate Appraisers
Schedule of Revenues and Expenditures

	FY 10	FY 11	FY 12	FY 13	FY 14	FY 15	FY16
Licensing Revenue	22,875	203,055	42,190	269,948	56,250	279,525	49,440
Allowable Third Party Reimbursement	-	-	-	-	1,499	-	-
Total Revenue	22,875	203,055	42,190	269,948	57,749	279,525	49,440
Direct Expenditures							
Personal Services	50,733	65,321	78,181	46,148	34,915	53,294	44,158
Travel	10,479	10,138	8,534	3,759	2,920	2,217	12,596
Contractual	59,383	87,668	56,720	44,699	14,955	33,616	3,008
Supplies	425	150	233	61	24	42	22
Equipment	-	-	-	-	-	-	-
Total Direct Expenditures	121,020	163,276	143,668	94,667	52,815	89,170	59,784
Indirect Expenditures*	14,166	11,311	15,739	18,583	20,937	33,105	21,626
Total Expenses	135,186	174,587	159,407	113,250	73,752	122,274	81,410
Annual Surplus (Deficit)	(112,311)	28,468	(117,217)	156,697	(16,002)	157,251	(31,970)
Beginning Cumulative Surplus (Deficit)	101,666	(10,645)	17,823	(99,395)	57,302	41,300	198,551
Ending Cumulative Surplus (Deficit)	(10,645)	17,823	(99,395)	57,302	41,300	198,551	166,581

* The first three quarters are based on the prior fiscal year's indirect costs. The 4th quarter board reports reflect the current year's actual indirect expenses allocated to the boards.

Activity Code	APR1

Object Code	Sum of Expenditures	Sum of Encumbrances	Sum of Exp+Enc
1011 - Regular Compensation	22,770	0	22,770
1014 - Overtime	281	0	281
1016 - Other Premium Pay	49	0	49
1023 - Leave Taken	2,907	0	2,907
1028 - Alaska Supplemental Benefit	1,599	0	1,599
1029 - Public Employee's Retirement System Defined Benefits	241	0	241
1030 - Public Employee's Retirement System Defined Contribution	1,301	0	1,301
1034 - Public Employee's Retirement System Defined Cont Health Reim	1,022	0	1,022
1035 - Public Employee's Retiremnt Sys Defined Cont Retiree Medical	419	0	419
1037 - Public Employee's Retiremnt Sys Defined Benefit Unfnd Liab	2,740	0	2,740
1039 - Unemployment Insurance	76	0	76
1040 - Group Health Insurance	8,954	0	8,954
1041 - Basic Life and Travel	23	0	23
1042 - Worker's Compensation Insurance	239	0	239
1047 - Leave Cash In Employer Charge	612	0	612
1048 - Terminal Leave Employer Charge	295	0	295
1053 - Medicare Tax	361	0	361
1063 - GGU Business Leave Bank Usage	-1	0	-1
1077 - ASEA Legal Trust	45	0	45
1079 - ASEA Injury Leave Usage	9	0	9
1080 - SU Legal Trst	2	0	2
1970 - Personal Services Transfer	218	0	218
2000 - In-State Employee Airfare	682	0	682
2001 - In-State Employee Surface Transportation	83	0	83
2002 - In-State Employee Lodging	371	0	371
2003 - In-State Employee Meals and Incidentals	246	0	246
2005 - In-State Non-Employee Airfare	203	0	203
2008 - In-State Non-Employee Meals and Incidentals	92	0	92
2009 - In-State Non-Employee Taxable Per Diem	60	0	60
2010 - In-State Non-Employee Non-Taxable Reimbursement	439	0	439
2012 - Out-State Employee Airfare	3,154	0	3,154
2013 - Out-State Employee Surface Transportation	133	0	133
2014 - Out-State Employee Lodging	3,292	0	3,292
2015 - Out-State Employee Meals and Incidentals	1,255	0	1,255
2017 - Out-State Non-Employee Airfare	727	0	727
2020 - Out-State Non-Employee Meals and Incidentals	349	0	349
2022 - Out-State Non-Employee Non-Taxable Reimbursement	1,490	0	1,490
2036 - Cash Advance Fee	20	0	20
3000 - Training/Conferences	1,425	0	1,425
3004 - Accounting/Auditing	223	0	223
3044 - Courier	4	0	4
3045 - Postage	65	0	65
3046 - Advertising	354	0	354
3057 - Structure, Infrastructure and Land - Rentals/Leases	80	0	80
3067 - Honorariums/Stipend	16	0	16
3069 - Commission Sales	87	0	87
3085 - Inter-Agency Mail	165	0	165
3088 - Inter-Agency Legal	591	0	591
4002 - Business Supplies	22	0	22
Grand Total	**59,784**	**0**	**59,784**

Grand Total Equals Direct Expenditures on Board Report

Board of Certified Real Estate Appraisers
Schedule of Revenues and Expenditures

	FY 10	FY 11	FY 12	FY 13	FY 14	FY 15	FY16	FY17 1st Qtr
Licensing Revenue	22,875	203,055	42,190	269,948	56,250	279,525	49,440	10,835
Allowable Third Party Reimbursement	-	-	-	-	1,499	-	-	1,349
Total Revenue	22,875	203,055	42,190	269,948	57,749	279,525	49,440	12,184
Direct Expenditures								
Personal Services	50,733	65,321	78,181	46,148	34,915	53,294	44,158	6,728
Travel	10,479	10,138	8,534	3,759	2,920	2,217	12,596	1,343
Contractual	59,383	87,668	56,720	44,699	14,955	33,616	3,008	1,412
Supplies	425	150	233	61	24	42	22	-
Equipment	-	-	-	-	-	-	-	-
Total Direct Expenditures	121,020	163,276	143,668	94,667	52,815	89,170	59,784	9,483
Indirect Expenditures*	14,166	11,311	15,739	18,583	20,937	33,105	21,626	5,407
Total Expenses	135,186	174,587	159,407	113,250	73,752	122,274	81,410	14,889
Annual Surplus (Deficit)	(112,311)	28,468	(117,217)	156,697	(16,002)	157,251	(31,970)	(2,706)
Beginning Cumulative Surplus (Deficit)	101,666	(10,645)	17,823	(99,395)	57,302	41,300	198,551	166,581
Ending Cumulative Surplus (Deficit)	(10,645)	17,823	(99,395)	57,302	41,300	198,551	166,581	163,875

* For the first three quarters, indirect costs are based on the prior fiscal year's total indirect amount. The 4th quarter board reports reflect the current year's actual indirect expenses allocated to the boards.

Activity Code	APR1	Board of Certified Real Estate Appraisers

Object Code	Object Name	Sum of Expenditures	Sum of Encumbrances	Sum of Exp + Enc
1011	Regular Compensation	2,877	0	2,877
1023	Leave Taken	1,373	0	1,373
1028	Alaska Supplemental Benefit	261	0	261
1030	Public Employee's Retirement System Defined Contributi	220	0	220
1034	Public Employee's Retirement System Defined Cont Healt	165	0	165
1035	Public Employee's Retiremnt Sys Defined Cont Retiree M	50	0	50
1037	Public Employee's Retiremnt Sys Defined Benefit Unfnd L	500	0	500
1039	Unemployment Insurance	13	0	13
1040	Group Health Insurance	1,010	0	1,010
1041	Basic Life and Travel	3	0	3
1042	Worker's Compensation Insurance	43	0	43
1047	Leave Cash In Employer Charge	96	0	96
1048	Terminal Leave Employer Charge	49	0	49
1053	Medicare Tax	59	0	59
1077	ASEA Legal Trust	7	0	7
1079	ASEA Injury Leave Usage	2	0	2
1080	SU Legal Trst	1	0	1
2012	Out-State Employee Airfare	1,131	0	1,131
2013	Out-State Employee Surface Transportation	72	0	72
2015	Out-State Employee Meals and Incidentals	139	0	139
3000	Training/Conferences	1,000	0	1,000
3002	Memberships	350	0	350
3046	Advertising	38	0	38
3057	Structure, Infrastructure and Land - Rentals/Leases	20	0	20
3069	Commission Sales	4	0	4
Grand Total		**9,483**	**0**	**9,483**

Grand Total Equals Direct Expenditures on Board Report

Board of Certified Real Estate Appraisers
Schedule of Revenues and Expenditures

	FY 12	FY 13	FY 14	FY 15	FY16	FY17 1st and 2nd Qtr
Licensing Revenue	42,190	269,948	56,250	279,525	49,440	16,315
Allowable Third Party Reimbursement	-	-	1,499	-	-	2,995
Total Revenue	42,190	269,948	57,749	279,525	49,440	19,310
Direct Expenditures						
Personal Services	78,181	46,148	34,915	53,294	44,158	9,338
Travel	8,534	3,759	2,920	2,217	12,596	8,871
Contractual	56,720	44,699	14,955	33,616	3,008	2,317
Supplies	233	61	24	42	22	-
Equipment	-	-	-	-	-	-
Total Direct Expenditures	143,668	94,667	52,815	89,170	59,784	20,526
Indirect Expenditures*	15,739	18,583	20,937	33,105	21,626	10,813
Total Expenses	159,407	113,250	73,752	122,274	81,410	31,339
Annual Surplus (Deficit)	(117,217)	156,697	(16,002)	157,251	(31,970)	(12,029)
Beginning Cumulative Surplus (Deficit)	17,823	(99,395)	57,302	41,300	198,551	166,581
Ending Cumulative Surplus (Deficit)	(99,395)	57,302	41,300	198,551	166,581	154,552

* For the first three quarters, indirect costs are based on the prior fiscal year's total indirect amount. The 4th quarter board reports reflect the current year's actual indirect expenses allocated to the boards.

Appropriati (All)
Budget Fisc 2017
Activity Co APR1

Sum of Expenditures		
Object Cod	**Object Name**	**Total**
1011	Regular Compensation	4,365.75
1023	Leave Taken	1,536.09
1028	Alaska Supplemental Benefit	362.87
1029	Public Employee's Retirement System Defined Benefits	249.49
1030	Public Employee's Retirement System Defined Contribution	246.55
1034	Public Employee's Retirement System Defined Cont Health Reim	185.02
1035	Public Employee's Retiremnt Sys Defined Cont Retiree Medical	56.27
1037	Public Employee's Retiremnt Sys Defined Benefit Unfnd Liab	561.17
1039	Unemployment Insurance	18.65
1040	Group Health Insurance	1,397.48
1041	Basic Life and Travel	3.62
1042	Worker's Compensation Insurance	59.71
1047	Leave Cash In Employer Charge	133.42
1048	Terminal Leave Employer Charge	67.92
1053	Medicare Tax	81.82
1077	ASEA Legal Trust	8.76
1079	ASEA Injury Leave Usage	2.00
1080	SU Legal Trst	1.78
2000	In-State Employee Airfare	320.58
2001	In-State Employee Surface Transportation	21.00
2002	In-State Employee Lodging	99.00
2003	In-State Employee Meals and Incidentals	92.60
2005	In-State Non-Employee Airfare	178.30
2007	In-State Non-Employee Lodging	198.00
2008	In-State Non-Employee Meals and Incidentals	180.00
2010	In-State Non-Employee Non-Taxable Reimbursement	170.64
2012	Out-State Employee Airfare	2,265.88
2013	Out-State Employee Surface Transportation	88.91
2014	Out-State Employee Lodging	1,940.88
2015	Out-State Employee Meals and Incidentals	665.00
2017	Out-State Non-Employee Airfare	775.09
2020	Out-State Non-Employee Meals and Incidentals	328.50
2022	Out-State Non-Employee Non-Taxable Reimbursement	1,538.56
2036	Cash Advance Fee	8.08
3000	Training/Conferences	1,755.00
3002	Memberships	350.00
3035	Long Distance	89.56
3046	Advertising	37.58
3057	Structure, Infrastructure and Land - Rentals/Leases	40.46
3067	Honorariums/Stipend	16.00
3069	Commission Sales	28.00
Grand Total		**20,525.99**

Board or Commission: _____

Meeting Date: _____

Agenda Item # _____ Tab #_____ Topic: _____

Primary Motion

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

Subsidiary Motion or Amendment

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.
(c) The following subject may be considered in an executive session:

(1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
(2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
(3) matters which by law, municipal charter, or ordinance are required to be confidential;
(4) matters involving consideration of government records that by law are not subject to public disclosure.

MOTION WORDING:

"In accordance with the provisions of Alaska Statute 44.62.310 (c), I move to go into executive session for the purpose of discussing (select the appropriate statutory citation for the situation):

(1) **matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;** ***OR***

(2) **subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;** ***OR***

(3) **matters which by law, municipal charter, or ordinance are required to be confidential;** ***OR***

(4) **matters involving consideration of government records that by law are not subject to public disclosure.**

Board staff is requested to remain during the session ***OR***
Board only to remain during session."

Staff will then state **"The board is off the record at _____(time)."**

Agenda Item #13

Public Comment/Correspondence

E. CHILTON HINES, MAI

BOX 73254
FAIRBANKS, ALASKA 99707
Telephone: 907-328-3267
email: chines46@gmail.com

March 29, 2017

Alaska Board of Certified Real Estate Appraisers
Attn: Laura Carrillo, Director
550 West Seventh Avenue
Suite 1500
Anchorage, Alaska 99501

Re: *Request for Continuing Education (CE) change to 100% on-line system*.

Dear Ms. Carrillo:

Renee Piszczek in Fairbanks provided your name and email address and suggested I provide a written request to the Board regarding requested changes to CE requirements for real estate appraisers.

The current requirement for 14 CE classroom hours (minimum) for renewal of General Appraiser licenses is onerous and expensive, especially for those of us in Fairbanks and more remote areas of Alaska. The current license/certification renewal fees for Alaska licensees are onerous enough without having to continue to pay high costs for education.

I have been in the real estate business for many years and have been an MAI member of the Appraisal Institute for almost 32 years. I have taken USPAP and/or similar classes many times in my career. Further, I have attended many (dozens or more) courses and seminars during multiple decades starting in college and then American Institute of Real Estate Appraisers (later Appraisal Institute) classes starting in 1974.

I want to be clear: I am very much in favor of continuing education (CE) for all licensees but moving to a *100% on-line system* makes more sense in Alaska. The current requirement of 14 classroom hours requires spending hundreds if not thousands of dollars and time away from the office, resulting in lost business revenues.

If Alaska were to move to a 100% on-line system, it would be one of many states that have long past approved and accepted this format.

I talked last week with a McKissock representative (McKissock is one of the larger on-line real estate education providers in the U. S.) to obtain national information about the on-line real estate education industry and state requirements. The

representative stated approximately *50% of U. S. states currently accept 100% on-line* credits for CE. She named Florida, Virginia, Washington, Oregon, Hawaii, Montana, Idaho, Wyoming, Ohio, Indiana, Georgia, and California, to name just a few. As we all know, larger urban centers in these named states typically have *multiple Appraisal Institute chapters, et.al. who regularly offer CE classes (classroom venue) for appraisers*. Yet those states, and many others, have voluntarily become 100% on-line states. Interestingly, one state, Georgia, only requires 14 CE hours (total – 100% on-line - per the McKissock rep). Based upon my own experience, at least two states require 30 CE hours total (Florida and Virginia) – 100% on-line. Also, based upon my experience, Florida (two year) renewal fees in past years were *as low as $55* (currently about $200) – State of Virginia is also currently about $200.

Although we do not know what the upcoming renewal fees will be for Alaska, as you know two years ago the fees totaled more than $1,000, substantially higher than many (if not most) other states. In the interest of time and timing for this request, I did not research license renewal fees for multiple "lower 48" states. The high cost of appraiser licensing fees in Alaska should be a topic for future discussion.

I will ask that the Board put this CE change request on your Agenda for the upcoming Board Meeting in April 2017. I am willing to provide additional input to you or the Board to support or clarify this request. I can be available via telephone for a specified time when the Board meets, if necessary.

Thank you and the Board for your time. I will wait to hear from you.

Sincerely,

E. Chilton Hines, MAI
Alaska General Appraiser Lic/Cert: 23
Florida General Appraiser Lic/Cert: RZ2677
Virginia General Appraiser Lic/Cert: 4001006245
Previously held General Licenses/Certifications in Washington and North Carolina (voluntarily dropped)

Cc: Per Bjorn-Roli, MAI>**per@reliantadvisory.com**<
President, Alaska Chapter, Appraisal Institute

Cc: *Other AI Chapter Board Officers*
VP - Greg Wing, MAI **greg@northpacificadvisors.com**
S/T – Ted Jensen, MAI **ted@reliantadvisory.com**

Board or Commission: _____

Meeting Date: _____

Agenda Item # _____ Tab #_____ Topic: _____

Primary Motion

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

Subsidiary Motion or Amendment

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.
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(1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
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(3) matters which by law, municipal charter, or ordinance are required to be confidential;
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MOTION WORDING:

"In accordance with the provisions of Alaska Statute 44.62.310 (c), I move to go into executive session for the purpose of discussing (select the appropriate statutory citation for the situation):

(1) **matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;** ***OR***

(2) **subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;** ***OR***

(3) **matters which by law, municipal charter, or ordinance are required to be confidential;** ***OR***

(4) **matters involving consideration of government records that by law are not subject to public disclosure.**

Board staff is requested to remain during the session ***OR***
Board only to remain during session."

Staff will then state **"The board is off the record at _____(time)."**

Agenda Item #14

AQB/ASC Updates

From: Carrillo, Laura N (CED)
To: Zaguirre, Aiko B (CED)
Subject: FW: Letter to all State Boards and Commissions
Date: Tuesday, February 14, 2017 9:51:16 AM
Attachments: image001.png
Testimony of DavidSBunton_111616_FINAL.PDF
Testimony of James Park Exc. Dir ASC.PDF
2017 01 26 REA FB CC Agenda.pdf
Letter to Montana Board of Real Estate Appraisers 01252017.pdf

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Hi Aiko,

Please forward this to the Board and add it as an agenda item for their next meeting. Maybe ask them if they want to hold a teleconference to discuss this before the Spring AARO Conference.

Thank you,

Laura Carrillo
Records & Licensing Supervisor
Professional Licensing
State of Alaska – DCCED
Phone: 907-465-2691
E-mail: laura.carrillo@alaska.gov
Fax: 907-465-2974

From: DLI BSD Real Estate Appraisers [mailto:dlibsdrea@mt.gov]
Sent: Tuesday, February 14, 2017 6:38 AM
Subject: Letter to all State Boards and Commissions

State Regulatory Boards and Commissions:

As most are aware there was a congressional hearing on November 16, 2016, titled "Modernizing Appraisals: A Regulatory Review and the Future of the Industry"! Many jurisdictions were not made aware of this hearing and some of the content and testimony was alarming and damning to our job as regulators and industry members. The Montana Board held a special board meeting on 01/26/2017 to discuss this hearing and our Boards submission of this topic to the ARRO committee that develops agenda items. A similar panel discussion will take place at the spring AARO conference in Tampa so all jurisdictions can have the opportunity to ask questions and better understand this topic.

The Montana Board unanimously passed a motion to send a response to the Congressional Subcommittee on Housing and Insurance in response to some of the misleading testimony that was provided at this hearing. The Appraisal Institute, in an attempt to silence the voice of our independent citizen board, sent a letter to our board objecting to us even having this on our agenda for discussion. The AI was allowed to speak during the public portion of the meeting and expressed their objection on the record. We proceeded with the meeting as noticed and discussed the two agenda items and eventually passed a unanimous motion to approve the chair draft a letter to Congress stating our thoughts and position about the current state of the regulatory process. Several days later the AI took a bold step and drafted a letter to the Governor of the State of Montana

objecting to our motion and attempting to influence and obstruct our boards right to comment on issues that would directly affect our licensees and more importantly issues that would affect the public trust in our board. The letter from the AI attempts to tell the Governor what his responsibilities are in allowing our Board to send such a letter to Congress. The Governor's Office reviewed the letter (attached) and approved its distribution to Congress and the 55 jurisdictions under the oversight of the ASC.

We are providing you folks with the information relating to this topic. We encourage your board to read the Montana Boards letter to Congress and consider sending a similar message to the Congressional Subcommittee as well as your state or district members of the United States House and Senate.

As we point out in the letter, we may not always like the results of the audits from the ASC, they serve a purpose to ensure everyone is following and applying state and federal statutes and rules accordingly. Furthermore, we cannot digress from the guidance of the Appraisal Foundation when it comes to a consistent approach to licensure so all jurisdictions can be confident that each candidate for licensure has met the same criteria with respect to education, experience hours and a standardized test. Or, the consistent adoption of one set of standards and rules so ALL appraisers and regulators know what the minimum expectations are in the development and reporting of assignment results in an independent and fair manner. The AI testified that our industry is ***"being choked by rules and regulations in nearly every facet of their business. From how an appraiser reports an appraisal, to supervising trainees, to uneven licensing requirements, to licensing and registration fees passed down by clients, to mandates from federal agencies – appraisers' professional lives have become extremely complicated, more expensive and less productive due to dated and archaic regulatory structure. As a result, consumers suffer from increased turnaround time, delays in loans, and potential higher costs"*** We find no credible evidence, nor did the AI produce any credible evidence, to support these statements. Furthermore, we find little or no support that the work of TAF or the ASC interferes, restricts or limits how an appraiser reports an appraisal, the supervision of trainees, uneven licensing requirements, mandates from federal agencies, etc. We find these to be statements without specific facts.

Therefore we are making ourselves available to each board or commission to attend your next board meeting to further discuss this topic. The Montana Board is very interested to hear from all 55 Boards and Commissions on this topic. Our delegation will be holding an afterhours information gathering session at the spring AARO conference. This will be an informal get together to chat about this most important topic. We will provide additional information prior to the conference in Tampa. If your Board or Commission would like us to attend your next Board meeting please contact Thomas G. Stevens, MAI, SRA, Board Chair (tom@stevenscompany.net) or Peter J. Fontana, Board Vice Chair (pete@fontanainc.net).

We have attached the link to the live stream of the congressional hearing.
https://www.youtube.com/watch?v=_XwhTQsguYI

Respectfully Submitted

Thomas G Stevens, MAI, SRA
Chairman

Peter J Fontana,
Vice Chairman

From: Carrillo, Laura N (CED)
To: Zaguirre, Aiko B (CED)
Subject: FW: ASC Policy Statement Changes and the Federal Register
Date: Thursday, February 23, 2017 2:06:04 PM
Attachments: image005.png

Policy statement changes…

Thank you,

Laura Carrillo
Records & Licensing Supervisor
Professional Licensing
State of Alaska – DCCED
Phone: 907-465-2691
E-mail: laura.carrillo@alaska.gov
Fax: 907-465-2974

[redacted]

Fellow State Appraisal Regulatory Agency (SARA) regulators -

One alternative would be to seek a formal agreement with/guidance ruling from the ASC that once a complaint case has been filed for a contested hearing, then the SARA's "final administrative decision" is now taken, since the case now become subject to control of the OAG, ALJ or other hearings officer, and is no longer within the control of the SARA – it has been turned over for "judicial" resolution. Arguably, it has now entered the realm of "specially documented circumstances", or referral to another "agency" for review. Regardless of the characterization, resolution is no longer within the primary control of the SARA and is subject to the many variables of litigation. This is generally how we have treated these matters in Texas and have not had any major pushback from ASC. Worth a try? Doug

Douglas E. Oldmixon

Executive Director, Texas Real Estate Commission
Commissioner, Texas Appraiser Licensing & Certification Board

Phone: 512-936-3088

E-Mail: douglas.oldmixon@trec.texas.gov

"Think like a man of action; act like a man of thought." – Henri-Louis Bergson

Protecting Texans' Dreams

Subject: RE: ASC Policy Statement Changes and the Federal Register

I concur with Brian on adjudication of AMC's with bevy of lawyers and ongoing requests for continuances, etc. States would spend unnecessary time documenting to the ASC why preliminary legal wranglings initiated by AMC legal counsel delayed final adjudication beyond 12 months. A 3 year window is realistic for purposes of evaluating the timeliness of state enforcement.

Bruce Unangst
Executive Director
Louisiana Real Estate Commission
Louisiana Real Estate Appraisers Board
Post Office Box 14785-4785
Baton Rouge, LA 70898-4785
(225) 925-1923 Ext. 236
(800) 821-4529 (in state only)

bunangst@lrec.state.la.us

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Subject: ASC Policy Statement Changes and the Federal Register

Pay particular attention to the language below –

States must process complaints against AMCs in a timely manner to ensure effective supervision of AMCs. Absent special documented circumstances, ***final administrative decisions regarding complaints must occur within one year (12 months) of the complaint filing date****. Special documented circumstances are those extenuating circumstances (fully documented) beyond the control of the State agency that delays normal processing of a complaint such as:*
Complaints involving a criminal investigation by a law enforcement agency when the investigative agency requests that the State refrain from proceeding; final disposition that has been appealed to a higher court; documented medical condition of the respondent; ancillary civil litigation; and complex fraud cases that involve multiple individuals and reports. Such special documented circumstances also include those periods when State rules require referral of a complaint to another State entity for review and the State agency is precluded from further processing of the complaint until it is returned. In that circumstance, the State agency should document the required referral and the time period during which the complaint was not under its control or authority.

For those states that haven't adopted AMC regulations or have had only a few instances of enforcement, I will share with you our current timeline for resolutions for AMC issues.

Since 2013 we've had 39 cases involving AMCs. Some were frivolous or quickly resolved with a

phone call or email. However, 13 went through prosecution resulting in closed adjudications. I have calculated the days from initial complaint to closed issue. Only one case resulted in a formal hearing. That issue went 664 days.

The rest of the 12 issues ran from 50 to **782** days. These resulted in some NDOs and some Consents that I routinely share with other states.

If you think that a large AMC with deep pockets and big law firms at their disposal will be inspired to wrap things up inside an imaginary 12-month legal window…

They do not and they will not.

Our average days out is 315. I suggest that a 3-year window to adjudicate a case is more reasonable given the endless motions that usually result.

Illinois Department of Financial and Professional Regulation
Brian Weaver
Appraisal Coordinator / Appraisal Management Company Coordinator
100 West Randolph - 9th Floor
Chicago, IL 60601
312-793-7254
Brian.Weaver@illinois.gov

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

APPRAISER QUALIFICATIONS BOARD

Appraiser Qualifications Board Q&A

Vol. 8, No. 2 **December 2016**

The Appraiser Qualifications Board (AQB) of The Appraisal Foundation establishes the minimum education, experience and examination requirements for real property appraisers to obtain a state license or certification. The AQB Q&A is a form of guidance issued by the AQB to respond to questions raised by appraisers, enforcement officials, users of appraisal services and the public to illustrate the applicability of the Real Property Appraiser Qualification Criteria and Interpretations of the Criteria in specific situations and to offer advice from the AQB for the resolution of appraisal issues and problems. The AQB Q&A may not represent the only possible solution to the issues discussed nor may the advice provided be applied equally to seemingly similar situations. AQB Q&A does not establish new Criteria. AQB Q&A is not part of the Real Property Appraiser Qualification Criteria. AQB Q&A is approved by the AQB without public exposure and comment.

TRAINEE / SUPERVISOR REQUIREMENTS

Question:
I'm a state certified appraiser and I'm considering bringing on one or more trainees into my practice. I know the AQB revised certain requirements for Supervisory Appraisers on July 1, 2016, but I have a few questions:

1) Is a Supervisory Appraiser required to have three years' experience *immediately prior* to taking on a Trainee Appraiser?

2) Does a Supervisory Appraiser have to be state certified in the same state as the Trainee Appraiser?

3) Must a Supervisory Appraiser accompany the Trainee Appraiser on all physical inspections of properties?

Response:
On July 1, 2016, the AQB removed the requirement for a state-certified appraiser to be credentialed for three years *in a specific jurisdiction* prior to acting as a Supervisory Appraiser. Supervisory Appraisers are still required to be state-certified for a minimum of three years, and must also be credentialed in the jurisdiction where the Trainee Appraiser practices. With that background, the responses to the questions are:

1) No. The AQB does not specify that an individual be state-certified for the three years immediately preceding acting as a Supervisory Appraiser. State-certified appraisers cannot have been the subject of any disciplinary action in any jurisdiction affecting their legal eligibility to practice within the immediate three years preceding acting as a Supervisory Appraiser, but the requirement to be state-certified for three years could have been satisfied at any time.

2) Yes. In the *Real Property Appraiser Qualification Criteria*, Section V.E. in the Trainee Real Property Appraiser classification states:

   The state-certified Supervisory Appraiser shall be in good standing in the training jurisdiction and not subject to any disciplinary action within the last three (3) years that affects the Supervisory Appraiser's legal eligibility to engage in appraisal practice.

3) No. In the *Real Property Appraiser Qualification Criteria*, Section V.B.3. in the Trainee Real Property Appraiser classification requires the Supervisory Appraiser to be responsible for the training, guidance, and direct control and supervision of the Trainee Appraiser by:

   Personally inspecting each appraised property with the Trainee Appraiser until the Supervisory Appraiser determines the Trainee Appraiser is competent to inspect the property, in accordance with the COMPETENCY RULE of USPAP for the property type.

It is important to note that although the AQB does not mandate a minimum number of assignments or period of time for a Supervisory Appraiser to accompany a Trainee Appraiser on physical inspections of properties, some states do have such additional requirements. Therefore, the AQB strongly suggests all potential Supervisory Appraisers check with the applicable jurisdiction(s).

Question:
I am an Appraiser Trainee and originally had Supervisory Appraiser A, who co-signed my appraisal reports. However, I also performed appraisals that were co-signed by a Certified appraiser who was *not* my designated Supervisory Appraiser. Can I count experience obtained under a Certified appraiser who is not my designated Supervisory Appraiser?

Response:
No. The *Criteria* states in the Supervisory Appraiser Requirement section I(A)(2): "Supervisory Appraisers shall be responsible for the training, guidance, and direct supervision of the Trainee Appraiser by…reviewing and signing the Trainee Appraiser reports." Therefore, for experience credit to be awarded, the appraisal must be signed by the Supervisory Appraiser.

Question:
I am a state regulator reviewing experience logs from multiple Trainee Appraisers. Supervisory Appraiser C had three Trainees working with her during a specific time period. A fourth Trainee was added during that same time period. May all four of the Trainees in question use the experience gained while working for the Supervisory Appraiser, since she had more than three Trainees and my state does not have a monitoring system in place?

Response:
The *Criteria* explicitly states that a "Supervisory [Appraiser] may not supervise more than three (3) Trainee Appraisers at one time, *unless a state program in the credentialing jurisdiction provides for progress monitoring, supervisory certified appraiser qualifications, and supervision and oversight requirements for Supervisory Appraisers.*" (emphasis added)

Therefore, because the state did not have a monitoring system in place, the Trainees could not count the experience gained, by any of the Trainees, while the Supervisory Appraiser supervised more than three Trainees.

EXPERIENCE REQUIREMENTS

Question:
I am an appraiser in an assessor's office. I participate in mass appraisal assignments. I also perform complete appraisal assignments on individual properties in response to assessment appeals. I wish to obtain a Certified Residential appraiser credential, but my state appraiser regulatory office informed me that my experience working for the assessor does not qualify.

When I told my state I understood the AQB allows experience obtained working in an assessor's office, they elaborated that the experience is not eligible because I do not perform USPAP compliant reports. My appraisals are performed in accordance with assessment standards that, for the most part, are consistent with USPAP. The only difference is in the reporting of our findings: our reports are not in full conformance with STANDARD 2 in USPAP. Does the AQB allow experience working for an assessor? Is there some manner in which I can receive credit for this experience?

Response:
Yes, the *Real Property Appraiser Qualification Criteria* (*Criteria*) allows experience obtained working for an assessor.

However, under "Criteria Applicable to All Classifications" in the *Criteria*, Section V.D. states, in part:

An applicant's experience must be in appraisal work conforming to Standards 1, 2, 3, 4, 5, and/or 6, where the appraiser demonstrates proficiency in appraisal principles, methodology, procedures (development), and reporting conclusions.

Therefore, in order for your appraisals to qualify for experience credit, the individual real property appraisals must comply with STANDARDS 1 and 2, while the mass appraisal assignments would need to comply with STANDARD 6. If one of your appraisal assignments on an individual property has been completed in compliance with STANDARD 1 of USPAP, but fails to fully comply with STANDARD 2, the assignment is not eligible for experience credit.

In addition, the appraisals performed would need to be individually entered on an experience verification log, be subject to verification, and available for review by the state appraiser regulatory agency. No exceptions to these requirements are permitted.

It is important to note that not all States accept experience from work complying with STANDARD 6.

The reader is advised that in all cases, the above responses are based upon the minimum criteria adopted by the AQB. Individual states can adopt more stringent requirements. Please check with the state appraiser regulatory agency in your state to confirm their specific requirements.

The AQB Q&A is posted on The Appraisal Foundation website (www.appraisalfoundation.org)

For further information regarding *AQB Q&A,* please contact:

John S. Brenan, Director of Appraisal Issues
The Appraisal Foundation
1155 15th Street, NW, Suite 1111
Washington, DC 20005
(202) 624-3044
(202) 347-7727 fax
john@appraisalfoundation.org

Board or Commission: _____

Meeting Date: _____

Agenda Item # _____ Tab #_____ Topic: _____

Primary Motion

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

Subsidiary Motion or Amendment

Motion:

Board Member	Motion	2nd		Yes Vote	No Vote	Abstain	Recuse	Comments

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.
(c) The following subject may be considered in an executive session:

(1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
(2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
(3) matters which by law, municipal charter, or ordinance are required to be confidential;
(4) matters involving consideration of government records that by law are not subject to public disclosure.

MOTION WORDING:

"In accordance with the provisions of Alaska Statute 44.62.310 (c), I move to go into executive session for the purpose of discussing (select the appropriate statutory citation for the situation):

(1) **matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;** ***OR***

(2) **subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;** ***OR***

(3) **matters which by law, municipal charter, or ordinance are required to be confidential;** ***OR***

(4) **matters involving consideration of government records that by law are not subject to public disclosure.**

Board staff is requested to remain during the session ***OR***
Board only to remain during session."

Staff will then state **"The board is off the record at _____(time)."**

Agenda Item #15

Administrative Business

Task List (Pending from 10/28/17)

- Mr. Tracy and Ms. Piszczek will work on the AMCs for clearing-up any misconceptions.
- All Board members will provide comments/recommendations to be relayed to the subcommittee.
- Mr. Tracy was encouraged by Mr. Derry to be in contact with the Alaska Chapter Appraisal Institute to provide some input regarding the continuing education corrective measures that the Board seeks to implement, as well as any other issues that may be worth discussing by the Board.
- Mr. Derry and Mr. Tracy will complete the review for the pending work products.
- Mr. Derry will draft the Goals and Objectives, and submit it to Ms. Carrillo.
- Ms. Carrillo will disseminate the Goals and Objectives received from Mr. Derry to the rest of the Board.
- Mr. Derry will provide Mr. Borden the contact information of the Alaska Chapter Appraisal Institute's Chair.
- Ms. Carrillo or Ms. Zaguirre will speak with another examiner whose Board requires a criminal background check from an applicant, to inquire about the process.

Statutes and Regulations

Certified Real Estate Appraisers

July 2015

(Centralized Statutes and Regulations not included)

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

NOTE: The official version of the statutes in this document is printed in the Alaska Statutes, copyrighted by the State of Alaska. The official version of the regulations in this document is published in the Alaska Administrative Code, copyrighted by the State of Alaska. If any discrepancies are found between this document and the official versions, the official versions will apply.

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CHAPTER 87.
REAL ESTATE APPRAISERS.

Article

1. **Board of Certified Real Estate Appraisers (§§ 08.87.010, 08.87.020)**
2. **Certification (§§ 08.87.100—08.87.120)**
3. **Prohibited Practices and Disciplinary Proceedings (§§ 08.87.200, 08.87.210)**
4. **General Provisions (§§ 08.87.300—08.87.900)**

ARTICLE 1.
BOARD OF CERTIFIED REAL ESTATE APPRAISERS.

Section

10. Board created
20. Powers and duties of board

Sec. 08.87.010. Board created. There is created in the Department of Commerce, Community, and Economic Development the Board of Certified Real Estate Appraisers. The board is composed of five members appointed by the governor. At least one member shall be a person certified under this chapter as a general real estate appraiser, at least one member shall be a person certified under this chapter as a residential real estate appraiser, at least one member shall be an executive in a mortgage banking entity, and at least one member shall represent the public. The board shall elect a chair from among its membership.

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

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

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

(3) adopt regulations necessary to carry out the purposes of this chapter, including regulations necessary to comply with the requirements of 12 U.S.C. 3331 – 3351 (Title XI, Financial Institutions Reform, Recovery, and Enforcement Act of 1989), as amended by 12 U.S.C. 5301 – 5641 (Dodd-Frank Wall Street Reform and Consumer Protection Act); the regulations adopted by the board under AS 08.87.110, 08.87.120, and 08.87.310 may not be more stringent than the corresponding minimum requirements for receiving approval of the state's program of certification of real estate appraisers under 12 U.S.C. 3331 – 3351 or other federal law.

ARTICLE 2.
CERTIFICATION.

Section

100. Certificate required
110. General, residential, and institutional real estate appraiser certificates
120. Continuing education requirements for renewal of certificate

Sec. 08.87.100. Certificate required. A person is guilty of a class B misdemeanor who

(1) does not hold a certificate issued by the board, whose certificate is suspended or revoked, or whose certificate has lapsed or terminated, and holds out as a certified real estate appraiser in any way, orally or in writing, directly or by implication;

(2) is certified as a residential real estate appraiser and holds out as certified to appraise real estate other than

(A) residential real property of four or fewer units; or

(B) residential real property of 12 or fewer units when a net income capitalization analysis is not required by the terms of the appraisal assignment and a secondary mortgage market form is used; or

(3) is certified as an institutional real estate appraiser and

(A) holds out as certified to appraise real estate other than

(i) residential real property of four or fewer units having a transaction value of less than $1,000,000; or

(ii) commercial property having a transaction value of less than $250,000;

(B) holds out as performing real estate appraisal services for a fee or for the public at large;

(C) accepts a fee for real estate appraisal services other than for services conducted as a full-time employee of a financial institution with offices in the state and other than a salary received as a full-time employee of the financial institution; or

(D) performs a real estate appraisal for other than the portfolio of the financial institution for which the person is employed.

Sec. 08.87.110. General, residential, and institutional real estate appraiser certificates. (a) The board shall issue a general real estate appraiser certificate to a person who presents evidence satisfactory to the board that the person

(1) has successfully completed classroom instruction in subjects related to real estate appraisal, as required by the board in regulation, from an appraisal organization or academic institution approved by the board;

(2) has successfully completed classroom instruction related to standards of professional practice as a real estate appraiser, as required by the board in regulation;

(3) successfully completes an examination prescribed by the board;

(4) has not been convicted of a crime involving moral turpitude; and

(5) has paid the required fees.

(b) The board shall issue a residential real estate appraiser certificate to a person who presents evidence satisfactory to the board that the person

(1) meets the requirements of (a)(2)(5) of this section; and

(2) has successfully completed classroom instruction in subjects related to residential real estate appraisal, as required by the board in regulation, from an appraisal organization or academic institution approved by the board.

(c) Notwithstanding (a) and (b) of this section, the board shall issue a general real estate appraiser or residential real estate appraiser certificate to a person who does not reside in this state and who

(1) applies on the form required by the department;

(2) pays the required fee; and

(3) holds a valid certificate or license from a state whose requirements for real estate appraiser certification or licensing

(A) meet or exceed the appraiser certification standards in this chapter; and

(B) comply with 12 U.S.C. 3331 – 3351 (Title XI, Financial Institutions Reform, Recovery, and Enforcement Act of 1989), as amended by 12 U.S.C. 5301 – 5641 (Dodd-Frank Wall Street Reform and Consumer Protection Act).

(d) A certificate may be issued to a natural person only. A certified real estate appraiser may sign an appraisal report on behalf of a corporation, partnership, firm, or group practice.

(e) The board shall issue an institutional real estate appraiser certificate to a person who presents evidence satisfactory to the board that the person meets the educational and testing requirements of 12 U.S.C. 3331 – 3351 (Title XI, Financial Institutions Reform, Recovery, and Enforcement Act of 1989), as amended by 12 U.S.C. 5301 – 5641 (Dodd-Frank Wall Street Reform and Consumer Protection Act) and as implemented by the board, and that the person is a full-time employee of a financial institution with offices in the state. A person receiving certification under this subsection may perform an appraisal only

(1) for and as an employee of a financial institution with offices in the state;

(2) for the financial institution's own portfolio; and

(3) of

(A) commercial property with a transaction value of less than $250,000; or

(B) residential property of four or fewer units having a transaction value of less than $1,000,000.

(f) A certificate issued under (e) of this section terminates when the person certified leaves the full-time employment of the financial institution with offices in the state for whom the person was employed when the certificate was issued.

(g) A person certified under (e) of this section as an institutional real estate appraiser may not perform real estate appraisal services for the general public or for a fee other than the salary the person receives as a full-time employee of a financial institution with offices in the state.

(h) Notwithstanding (a) – (c) of this section, the board may issue a general or residential real estate appraiser certificate to a person who does not meet the requirements of (a) – (c) of this section and who

(1) applies on a form required by the department;

(2) pays the required fee; and

(3) successfully completes the National Uniform Licensing and Certification Examination issued or endorsed by the Appraiser Qualifications Board of the Appraisal Foundation, has previous real estate appraiser experience acceptable to the board, or successfully completes courses approved by the board.

Sec. 08.87.120. Continuing education requirements for renewal of certificate. (a) The board may not renew a certificate issued under this chapter unless the person applying for renewal presents evidence satisfactory to the board that the person has, within the two years preceding the application for renewal, attended classroom instruction, as required by the board in regulation, in courses or seminars that have received the approval of the board.

(b) The board may grant credit toward some or all of the requirements of (a) of this section to a person who has

(1) successfully completed a program of study determined by the board to be equivalent for continuing education purposes to a course or seminar approved by the board for continuing education credit; or

(2) participated, other than as a student, in educational programs that related to real estate analysis or real property appraisal theory, practice, or technique, including teaching, program development, and preparation of textbooks, monographs, articles, and other instructional materials.

(c) The board shall adopt regulations on continuing education to ensure that persons applying for renewal of certificates have thorough knowledge of current theories, practices, and technique of real estate analysis and appraisal. The regulations must provide for

(1) procedures for the sponsor of a course or seminar to apply for board approval for continuing education credit; the regulations must require the sponsor to show that claimed attendance at a course or seminar can be verified; and

(2) procedures for evaluating equivalency claims for applicants for certificate renewal under (b) of this section.

(d) In considering whether to approve courses and seminars under this section, the board shall give special consideration to courses, seminars, and other appraisal education programs developed by or under the auspices of organizations or associations of professional real estate appraisers that are utilized by those organizations or associations for the purposes of awarding real estate appraisal designations or of indicating compliance with the continuing education requirements of the organizations or associations.

(e) An amendment or repeal of a regulation adopted by the board under this section shall not operate to deprive a person holding a certificate under this chapter of credit toward renewal of the person's certificate for a course of instruction or seminar that had been completed by the person before the amendment or repeal of the regulation.

ARTICLE 3.
PROHIBITED PRACTICES AND DISCIPLINARY PROCEEDINGS.

Section

200. Prohibited practices
210. Disciplinary proceedings

Sec. 08.87.200. Prohibited practices. A certified real estate appraiser may not

(1) act negligently or incompetently or fail without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report, or communicating an appraisal;

(2) wilfully disregard or violate a provision of this chapter or of a regulation adopted by the board under this chapter;

(3) fail to comply with the Uniform Standards of Professional Appraisal Practice adopted by the Appraisal Standards Board of the Appraisal Foundation;

(4) accept a fee for an appraisal assignment that is contingent upon the appraiser reporting a predetermined estimate, analysis, or opinion or upon the opinion, conclusion, or valuation reached, or upon the consequences resulting from the appraisal assignment;

(5) knowingly make a false statement, submit false information, or fail to provide complete information in response to a question in an application for certification or for renewal of a certificate; or

(6) violate the confidential nature of government records to which the person gains access through retention as an appraiser by the government agency.

Sec. 08.87.210. Disciplinary proceedings. The board may exercise its disciplinary powers under AS 08.01.075 if, after hearing, the board finds a certified real estate appraiser has

(1) violated a provision of this chapter or a regulation adopted by the board under this chapter;

(2) been convicted of a crime that involves moral turpitude; or

(3) committed, while acting as a real estate appraiser, an act or omission involving dishonesty, fraud, or misrepresentation with the intent to benefit the appraiser or another person or to injure another person.

ARTICLE 4.
GENERAL PROVISIONS.

Section

300. Retention of records
310. Trainee appraiser; supervisory appraiser
320. Actions by uncertified real estate appraisers prohibited
330. Exemptions
340. Appraisals by uncertified appraisers permitted
900. Definitions

Sec. 08.87.300. Retention of records. (a) A certified real estate appraiser shall retain copies of all written contracts engaging the appraiser's services for real property appraisal work, and all reports and supporting data

assembled and formulated by the appraiser in preparing the reports, for at least five years after the date of the contract engaging the appraiser's services, five years after the date of the submittal of the appraisal reports to the client, or at least two years after the final disposition of litigation in which the appraiser provided testimony related to the engagement, whichever is longer.

(b) *[Repealed, Sec. 9 ch 42 SLA 2014.]*.

(c) All records that a certified appraiser must maintain under (a) of this section shall be made available to the board or department for inspection and copying upon reasonable notice to the appraiser.

Sec. 08.87.310. Trainee appraiser; supervisory appraiser. The board may establish requirements for trainee appraisers and supervisory appraisers. The board shall ensure that the requirements conform with 12 U.S.C. 3345.

Sec. 08.87.320. Actions by uncertified real estate appraisers prohibited. A person may not bring an action in a court of this state for compensation for an act done or service rendered as a certified real estate appraiser if the person did not hold a certificate under this chapter at the time that the person performed the act or service or offered to perform the act or service.

Sec. 08.87.330. Exemptions. This chapter does not apply to a person who appraises real estate as part of the tax assessment process of a municipality.

Sec. 08.87.340. Appraisals by uncertified appraisers permitted. Nothing in this chapter precludes a person who is not certified as a real estate appraiser from appraising real estate for compensation if the person does not hold out to be a certified appraiser and if appraisal by a certified appraiser is not required by federal law.

Sec. 08.87.900. Definitions. In this chapter

(1) "analysis assignment" means an analysis, opinion, or conclusion prepared by a real estate appraiser that relates to the nature, quality, or utility of certified real estate or real property;

(2) "appraisal" means an analysis, opinion, or conclusion prepared by a real estate appraiser relating to the nature, quality, value, energy efficiency, or utility of specified interests in, or aspects of, identified real estate, and includes a valuation appraisal, an analysis assignment, and a review assignment;

(3) "appraisal assignment" means an engagement for which an appraiser is employed or retained to act, or would be perceived by third parties or the public as acting, as a disinterested person rendering an unbiased analysis, opinion, or conclusion relating to the nature, quality, value, or utility or specified interests in, or aspects of, identified real estate;

(4) "appraisal report" means any communication, written or oral, of an appraisal;

(5) "board" means the Board of Certified Real Estate Appraisers;

(6) "department" means the Department of Commerce, Community, and Economic Development;

(7) "general real estate appraiser" means a real estate appraiser certified to appraise all types of real property;

(8) "real estate" means an identified parcel or tract of land, including improvements, but excluding subsurface natural resource values;

(9) "real property" means one or more defined interests, benefits, and rights inherent in the ownership of real estate;

(10) "residential real estate appraiser" means a real estate appraiser certified to appraise residential real property, subject to the limitations of AS 08.87.100(2);

(11) "review assignment" means an analysis, opinion, or conclusion prepared by a real estate appraiser that forms an opinion as to the adequacy and appropriateness of a valuation appraisal or an analysis assignment;

(12) "valuation appraisal" means an analysis, opinion, or conclusion prepared by a real estate appraiser that estimates the value of an identified parcel of real estate, or identified real property at a particular time;

(13) "institutional real estate appraiser" means a real estate appraiser employed full-time by a financial institution with offices in the state.

CHAPTER 70.
BOARD OF CERTIFIED REAL ESTATE APPRAISERS.

Article

1. **Application and Examination Requirements (12 AAC 70.100—12 AAC 70.150)**
2. **Continuing Education Requirements (12 AAC 70.200—12 AAC 70.220)**
3. **(Repealed)**
4. **General Provisions (12 AAC 70.900—12 AAC 70.990)**

ARTICLE 1.
APPLICATION AND EXAMINATION REQUIREMENTS.

Section

100. Application for general real estate appraiser certification by examination
105. Application for residential real estate appraiser certification by examination
106. Application for general real estate appraiser or residential real estate appraiser certification by reciprocity
107. Application for institutional real estate appraiser certification by examination
108. Work experience requirements for real estate appraiser certification
110. Verification of work experience
115. Education requirements for real estate appraiser certification
120. Application for certification by endorsement
125. Application for approval as a trainee appraiser
126. Application for approval as a supervisory appraiser
130. Real estate appraiser examinations
140. Approved appraiser organizations and academic institutions
145. Approval of course or seminar for initial certification or trainee registration
150. Application deadline

12 AAC 70.100. APPLICATION FOR GENERAL REAL ESTATE APPRAISER CERTIFICATION BY EXAMINATION. (a) The board will issue a certification by examination to practice as a general real estate appraiser to an applicant who meets the requirements of AS 08.87.110(a) and this section.

(b) An applicant for certification under this section must

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

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

(B) official transcripts, notarized copies of certificates of completion, or other evidence of course completion acceptable to the board, that verify the classroom hours of instruction required in 12 AAC 70.115(a) or (b), as applicable;

(C) work experience verification forms and a log of completed appraisals, on a form provided by the department, that meet the requirements of 12 AAC 70.110 and that verify the real estate appraisal experience required in 12 AAC 70.108(a); and

(D) 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; and

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

Authority: AS 08.87.020 AS 08.87.110

12 AAC 70.105. APPLICATION FOR RESIDENTIAL REAL ESTATE APPRAISER CERTIFICATION BY EXAMINATION. (a) The board will issue a certification by examination to practice as a residential real estate appraiser to an applicant who meets the requirements of AS 08.87.110(b) and this section.

(b) An applicant for certification under this section must

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

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

(B) official transcripts, notarized copies of certificates of completion, or other evidence of course completion acceptable to the board, that verify the classroom hours of instruction required in 12 AAC 70.115(c) or (d), as applicable;

(C) work experience verification forms and a log of completed appraisals that meet the requirements of 12 AAC 70.110 and that verify the real estate appraisal experience required in 12 AAC 70.108(b); and

(D) 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; and

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

Authority: AS 08.87.020 AS 08.87.110

12 AAC 70.106. APPLICATION FOR GENERAL REAL ESTATE APPRAISER OR RESIDENTIAL REAL ESTATE APPRAISER CERTIFICATION BY RECIPROCITY. (a) The board will issue a certification to practice as a general real estate appraiser or residential real estate appraiser by reciprocity to an applicant who meets the requirements of AS 08.87.110(c) and this section.

(b) An applicant for certification under this section must

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

(2) pay any fees required in 12 AAC 02.370; and

(3) submit verification of current certification or licensure from another state on a form provided by the department.

Authority: AS 08.87.020 AS 08.87.110

12 AAC 70.107. APPLICATION FOR INSTITUTIONAL REAL ESTATE APPRAISER CERTIFICATION BY EXAMINATION. (a) The board will issue a certification by examination to practice as an institutional real estate appraiser to an applicant who meets the requirements of AS 08.87.110(e) and this section.

(b) An applicant for certification under this section must

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

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

(B) official transcripts, notarized copies of certificates of completion, or other evidence of course completion acceptable to the board, that verify the classroom hours of instruction required of general real estate appraisers in 12 AAC 70.115(a) or (b), as applicable; and

(C) proof of full-time employment with a financial institution with offices in this state; and

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

Authority: AS 08.87.020 AS 08.87.110

12 AAC 70.108. WORK EXPERIENCE REQUIREMENTS FOR REAL ESTATE APPRAISER CERTIFICATION. (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 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.

(b) An applicant for certification as a residential real estate appraiser shall submit verification of 2,500 hours of appraisal experience obtained continuously over a period of not less than 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.

(c) An applicant may not receive credit for more than 1,250 hours of experience in real property appraisal in a 12-month period.

(d) In this section, a residential property is one to four residential units.

Authority: AS 08.87.020

Editor's note: *A copy of the Uniform Standards of Professional Appraisal Practice, developed by the Appraisal Foundation, is available for inspection at the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811 or for purchase from the Appraisal Foundation, 1155 15th Street, N.W., Suite 1111, Washington, D.C. 20005.*

12 AAC 70.110. VERIFICATION OF WORK EXPERIENCE. (a) An applicant's qualifying work experience must be verified by a combination of at least three different individuals, on forms provided by the department, and, for an applicant for certification as a general real estate appraiser or a residential real estate appraiser, a log submitted by the applicant of appraisal work performed. If an applicant cannot, for good cause, provide work experience verification forms from at least three different individuals, the board may consider and approve other kinds of work experience verification.

(b) The board will accept a work experience verification form only if it is notarized and has been completed by

(1) a licensed construction contractor;

(2) a federal or state regulated lender;

(3) a present or former employer of the applicant;
(4) an officer of a state or federal agency; or
(5) an officer of a company that customarily uses the services of a real estate appraiser who has recent knowledge of the applicant's experience on that company's behalf.
(c) *Repealed 12/13/94*.
(d) *Repealed 12/13/94*.
(e) At the request of the board, an applicant for certification as a general real estate appraiser or a residential real estate appraiser shall submit a copy of the work product from any appraisal performed by the applicant and included in the log of appraisals submitted under (a) of this section.

Authority: AS 08.87.020

12 AAC 70.115. EDUCATION REQUIREMENTS FOR REAL ESTATE APPRAISER CERTIFICATION. (a) An applicant for certification as a general real estate appraiser must document satisfactory completion of 300 creditable classroom hours of instruction that meet the requirements in 12 AAC 70.140 with emphasis on appraisal of nonresidential properties, and a bachelor's degree or higher in any field from an accredited college or university.
(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:
(1) basic appraisal principles, 30 hours;
(2) basic appraisal procedures, 30 hours;
(3) the 15-hour National USPAP course or its equivalent, 15 hours;
(4) general appraiser market analysis and the principle of the highest and best use of the property, 30 hours;
(5) statistics, modeling, and finance, 15 hours;
(6) general appraiser sales comparison approach, 30 hours;
(7) general appraiser site valuation and cost approach, 30 hours;
(8) general appraiser income approach, 60 hours;
(9) general appraiser report writing and case studies, 30 hours;
(10) appraisal subject matter electives, 30 hours.
(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 a bachelor's degree or higher in any field from an accredited college or university.
(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 five years immediately preceding the date of a complete application:
(1) basic appraisal principles, 30 hours;
(2) basic appraisal procedures, 30 hours;
(3) the 15-hour national USPAP course or its equivalent, 15 hours;
(4) residential market analysis and the principle of the highest and best use of the property, 15 hours;
(5) residential appraiser site valuation and cost approach, 15 hours;
(6) residential sales comparison and income approaches, 30 hours;
(7) residential report writing and case studies, 15 hours;
(8) statistics, modeling and finance, 15 hours;
(9) advanced residential applications and case studies, 15 hours;
(10) appraisal subject matter electives, 20 hours.
(e) In this section, "residential property" means property with one to four residential units.

Authority: AS 08.87.020 AS 08.87.110

12 AAC 70.120. APPLICATION FOR CERTIFICATION BY ENDORSEMENT. (a) The board may issue a certification by endorsement to practice as a general real estate appraiser or residential real estate appraiser to an applicant who meets the requirements of AS 08.87.110(h) and this section.
(b) An applicant for certification under this section must
(1) submit a completed application, on a form provided by the department; the completed application must include the personal identification information requested on the form; and
(2) pay any fees required in 12 AAC 02.370.

Authority: AS 08.87.020 AS 08.87.110

12 AAC 70.125. APPLICATION FOR APPROVAL AS A TRAINEE APPRAISER. (a) The board will issue a certification approving a person as a trainee appraiser to an applicant who meets the requirements of 12 AAC 70.935 and this section.

(b) An applicant for certification under this section must

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

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

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

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

(c) To renew a certification as a real estate appraiser trainee, the applicant must

(1) submit an application for renewal on a form provided by the department; and

(2) provide evidence of satisfactory completion of 14 hours of continuing education credit.

Authority: AS 08.87.020 AS 08.87.310

12 AAC 70.126. APPLICATION FOR APPROVAL AS A SUPERVISORY APPRAISER. (a) The board will issue a certification approving a person as a supervisory appraiser to an applicant who is certified to practice as a general real estate appraiser or residential real estate appraiser and who meets the requirements of 12 AAC 70.935 and this section.

(b) An applicant for certification under this section must

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

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

(B) proof that the applicant has successfully completed and passed the required courses that are specifically oriented to the requirements and responsibilities of supervisory appraisers and trainee appraisers, and that comply with the specifications for course content established by the Appraiser Qualifications Board of the Appraisal Foundation; the course must be completed by the supervisory appraiser before obtaining a supervisory appraiser credential; and

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

Authority: AS 08.87.020 AS 08.87.310

12 AAC 70.130. REAL ESTATE APPRAISER EXAMINATIONS. (a) To be certified as a real estate appraiser by examination, an applicant must pass the following examination within the 24 months immediately preceding the date of certification:

(1) for general or institutional certification, the Uniform State General Certification Examination endorsed by the Appraiser Qualifications Board of The Appraisal Foundation; or

(2) for residential certification, the Uniform State Residential Certification Examination endorsed by the Appraiser Qualification Board of The Appraisal Foundation.

(b) *Repealed 1/16/2005*.

Authority: AS 08.87.020 AS 08.87.110

12 AAC 70.140. STANDARDS FOR ACCEPTABLE EDUCATION. (a) To comply with the real estate appraisal education requirements of 12 AAC 70.115 for initial certification, or the registered trainee education requirements of 12 AAC 70.125, an applicant's classroom hours of instruction, as defined in 12 AAC 70.910, must relate directly to real estate appraisal theory or practices and must be obtained through

(1) a member organization of the Appraisal Foundation;

(2) a junior college, college, or university;

(3) a course approved by the Appraiser Qualifications Board Educational Course Review Program;

(4) a real estate appraisal or real estate related organization;

(5) a state or federal agency or commission;

(6) a proprietary school; or

(7) another organization or academic institution approved by the board.

(b) The board will credit only a course approved under 12 AAC 70.145 toward the classroom hours of instruction required for certification or registration.

(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 January 1, 2008, located in the Appendix of *The Real Property Appraiser Qualification Criteria and Interpretations of the Criteria, dated* January 2012, and adopted by reference.

(d) *Repealed 1/16/2005*.

(e) *Repealed 6/28/2015*.

(f) The board will award credit toward the classroom hour requirement for initial certification or trainee registration for completion of a course by distance education if the course

(1) meets the requirements of this section and 12 AAC 70.145(d);

(2) requires successful completion of a written final examination that is proctored by an official approved by the presenting college or university, or by the sponsoring organization;

(3) is presented to an organized group in an institutional setting with

(A) a person qualified and available to answer questions, provide information, and monitor student attendance;

(B) a minimum of two classroom hours;

(4) meets the requirements for courses established by the Appraiser Qualifications Board;

(5) has been presented by a college or university accredited by the Commission on Colleges or a regional accreditation association that offers distance education programs in other disciplines; and

(6) has received approval

(A) *repealed 1/16/2005*; or

(B) of the International Distance Education Certification Center's (IDECC) for the course design and delivery mechanism and either the approval of the

(i) Appraiser Qualifications Board through the AQB Course Approval Program; or

(ii) licensing or certifying jurisdiction where the course is being offered, for the content of the course.

(g) The board will not award credit for noninstructional course time except for a maximum of 20 hours spent writing appraisal reports for a course on that subject. The number of hours credited under this subsection may not exceed 50 percent of the total classroom hours awarded for the course for which the appraisal reports were written. The board will award credit under this subsection for no more than one course during an applicant's total classroom hours of instruction.

(h) An applicant's classroom hours of instruction must include coverage of the full scope of the fundamentals of appraisal theory, principles, and practices. A course that is highly specialized or narrow in focus will not be credited toward an applicant's required classroom hours of instruction unless the applicant has also completed sufficient courses to cover the fundamental aspects of appraisal theory, principles, and practices.

(i) The board will not award credit for more than eight classroom hours of instruction per day. If no breakdown of instructional, assignment, and examination hours is given for a course or seminar, the board will award three and one half classroom hours of instruction for the last day of the course or seminar and seven classroom hours of instruction for all other days of the course or seminar.

(j) The board will require additional information if necessary to determine if an applicant's classroom hours of instruction meet the requirements in this section.

Authority: AS 08.87.020 AS 08.87.110 AS 08.87.310

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

12 AAC 70.145. APPROVAL OF COURSE OR SEMINAR FOR INITIAL CERTIFICATION OR TRAINEE REGISTRATION. (a) The board will use the standards established in this section to determine if a course or seminar is in a subject related to real estate appraisal and will be credited toward an applicant's total classroom hours of instruction.

(b) The board will review each course or seminar submitted with an individual's application for certification or registration and approve a course or seminar that meets the requirements of this section. The board will require an applicant to submit additional information, including the information required in (e)(3) - (10) of this section, if necessary to determine if a course or seminar meets the requirements in this section.

(c) The board will review and preapprove a course or seminar that meets the requirements of this section if an individual or organization submits the course or seminar to the board for preapproval under (e) of this section.

(d) To be approved by the board, a course or seminar must meet the following requirements:

(1) the primary focus of the course or seminar must be directly related to the theories, concepts, principles, practices, techniques, methods, or problems applicable to one or more aspects of real property appraisal;

(2) the course or seminar must be a minimum of 15 classroom hours in duration and include successful completion of a final examination; except as provided in 12 AAC 70.140(g), time spent on

(A) the final examination will be counted toward the minimum course duration or credited toward the total classroom hours of instruction required for certification or registration;

(B) an assignment will not be counted toward the minimum course duration or credited toward the total classroom hours of instruction required for certification or registration;

(3) the number of hours of instruction must be sufficient for quality instruction on the subject matter covered by the course or seminar.

(e) An individual or organization wishing to receive preapproval of a course or seminar shall submit to the board

(1) a completed application form for course approval;

(2) the course approval fee in 12 AAC 02.370;

(3) the name of the course or seminar provider;

(4) a complete course description, including the course title and a description of the learning objectives;

(5) a course syllabus;

(6) an outline of the major topics covered by the course or seminar and the number of classroom hours allowed for each topic;

(7) a list of texts and instructional materials used in the course or seminar;

(8) *repealed 6/22/2005*;

(9) the instructor's résumé that includes the instructor's

(A) name;

(B) recognition in the real estate appraisal industry; and

(C) professional designations and affiliations; and

(10) a copy of the attendance policy and a description of the procedures used for keeping a record of attendance.

(f) An individual or organization that has received preapproval of a course or seminar shall notify the board of any change in the information submitted under (e) of this section for an approved course or seminar.

(g) Course and seminar approval under this section is valid for three years from the date of approval.

(h) The board will maintain a list of courses and seminars approved under this section.

Authority: AS 08.87.020 AS 08.87.110 AS 08.87.310

12 AAC 70.150. APPLICATION DEADLINE. To be scheduled for board review, an application for certification or course approval must be complete and filed with the department, as defined in 12 AAC 02.920, at least 15 days before the scheduled date of the board's application review.

Authority: AS 08.87.020

ARTICLE 2.
CONTINUING EDUCATION REQUIREMENTS.

Section

200. Application for continuing education course or seminar approval
210. Approved continuing education courses and seminars
215. Approved online courses
220. Hours of continuing education required

12 AAC 70.200. APPLICATION FOR CONTINUING EDUCATION COURSE OR SEMINAR APPROVAL. (a) A person or an organization wishing to sponsor a real estate appraisal continuing education course or seminar shall apply for board approval of that course or seminar by submitting

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

(2) any fees required in 12 AAC 02.370;

(3) the following information:

(A) a complete course description, including the course or seminar title and a description of the learning objectives;

(B) an outline of the major topics covered by the course or seminar and the number of classroom hours allowed for each topic;

(C) the name of the course or seminar provider;

(D) *repealed 6/22/2005*;

(E) a copy of the attendance policy and a description of the procedures used for keeping a record of attendance;

(F) a course syllabus;

(G) a list of texts and instructional materials used in the course or seminar;

(H) the instructor's résumé that includes the instructor's

(i) name;

(ii) recognition in the real estate appraisal industry; and

(iii) professional designations and affiliations.

(b) An applicant for renewal may petition the board for approval of a course or seminar that the applicant believes will meet the requirements of 12 AAC 70.210.

(c) The board will award up to 10 hours of continuing education credit for nonstudent participation in an educational program as provided for in AS 08.87.120(b)(2). To receive credit under this subsection, an applicant for renewal shall provide the documentation necessary to substantiate the applicant's participation and experience, including

(1) information on the topics covered and the hours spent in the program; and

(2) documentation that the applicant's involvement in the program was in the technical and professional aspects of real estate appraisal and that the primary focus of the program was directly related to the theories, concepts, principles, practices, techniques, methods, or problems applicable to one or more aspects of real property appraisal.

(d) Course and seminar approval under this section is valid for three years from the date of approval.

Authority: AS 08.87.020 AS 08.87.120

12 AAC 70.210. APPROVED CONTINUING EDUCATION COURSES AND SEMINARS. (a) To be approved by the board, the primary focus of a continuing education course or seminar must be directly related to the theories, concepts, principles, practices, techniques, methods, or problems applicable to one or more aspects of real property appraisal.

(b) The board will approve a course or seminar on the following topics if the course or seminar meets the requirements of (a) of this section:

(1) *repealed 9/14/2012*;

(2) construction cost estimating;

(3) ethics and standards of professional appraisal practice;

(4) land use planning, zoning, and taxation;

(5) property development;

(6) real estate appraisal (including valuations and evaluations);

(7) real estate financing and investment;

(8) real estate law;

(9) real estate litigation;

(10) real estate appraisal related computer applications;

(11) other topics related to real estate appraisal that are approved by the board.

(c) In addition to the courses approved by the board under 12 AAC 70.200, the following courses are approved for continuing education when they are consistent with (a) of this section and an application provided by the department for course approval is submitted with the appropriate application fee and is approved by the board:

(1) courses offered by a member organization of The Appraisal Foundation;

(2) courses offered by a regionally accredited junior college, college, or university; or

(3) courses approved by the Appraiser Qualifications Board Course Approval Program of the Appraisal Foundation.

(d) To be approved by the board, a continuing education course or seminar must include a minimum of two classroom hours, that meet the requirements of (a) of this section.

(e) The board will award continuing education credit for completion of a course by distance education if the course meets the requirements of 12 AAC 70.140(f).

(f) Course and seminar approval under this section is valid for three years from the date of approval.

Authority: AS 08.87.020 AS 08.87.120

12 AAC 70.215. APPROVED ONLINE COURSES. (a) To be approved by the board to meet the continuing education requirements of 12 AAC 70.220, the primary purpose of an online course must be directly related to the theories, concepts, principles, practices, techniques, methods, or problems applicable to one or more aspects of real property appraisal.

(b) The board will approve an online course on the following topics if the online course meets the requirements of (a) of this section:

(1) *repealed 6/28/2015*;

(2) construction cost estimating;

(3) ethics and standards of professional appraisal practice;

(4) land use planning, zoning, and taxation;

(5) property development;

(6) real estate appraisal, including valuations and evaluations;

(7) real estate financing and investment;

(8) real estate law;

(9) real estate litigation;

(10) real estate appraisal related computer applications;

(11) other topics related to real estate appraisal that are approved by the board.

(c) In addition to the online courses approved by the board under (b) of this section, the following online courses are approved for continuing education if they are consistent with (a) of this section:

(1) courses presented by a regionally accredited junior college, college, or university that offers distance education programs in other disciplines;

(2) *repealed 1/16/2005*;

(3) distance education courses approved by the Appraiser Qualifications Board Course Approval Program of the Appraisal Foundation;

(4) *repealed 6/28/2015*.

Authority: AS 08.87.020 AS 08.87.120

12 AAC 70.220. HOURS OF CONTINUING EDUCATION REQUIRED. (a) At the time of certificate renewal, an applicant for renewal who has been certified for

(1) 24 months or more shall document satisfactory completion of at least 28 hours of continuing education;

(2) at least 185 days, but less than 24 months, shall document satisfactory completion of at least 14 hours of continuing education;

(3) less than 185 days is not required to meet continuing education requirements for that renewal.

(b) The board will not recognize continuing education hours claimed by an applicant for renewal for taking the same, or substantially identical, course more than once during a certification period.

(c) Except as provided in (d) of this section, credit is given for classroom and examination hours only and not for hours devoted to class preparation or completion of assignments. A classroom hour is defined in 12 AAC 70.910.

(d) Up to one-half of the hours required by this section may be obtained through distance education approved under 12 AAC 70.210 or online courses approved under 12 AAC 70.215.

(e) As part of the requirements of (a)(1) of this section, an applicant for renewal of a certificate shall document satisfactory completion of a seven-hour National USPAP Update Course, taught by an Appraiser Qualifications Board certified instructor who is a certified appraiser. The board will accept courses determined as equivalent by the Appraiser Qualifications Board Course Approval Program of the Appraisal Foundation. Completion of the 15-hour national USPAP course used for certification under 12 AAC 70.115 may not be used to satisfy the continuing education renewal requirements of the seven-hour USPAP Update Course required in this subsection.

Authority: AS 08.87.020 AS 08.87.120

Editor's note*: A list of certified instructors by the Appraisal Foundation, Appraiser Qualification Board, may be obtained from the Appraisal Foundation, 1155 15th Street, N.W., Suite 1111, Washington, D.C. 20005.*

ARTICLE 3.
LIMITED CERTIFICATION.

Section

300. Scope of limited real estate appraiser *(Repealed)*
310. Qualifications for limited real estate appraiser certification *(Repealed)*

12 AAC 70.300. SCOPE OF LIMITED REAL ESTATE APPRAISER. *(Repealed 4/15/94)*

12 AAC 70.310. QUALIFICATIONS FOR LIMITED REAL ESTATE APPRAISER CERTIFICATION. *(Repealed 4/15/94)*

ARTICLE 4.
GENERAL PROVISIONS.

Section

900. Standards of practice
910. Definition of classroom hours
920. Courtesy License
930. Federal Registry
935. Supervision of trainee appraisers
940. Retention of records
990. Definitions

12 AAC 70.900. STANDARDS OF PRACTICE. The standards of practice for certified real estate appraisers practicing in the state are those specified in AS 08.87.200(3).

Authority: AS 08.87.020 AS 08.87.200

Editor's note: *The standards of practice referred to in 12 AAC 70.900 (Uniform Standards of Professional Appraisal Practice) are available from the Appraisal Foundation, publications department, 1029 Vermont Avenue, N.W., Suite 900, Washington, DC 20005-3517. Phone no. (202) 347-7722.*

12 AAC 70.910. DEFINITION OF CLASSROOM HOUR. For the purposes of this chapter,

(1) except as provided in 12 AAC 70.145(d)(2)(A) and 12 AAC 70.220(c), one classroom hour equals a minimum of 50 minutes of instruction;

(2) one academic semester credit hour equals 15 classroom hours; and

(3) one academic quarter credit hour equals 10 classroom hours.

Authority: AS 08.87.020 AS 08.87.110 AS 08.87.120

12 AAC 70.920. COURTESY LICENSE. (a) The board or the board's designee in the department will issue a courtesy license to a nonresident who is a certified or credentialed real estate appraiser in another state and who meets the requirements of this section.

(b) *Repealed 12/13/94*.

(c) A courtesy license is valid for one appraisal assignment, not to exceed 180 consecutive days. However, upon request the board will grant one 30-day extension. A person may be issued no more than two courtesy licenses in a 12-month period.

(d) An applicant for a courtesy license shall submit

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

(2) any fees required in 12 AAC 02.370;

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

(4) an address for service of process.

(e) A courtesy license holder shall submit to the board a copy of the report prepared for the appraisal assignment for which the courtesy license was issued within 30 days of the completion of the assignment.

(f) The board's designee in the department shall issue a courtesy license within five days after receipt of the materials and fees required in (d) of this section unless those application materials indicate disciplinary action in another state.

(g) The board's designee in the department shall forward any courtesy license application and accompanying materials that indicate disciplinary action in another state to the board for its consideration to grant or deny the courtesy license.

(h) In compliance with 12 U.S.C. 331-3351 (Title XI, Financial Institutions Reform, Recovery and Enforcement Act of 1989), the board or the board's designee in the department will issue a courtesy license to a credentialed nonresident of this state for the purpose of providing appraisal services for federally-related transactions in this state.

(i) In this section, "credentialed" means a licensed or certified appraiser in good standing in another state.

Authority: AS 08.01.062 AS 08.87.020

12 AAC 70.930. FEDERAL REGISTRY. (a) In compliance with 12 U.S.C. 3338 (Financial Institutions Reform, Recovery, and Enforcement Act of 1989), the board will annually send to the Federal Financial Institutions Examination Council, Appraisal Subcommittee,

(1) a roster of all real estate appraisers certified in Alaska at that time; and

(2) an amount equal to the amount collected from each certified real estate appraiser listed on the roster identified in paragraph (1) of this section.

(b) At the time of initial certification and at the time of certificate renewal, a certified real estate appraiser shall submit to the department any annual federal registry fee established in 12 AAC 02.

Authority: AS 08.01.065 AS 08.87.100 AS 08.87.110

12 AAC 70.935. SUPERVISION OF TRAINEE APPRAISERS. (a) A supervisory appraiser shall

(1) be in good standing in this state and not subject to any disciplinary action within any jurisdiction within the last three years that affects the supervisory appraiser's legal eligibility to engage in appraisal practice; a supervisory appraiser subject to a disciplinary action is in good standing three years after the successful completion or termination of the sanction imposed against the appraiser;

(2) have been a state-certified appraiser for at least three years before being eligible to become a supervisory appraiser; and

(3) comply with the Competency Rule of the Uniform Standards of Professional Appraisal Practice for the property type and geographic location for which the trainee supervisor is being supervised.

(b) A supervisory appraiser may not supervise more than three trainee appraisers at one time.

(c) A supervisory appraiser shall be responsible for the training, guidance, and direct supervision of the trainee appraiser by

(1) accepting responsibility for a trainee appraiser's appraisal reports by signing each report and certifying that the report is in compliance with the Uniform Standards of Professional Appraisal Practice;

(2) reviewing the trainee appraisal reports; and

(3) personally inspecting each appraised property with the trainee appraiser until the supervisory appraiser determines that the trainee appraiser is competent, in accordance with the Competency Rule of the Uniform Standards of Professional Appraisal Practice, for the property type; the supervisory appraiser shall make the determination of competency in writing on a form provided by the department and shall submit the determination to the department not later than 10 days after the date of the determination.

(d) A trainee appraiser shall report to the department, on a form provided by the department, the identity of any supervisory appraiser. A trainee appraiser may have more than one supervisory appraiser. If a trainee appraiser has more than one supervisory appraiser, the trainee appraiser shall report the identity of each supervisory appraiser as required under this subsection.

(e) A supervisor-trainee relationship becomes effective on the date of receipt by the department of the original required form with original signatures.

(f) The supervisory appraiser and the trainee appraiser shall jointly maintain an appraisal log that for each appraisal includes at least

(1) identification of the type of property;

(2) the date of the report;

(3) the address of the appraised property;

(4) a description of work performed by the trainee appraiser and the scope of the review and supervision of the supervisory appraiser;

(5) the number of actual work hours by the trainee appraiser on the assignment; and

(6) the signature and state certification number of the supervisory appraiser; separate appraisal logs shall be maintained for each supervisory appraiser, if applicable.

(g) Before supervising a trainee appraiser, a supervisory appraiser shall complete a course that

(1) complies with the specifications for course content established by the Appraiser Qualifications Board of the Appraisal Foundation; and

(2) is specifically oriented to the requirements and responsibilities of supervisory appraisers and trainee appraisers.

(h) The course that an applicant for certification under 12 AAC 70.125 as a trainee appraiser must take

(1) must

(A) comply with the specifications for course content established by the Appraiser Qualifications Board of the Appraisal Foundation; and

(B) be specifically oriented to the requirements and responsibilities of supervisory appraisers and trainee appraisers; and

(2) is not eligible towards the 75 hours of qualifying education required under 12 AAC 70.125.

Authority: AS 08.87.020 AS 08.87.310

12 AAC 70.940. RETENTION OF RECORDS. (a) An appraiser must prepare a work file for each appraisal, appraisal review, or appraisal consulting assignment. A work file must be in existence before the issuance of a written or oral report. A written summary of an oral report must be added to the work file within a reasonable time after the issuance of the oral report.

(b) The work file must include

(1) the name of the client and the identity, by name or type, of any other intended users;

(2) true copies of any written reports, documented on a type of media; a photocopy or an electronic copy of the entire signed report transmitted to the client satisfies the requirements of a true copy;

(3) summaries of any oral reports or testimony, or transcripts of testimony, including the appraiser's signed and dated certification; and

(4) all other data, information, and documentation necessary to support the appraiser's opinions and conclusions and to show compliance with USPAP, or reference to the locations of the documentation.

(c) An appraiser must retain the work file for a period of at least five years after preparation or at least three years after final disposition of any judicial proceeding in which the appraiser provided testimony related to the assignment, whichever period expires later.

(d) An appraiser must have custody of the appraiser's work file, or make appropriate work file retention, access, and retrieval arrangements with the party having custody of the work file.

(e) An appraiser having custody of a work file must allow other appraisers with work file obligations related to an assignment appropriate access and retrieval for the purpose of

(1) submission to state appraiser regulatory agencies;

(2) compliance with due process of law;

(3) submission to a duly authorized professional peer review committee; or

(4) compliance with retrieval arrangements.

Authority: AS 08.87.020 AS 08.87.300

12 AAC 70.990. DEFINITIONS. In this chapter and in AS 08.87

(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;

(2) "board" means the Board of Certified Real Estate Appraisers;

(3) "certified real estate appraiser" means a real estate appraiser who is certified in Alaska under AS 08.87; it does not include persons certified by another licensing jurisdiction or organization;

(4) "department" means the Department of Commerce, Community, and Economic Development;

(5) "holds out as a certified real estate appraiser in any way" includes anyone who performs appraisal services on real estate located in Alaska;

(6) "transaction value" means the amount of the federally-related transaction and is not necessarily the value of the property being appraised;

(7) "institutional real estate appraiser" means a real estate appraiser employed full-time by a financial institution with an office in the state subject to the limitations set out in AS 08.87.110(e) - (g);

(8) "complete application" means an application that includes all documentation and fees required for certification in this chapter;

(9) "distance education" means an educational process where a geographical separation exists between the provider and student;

(10) "CLEP" means the College-Level Examination Program;

(11) "USPAP" means the Uniform Standards of Professional Appraisal Practice, developed by the Appraisal Foundation.

Authority: AS 08.87.020