

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

333 W. Willoughby Ave., 9th Floor, Conference Room B - Teleconference
Juneau, Alaska

Tuesday, April 14, 2015

TENTATIVE MEETING AGENDA

	<u>TIME</u>	<u>TOPIC</u>	<u>LEAD PERSON(S)</u>
1.	9:00 a.m.	Call to order/Roll call	David Derry, Chair
2.	9:05 a.m.	Review/Amend Agenda	Chair
3.	9:10 a.m.	Review/Approve Minutes (March 12 th , 2015 Meeting)	Chair
4.	9:20 a.m.	Ethics Disclosure/Review Ethics	Chair
5.	9:25 a.m.	Investigations Report	Jay Paff
6.	9:30 a.m.	ASC Recap <ul style="list-style-type: none"> • Time-sensitive response to courtesy license applications • Education requirements before exam • IDECC approval/expiration dates • Supervisor/Trainee relationship • ASC to present at July meeting <ul style="list-style-type: none"> ○ Audit date: July 17-31st, 2015 	Examiner
7.	10:00 a.m.	Break	
8.	10:15 a.m.	Board Business <ul style="list-style-type: none"> • Board member update • Discuss resolution for 5 licensees/Review protocol (secure site) • Update on new check sheets/applications • Review draft of work log • Clarify participation hours under proposed change to AS 08.87.120 • USPAP Course in Anchorage (April 27th, 2015) • Discuss background checks • Discuss fees <ul style="list-style-type: none"> ○ June renewal ○ Trainee/Supervisory appraisers 	Chair
9.	11:15 a.m.	Regulation Updates <ul style="list-style-type: none"> • Board Review/Action 	Examiner
10.	11:30 a.m.	New Business <ul style="list-style-type: none"> • Discuss regulatory access to CAP • Appraisal Management Company (AMC) 	Chair
11.	12:00 p.m.	Lunch	
12.	1:00 p.m.	Public Comment	
13.	1:15 p.m.	Administrative Business <ul style="list-style-type: none"> • Task list 	Chair
14.	1:45 p.m.	Budget Report	Martha Hewlett
15.	2:15 p.m.	Adjourn	

Alaska Board of Certified Real Estate Appraisers

Board Roster

Member	Date Appointed	Reappointed	Term Expires
Lance H Cook <i>At-Large Residential Real Estate Appraiser (Fairbanks)</i>	3/1/2012		3/1/2016
David M. Derry <i>Licensed General Real Estate Appraiser (Kenai)</i>	3/1/2014		3/1/2018
Alfred J. Ferrara <i>Licensed Residential Real Estate Appraiser (Anchorage)</i>	3/1/2014		3/1/2018
Renee E. Piszczek <i>Mortgage Banking Executive (Fairbanks)</i>	9/2/2014	1/19/2015	3/1/2017
Brit Szymoniak <i>Public Member (Anchorage)</i>	3/3/2014		3/1/2015

2015 STATE HOLIDAY CALENDAR

JANUARY

S	M	T	W	T	F	S
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FEBRUARY

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ASC Audit

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DECEMBER

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State Holidays

Date	Holiday
01/01	New Year's Day
01/19	MLK Jr.'s Birthday
02/16	Presidents' Day
03/30	Seward's Day
05/25	Memorial Day
07/04	Independence Day (observed 07/03)

Holiday

State calendar maintained by the
Division of Finance,
Department of Administration
<http://doa.alaska.gov/calendars.html>
Rev. 09/18/2014

State Holidays

Date	Holiday
09/07	Labor Day
10/18	Alaska Day (observed 10/19)
11/11	Veterans Day
11/26	Thanksgiving Day
12/25	Christmas Day

Agenda Item # 3

Review/Approve Minutes (March 12th, 2015 Teleconference)

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

**MINUTES OF TELEPHONIC MEETING
March 12, 2015**

The staff of the Division of Corporations, Business & Professional Licensing prepared these draft minutes. They 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 teleconference of the Board of Certified Real Estate Appraisers was held December 11, 2014 at the State Office Building, 330 Willoughby Avenue, 9th Floor, Conference Room A, Juneau, Alaska.

Call to Order/Roll Call

The meeting was called to order at 8:32 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
Renee Piszczek, Mortgage Lending Member

In attendance from the Department of Commerce, Community & Economic Development Division of Corporations, Business and Professional Licensing:

Karen Hudson, Records and Licensing Supervisor
Dawn Hannasch, Records and Licensing Supervisor
Laura Carrillo, Licensing Examiner

Agenda Item #1 – Review Agenda

Chairman Derry noted a couple of items had been added under correspondence, the first item being a class action letter which has been added under Board Correspondence, and the other item being a letter and agreement that is added under the investigations report.

Hearing no further additions or corrections to the agenda, Chairman Derry approved the agenda as amended.

Agenda Item #2 – Review/Approve Minutes

The board reviewed the minutes from the December 11, 2014 meeting.

Upon a motion duly made by Renee Piszczek, seconded by Mr. Ferrara, and approved unanimously, it was:

RESOLVED to approve the December 11, 2014 minutes as written.

Chairman Derry noted that the minutes from the October 9, 2014 meeting were approved and should be posted as approved on the website.

Agenda Item #3 – Board Correspondence

Chairman Derry included the letter he had drafted regarding appraisal issues in Fairbanks for board review; he noted he has not heard anything back. Other board members had not heard anything further, Renee Piszczek commented that the letter seemed very appropriate and legal.

Board members reviewed a letter regarding a class action lawsuit, *Spears v. eAppraiseIt* LLC. Members had not been aware of the lawsuit, had not seen it in any professional publications. Fred Ferrara believes that EAppraiseIt is an appraisal management company but he had not done any business with them. Division staff noted that the letter had included a CD containing additional documents if board members wanted to conduct further review. Board members declined, in agreement that the Alaska class action members have been duly notified and no action is necessary by the board

Agenda Item #4 – Ethics Disclosure

Board members had no ethics disclosures.

Chairman Derry called for a brief recess to determine if division Paralegal Charles Ward would be available to present Consent Agreement. Mr. Ward was not available.

Off Record 8:40 a.m.

Back on Record at 8:47 a.m.

Agenda Item #6 – Other Board Business

Karen Hudson introduced Dawn Hannasch and Laura Carrillo, the new Records and Licensing Supervisor and Licensing Examiner for the Certified Real Estate Appraiser program. She noted that Chairman Derry/board members had recently been advised of staffing changes at the division necessitated by the addition of a new supervisory position to allow better coverage for all programs. Dawn will be supervising the new supervisor starting the week of March 16, and Laura will be the new examiner.

Dawn Hannasch addressed the board, adding she had been working for the previous 3 years as the examiner for the medical board. She invited board members to contact her with questions and promised to do the same if she had questions for them. Examiner Laura Carrillo introduced herself to the board, noting she has been with the division as an examiner for the chiropractic board for 7 months.

Chairman Derry welcomed them to the board, confirming they will be replacing Karen Hudson and Laura Carrillo as the program staff. Karen Hudson noted that she will continue to provide training, guidance, assistance to the program through the transition and through the next few months as the program goes through the Appraisal Subcommittee audit, but that Dawn and Laura will take the lead on program matters starting March 16.

Chairman Derry addressed the verbiage of “certified” versus “licensed” appraisers as used on the website roster. Ms. Hudson noted that statutes and regulations utilize the term “certified” for general and residential appraisers. She clarified that the roster information on the website is from a link to the Boards and Commissions website, so will follow up with the Governor’s office to make corrections.

The board further discussed the expiration of Brit Szmoniak’s board appointment. Staff confirmed that the Governor’s office manages board appointments for any vacancy that exists on a board.

Paralegal Charles Ward joined the meeting.

Agenda Item #5 – Investigations Report

Agenda Item #9 – Review of Consent Agreement, Case No. 2014-000540

Upon a motion duly made by Mr. Ferrara, seconded by Renee Piszczek, and approved unanimously by roll call, it was:

Resolved to enter into executive session for the purpose of deliberation [in accordance with 44.62.310(c)].

Off record at 8:59 a.m.

Back on record 9:31 am

Upon a motion duly made by Mr. Ferrara, seconded by Renee Piszczek, and approved unanimously by roll call, it was:

Resolved to approved the Consent Agreement in Case No. 2014-000540.

Chairman Derry asked about the license action statement that will be included on the licensee's public information – nothing that if the licensee has been subject to a disciplinary action, especially when it may be a minor infraction such as continuing education, the public may not know what the discipline is for. Chairman Derry thinks that more specific information should be cited. Board members agreed, and Chairman Derry tasked himself with writing a letter to the director asking that more specific language be posted when there is a case such as [the one just approved], including more specific examples.

Agenda Item #6 – Other Board Business, cont.

Board members discussed the current work log and the sample of the Appraisal Institute experience log. Chairman Derry is currently revising the work log, noting the new requirements that supervisory and trainee appraisers must take a course, and thinking it would be nice to have some sort of consistency that works for the state and works for supervisors and trainees. Chairman Derry noted that the state's current form is more detailed than what is required by AQB requirements which is similar to what the Appraisal Institute is asking for in its work log form. AQB wants the log to address the scope of the review and the level of supervision – the state's form has a column for value opinion, and client named in report, and report date, and a supervisory appraiser to sign each sheet. Board members discussed whether value opinions are necessary to reviewing someone's work experience, and proposed to include a place for who physically inspected property – trainee, supervisor, or both.

Fred Ferrara expressed a different feeling about value opinions, noting there are recommendations relative to the number of hours that can be claimed in doing appraisals, so value could be related to the number of hours claimed in the appraisal process and may be indicative of the quality or the time the person spends in an appraisal. He agreed client name should be eliminated.

The question of confidentiality of work logs was raised and staff confirmed that applications, including the work logs, are public documents once the license is issued.

Chairman Derry will continue to revising the work log and will send draft to board members for comments.

Division staff reported that appraiser applications are being revised to **confirm** with proposed regulations.

On the issue of the regulations project, the regulations approved at the December 11, 2014 meeting have been put out for public comment, which will close on April 1. Comments go to the regulations specialist, and once closed, comments will be put together for board

review at the next board meeting. Chairman Derry confirmed for board members that the intent of the proposed regulations is to bring Alaska back into compliance.

Karen Hudson advised board members that the Appraisal Subcommittee staff will be in Juneau for a follow up visit March 23 and 24, and the division will be reporting that regulations are out to public comment as well as reporting on other progress made on other items mentioned in final report. Ms. Hudson advised that they will be conducting yearly audits with checkups as needed to see how things are coming along.

Off record 10:00 a.m.

Back on record at 10:15 am

Chairman Derry proposed that board members receive CE credit for service on the board, and included a proposed regulation change. He commented that he had hoped to have it done in time to include with the current regulations change but members discussed and determined that due to the cost of regulation changes, it can wait until the next round of regulations changes.

Upon a motion duly made by Mr. Ferrara, seconded by Renee Piszczek, and approved unanimously by roll call, it was:

Resolved that the proposed addition of continuing education credit for board members as stated on page 42 of the board packet to be a future regulation change when the next round of regulations occur.

Staff confirmed there are no pending applications for review.

Chairman Derry confirmed he reviewed the latest continuing education applications and sent them back. He confirmed that the expedited process has been for the applications to be sent to him for review, and he has been able to review and send back to the state within a week or two.

Karen Hudson confirmed that the division is planning to review and revise the continuing education application in order to have a streamlined application for AQB and IDECC approved courses.

Off record at 10:25 a.m.

Back on record at 11:45 am

Agenda Item #7 – Public Comment

Chairman Derry noted there were no members of the public present during the time scheduled for public comment.

Agenda Item #6 – Other Board Business, cont.

Karen Hudson confirmed email receipt of the ASC subcommittee final report, which was issued January 14, 2015. She will email to board members for review.

Off record at 11:49 a.m.

Back on record at 1:00 pm

Agenda Item #8 – Budget Review

Administrative Officer Martha Hewlett joined the teleconference to present the board's financial reports. The board had not had a year end financial report, and the meeting went briefly off record for staff to email relevant reports to board members.

Off record 1:05 p.m

On record at 1:17 pm

Ms. Hewlett presented the board's budget report, starting with the FY 2014 final report. She noted that FY 14 was a non renewal year for the program, with revenue of \$56,250, and allowable third party reimbursements of \$1,499. She explained that this would be where an organization may have paid for travel for attendance at a conference, and was paid back expenses for travel. Below revenue is direct expenses, and FY 2014 direct expenses began with \$34,915. Ms. Hewlett directed board members to page two of the report, corresponding with the 71000 series which is things such as that licensing examiner, direct time that the supervisor may need to assist with the program, the investigator, the regulations specialist and the paralegal if those resources are required.

Board travel expenses ended at \$2,920, which corresponds with the 72000 series on the second page of the report. Contractual ended at \$14,955, which corresponds to the 73000 series on the second page and includes credit card fees, expert witnesses, postage, advertising for regulations or board meetings, records storage, legal, and commission sales which is travel fees booked through the state travel system. Lastly, there was \$24 spent on business supplies, which is most likely materials used to put board packets together.

Indirect expenses were \$20,937 – these are things such as the administrative officer, the director, operations manager, who do not direct timekeep. It also other things such as lease space, parking, IT support, HR support, accounting staff, administrative services, commissioner's office support. In FY 14, the division also did a thorough review of the financials and adjusted the allocation methodology. For example, allocating front desk staff time by transaction per program rather than percentage of license holders resulted in a more equitable methodology for allocation of cost to each program. One other methodology change was made, the general state standard for allocating cost to be done by PCN – by number of people working the program.

Staff confirmed the board had not received the Annual Fiscal Report to Boards and Commissions dated November 2014, so will be sure that a copy is sent to each Board member. The highlights in FY 2014 were that the Division lowered indirect allocations by under one million; between FY11 and FY 14, legal costs to division have been reduced by roughly 33%; for the first time in many years professional licensing groups as a whole ended in the black; since 2011, the number of licensees that we are assisting has risen 20%. The rest of the report gives information about how financials work, including charts and graphs.

Ms. Hewlett reviewed the FY 2015 2nd quarter report, noting this will be a renewal year, with revenue to date of \$32,870, received through 12/31/14. For direct expenses – personal services were \$22,246, travel was \$1,617; and contractual \$18,805, with the majority for legal for regulations work.

Chairman Derry asked if the board has a budget. Ms. Hewlett responded that the financial reports are an accounting of what happened, but to look forward the board gets together and completes its annual for the upcoming year – it will need to list how many meetings it will hold, what the cost of each will be (travel), how many training or conferences the board or staff will attend, what memberships it will pay, etc. The annual report is the main source for budgeting. Ms. Hewlett invited board members to contact her if information is needed.

Chairman Derry would like passed on to Sara Chambers to have recertification fees reduced, and to have renewal applications sent out as soon as possible.

Agenda Item #10 – Administrative Board Business

Charles Ward re-joined the meeting, indicating he had spoken to Sara Chambers about the board concern regarding license action information available to public. She confirmed the new database is rolling out on May 31 of this year and when it does, if there is license action or consent agreement it can be downloaded so the inquirer can see the nature of agreement or discipline, as opposed to seeing a blanket statement.

Mr. Ward advised he'd had a further conversation with Chief Birt about the use of Letters of Advisement, which are a tool that Investigations uses for low level violations of regulations and statute. It is not considered a license or disciplinary action, and would remain in their license file. Mr. Ward cautioned the board to take no formal action until he has had a chance to do more research first to ensure they would have statutory authority to do this type of action. Board members did not want to pursue this avenue.

Chairman Derry noted there was nothing further to do with regard to budget or fees.

Board members discussed the USPAP course being offered in Anchorage, coming up in April, and encouraged Ms. Piszczek to take the course, which the board had approved be paid for. Chairman Derry will forward the course information to board members and staff.

Chairman Derry included the AARO spring conference agenda for board members review and stated his opinion that the content is worth the trip to go; he thinks the fall conference in Washington DC may be a better choice. Board members agreed.

Next meeting date: April 14th – teleconference: 9:00 a.m.

Upon a motion duly made by Mr. Ferrara, seconded by Ms. Piszczek, and approved unanimously by roll call, it was:

MOVED TO ADJOURN

Adjourn: 12:32 p.m.

DRAFT

Agenda Item # 4

Ethics Disclosure/Review Ethics

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

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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

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 ONLY THE PARTS THAT APPLY
ONTO YOUR BOARD OR COMMISSION’S LETTERHEAD ******

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

OR

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

AND

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

OR

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

CONFIDENTIAL

ETHICS SUPERVISOR DETERMINATION FORM

(Board or Commission Member)

Board or Commission: _____

Member Disclosing Potential Ethics Violation: _____

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

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

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

Signature of Designated Ethics Supervisor (Chair)

Printed Name of Designated Ethics Supervisor

Date: _____

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

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

Agenda Item # 5

Investigations Report



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND
PROFESSIONAL LICENSING

550 West Seventh Avenue, Suite 1500
Anchorage, Alaska 99501-3567
Main: 907.269.8160
Text phone: 907.465.5437
Programs fax: 907.269.8156

DATE: April 6, 2015
TO: Alaska Board of Certified Real Estate Appraisers
THRU: Alvin M. Kennedy, Senior Investigator *AK*
Angela G. Birt, Chief Investigator *AG*
FROM: Jay H. Paff, Investigator

SUBJECT: Certified Real Estate Appraisers Report for April 14, 2015 Board Meeting.

The following information was compiled as an investigative report to the Board for the period from March 2, 2015 through April 6, 2015. Including cases, complaints, and intake matters, since the last report, the Division opened **no (0)** matters and closed **one (1)** matter. There is currently nothing on-going under active investigation or pending litigation (*as indicated by italics*).

<u>CASE#</u>	<u>OPENED</u>	<u>VIOLATION</u>	<u>PROFESSION</u>
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OPEN CASES AND COMPLAINTS: TOTAL = 0 (*does not include intakes*)

INVESTIGATIVE ACTIONS CLOSED SINCE LAST MEETING:

2015-000086	Incompetence	(Appraiser)	<u>Closed</u> – No Action – No Violation
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CLOSED CASES AND COMPLAINTS: TOTAL = 1

Agenda Item # 6

ASC Recap

Carrillo, Laura N (CED)

From: Hudson, Karen D (CED)
Sent: Tuesday, March 24, 2015 5:09 PM
To: Hovenden, Janey L (CED); Chambers, Sara C (CED); Kautz, Colleen K (CED); Hannasch, Dawn K (CED); Carrillo, Laura N (CED); Johnson, Susan C (CED)
Subject: **ASC Subcommittee Checkup Findings**

A quick recap of the review / comments made at today's meetings, following the 2-day checkup by Kristi Klamut and James Davis. Following additional introductions, a brief discussion was held about the value of membership in AARO and attendance at its conference in October for administrators/regulators - as well as the educational grant for Level I Investigator training - they made clear that this particular training is recommended for professional licensing staff not just investigative staff.

Ms. Klamut then reviewed the findings as related to the last review, and addressed the ASC concerns as follows:

1. **Compliance with Title XI/Progress on Regulations.** She'll follow up with attorneys [the thought that the requirement to include language specifying that education and experience requirements must be completed as a prerequisite to taking the exam, but thinks they look good.
2. **Desk Manual / Policies and Procedures.** She noted there may be some tweaking here and there but overall these were great.
3. **Temporary (Courtesy) Licenses.** Ms. Klamut noted the requirement to issue these within 5 business days of receipt of a complete application. She said there had been an improvement, and made the following observations:
 - a. The clock starts as soon as the application is complete, and an applicant must be notified of anything missing within 5 days.
 - b. Examiners must make sure to sign in through the Extranet (using username and password), and make sure they are still logged in because the system will log you out when idle for a period of time. Being signed out will limit information that is shown.
 - c. Licenses cannot be backdated - it appeared that a file had been backdated due to date of letter transmitting. The license had not been backdated - applicant advised by email (confirmed by reviewing email); the hard copy was mailed upon return to office. The importance of documentation in files was discussed.

Discussion was held to among staff to regarding other steps that may be taken to be sure processing times are adhered to, including:

- Working with the front desk to reduce the time between receipt and delivery to examiner
- Supervisor will check mail during examiners' absence to assure any courtesy applications are receiving attention

4. **Background checks.** Jim Davis suggested if staff or the board is looking for guidance on background checks, the AQB has adopted the 5th exposure draft (dated 1/15/15), which is available online. This may be a good topic to add to the agenda for the July board meeting – more information should be available by then.
5. **National Registry Invoices.** Payments are being made on time.
6. **Education Files.** In the past there had been missing education files, this was not a problem, and files are well documented. A large number of courses had been approved. Ms. Klamut suggested some changes to the form letter that may be made:
 - a. Add the AQB/IDECC expiration date expiration date, which expires prior to the division's expiration date.
 - b. Some files were identified as missing approval letters – these were fairly recently approved (3/3/15) and may not have been filed yet.
7. **Course Approvals.** Discussion was held regarding automatic approval and AQB/CAP approval – Ms. Klamut suggested that this would allow courses to be approved automatically. I advised that at a recent board meeting, the board determined that AQB and IDECC approved courses go to the Board chair for review/approval.
8. **Other: License Files.** There are issues with 6 license files. 5 were issued without work product review (appraisals) conducted by the board; 1 was issued without work product review and with an expired exam.

Ms. Klamut recognized that there were transition and staffing issues at the time. However, the issues with the files will have to be corrected, and the matter will have to be reviewed with the ASC to determine if the licensees need to come off the national registry until the work product is reviewed.

We've been asked to hold off on contacting the licensees for a few days while the ASC makes a determination on how they would like us to proceed.

If I've missed any key points, please feel free to add. Thanks everyone for your attendance and contributions today!

Karen Hudson
Records and Licensing Supervisor
Division of Corporations, Business and Professional Licensing
Alaska Dept. of Commerce, Community and Economic Development
Phone: (907) 465-2691
Fax: (907) 465-2974
<http://commerce.alaska.gov/dnn/cbpl/Home.aspx>

Carrillo, Laura N (CED)

From: Hudson, Karen D (CED)
Sent: Wednesday, April 01, 2015 2:23 PM
To: Clifford Zawacki
Cc: Hannasch, Dawn K (CED); Carrillo, Laura N (CED)
Subject: RE: Supervisor / Trainee training requirement

Follow Up Flag: Follow up
Flag Status: Completed

Hello Cliff,

Thank you for your call today; I've double checked my emails and note that your email had previously been forwarded to me by Ms. Johnson so I do apologize we'd not gotten back to you. As we discussed this morning:

- 1) Currently credentialed trainee appraisers are grandfathered and are not required to take the trainee course per the 2015 Real Property Appraiser Qualifications Criteria. It is my understanding this is not affected by a change of supervision.
- 2) Renewal applications will be mailed on or around May 1, 2015, which 60 days out from the June 30 license lapse date.
- 3) There are currently no fingerprinting requirements; background check requirements have been delayed by the Appraisal Qualifications Board until January 1, 2017.

Additionally, you asked about the appraiser course:

- 4) The AQB-required Supervisory/Trainee Appraiser Course is available as a continuing education course for appraisers **but is a required course for supervisory registrants and for trainees**. It is not what is considered "qualifying education" - which would be education that qualifies an applicant for initial licensure. If this is clear as mud give me a call and we can discuss it further.

I've bounced your questions regarding supervision to our ASC folks and hope to have a response back soon. Thanks!

Karen Hudson
Records and Licensing Supervisor
Division of Corporations, Business and Professional Licensing
Alaska Dept. of Commerce, Community and Economic Development
Phone: (907) 465-2691
Fax: (907) 465-2974
<http://commerce.alaska.gov/dnn/cbpl/Home.aspx>

From: Clifford Zawacki [mailto:cliffordzawacki@hotmail.com]
Sent: Wednesday, April 01, 2015 11:31 AM
To: Hudson, Karen D (CED)

Carrillo, Laura N (CED)

From: Kristi Klamet <kristi@asc.gov>
Sent: Thursday, April 02, 2015 7:27 AM
To: Hudson, Karen D (CED)
Cc: Hannasch, Dawn K (CED); Carrillo, Laura N (CED)
Subject: RE: Supervisory Appraiser / Trainee Question

Good morning Karen...see my answers below ☺

Please let me know if you need any further assistance.

Take care,

Kristi

From: Hudson, Karen D (CED) [<mailto:karen.hudson@alaska.gov>]
Sent: Wednesday, April 01, 2015 4:38 PM
To: Kristi Klamet
Cc: Hannasch, Dawn K (CED); Carrillo, Laura N (CED)
Subject: Supervisory Appraiser / Trainee Question

Kristi,

We've got an inquiry from one of our current trainees, and I want to be sure we're giving him correct information. Can you assist? Of course!

Preliminarily, he is already credentialed as a trainee in Alaska, so is grandfathered as a trainee and as I understand it does NOT need to take the Supervisor/Trainee Appraiser Course. You are correct.

Is his current supervisor also grandfathered, although not registered with us (since we have had supervisor registration in AK). Or do we need to have the current supervisor take the course/register? If they had a trainee/supervisor relationship prior to 1/1/2015 then neither one of them has to take the trainee/supervisor course. I would, however, have the supervisor register with you so that you can monitor how many trainees he has.

If the trainee changes supervisors, I understand the next supervisor will need to take the Supervisory Appraiser Course and register but the grandfather provision for the trainee remains constant for his training. Correct? You are correct.

Thank you for helping clarify this!

Karen Hudson
Records and Licensing Supervisor
Division of Corporations, Business and Professional Licensing
Alaska Dept. of Commerce, Community and Economic Development
Phone: (907) 465-2691
Fax: (907) 465-2974
<http://commerce.alaska.gov/dnn/cbpl/Home.aspx>

Slide Gallery



State of Alaska > Commerce > Corporations, Business, & Professional Licensing > Professional Licensing > Real Estate Appraisers

Real Estate Appraisers

- Board Home Page
- Applications
- Licensing Statutes & Regulations
- Continuing Education
- Exam Information
- Board Meeting Minutes
- National Organizations

Quick Links

- Buy a Business License
- Centralized License Regulations
- Centralized Licensing Statutes

BOARD OF CERTIFIED REAL ESTATE APPRAISERS

Changes in Real Estate Appraiser Licensing Requirements

The Alaska State Legislature made several changes in real estate appraiser licensing requirements to conform to federal law. The most significant include changes to education requirements. As of January 1, 2015 all real estate appraisers licensed by the State of Alaska must have a Bachelor's Degree or higher and ALL EDUCATION AND EXPERIENCE MUST BE COMPLETED PRIOR TO TAKING THE REQUIRED EXAMINATION. [Click here for a summary of all changes](#)

The Board of Certified Real Estate Appraisers is staffed by the Division of Corporations, Business, and Professional Licensing. The Board consists of one general real estate appraiser, one residential real estate appraiser, one mortgage banking executive, one public member, and one at-large member. Board members are appointed by the Governor and confirmed by the Legislature.

Agenda Item # 8

Board Business



Governor's Office > Services > Boards & Commissions > Board Roster

BOARDS & COMMISSIONS ROSTER
Board of Certified Real Estate Appraisers (154)

Member **Date Appointed** **Reappointed** **Term Expires**

Lance H Cook (Fairbanks) At-Large (Residential) Appraiser	3/1/2012		3/1/2016
David M. Dery (Kenai) Licensed General Real Estate Appraiser	3/1/2014		3/1/2018
Alfred J. Ferrara (Anchorage) Licensed Residential Real Estate Appraiser	3/1/2014		3/1/2018
Renee E. Piszczek (Fairbanks) Mortgage Banking Executive	9/2/2014	1/19/2015	3/1/2017
Brit Szymoniak (Anchorage) Public	3/3/2014		3/1/2015

Return to the fact sheet

We appreciate your interest in Boards and Commissions. For further information contact the Boards and Commissions staff at (907) 465-3500 or at boards@alaska.gov.

Related Links
[Apply On-line Now »](#)
[Current Vacancies](#)
[Active Boards & Commissions](#)
[Executive Branch Ethics Page](#)
[APOC Home page](#)

BOARD OF CERTIFIED REAL ESTATE APPRAISERS BOARD MEMBERS

The Board of Certified Real Estate Appraisers consists of five members appointed by the Governor:

- At least one shall be a person Certified under AS 08 as a general real estate appraiser;
- at least one shall be a person Certified under AS 08 as a residential real estate appraiser;
- at least one shall be an executive in a mortgage banking entity;
- and at least one shall represent the public.

Members are appointed for staggered terms of four years. Members serve until they are replaced or resign.

[View Board Roster](#)

For information about becoming a board member, visit the [Governor's Boards and Commissions web page](#).



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

BOARD OF CERTIFIED REAL ESTATE APPRAISERS

(Filled out by examiner)

STATE OF ALASKA
BOARD OF CERTIFIED REAL ESTATE APPRAISERS
Receipt of Courtesy Licensee Appraisal Report

In accordance with 12 AAC 70.920(e), Courtesy Licensee, _____
(APR C _____) submitted an appraisal report within 30 days subsequent to
completion of the appraisal assignment for:

_____ (Property Name)
_____ (Property Address line 1)
_____ (Property Address line 2)
_____ (Property City, State, Zip)

As a licensing examiner for the Board of Certified Real Estate Appraisers, I have:

- Received a copy of the above appraisal report.
- Scanned the appraisal report to the designated reviewer or uploaded the appraisal report to the APR secure site.
- Shredded the appraisal report.
- Attached a copy of verifying information indicating the courtesy license holder and describing the above valuated property to this page.

If the report was not submitted within 30 days, state reason: _____

Licensing Examiner: _____ Date: ____/____/____
(Print Name)

Licensing Examiner: _____
(Signature)

Board member review of work product must follow (Form OL-672). When received, place the work product review sheet in the above courtesy licensee's file.

(Please staple a copy of verifying information to this form)



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

BOARD OF CERTIFIED REAL ESTATE APPRAISERS

(Filled out by Board member)

STATE OF ALASKA
BOARD OF CERTIFIED REAL ESTATE APPRAISERS
Work Product Review Sheet

As a member of the Alaska Board of Certified Real Estate Appraisers, and in accordance with 12 AAC 70.920(e), I, _____ (Board member name) have reviewed the appraisal report prepared by the below **courtesy license holder**:

Courtesy License Holder:

Property appraised:

The above Board member's actions are as follows:

- Reviewed appraisal report
- Approved appraisal report; complies with USPAP requirements
- Shredded appraisal report per confidentiality agreement
- Tabled
- Denied

NOTE: If the vote is to table or deny, a specific reason must be indicated in the comments field.

COMMENTS: _____

PLEASE NOTE: Board action on the matter noted above is being taken via mail/e-mail vote in accordance with AS 44.62.600. Due to open meeting requirements in this state, members are reminded not to discuss this matter with one another. If a member feels that there are questions or concerns which warrant discussion by the Board prior to voting, the licensing examiner should be contacted. Depending upon the time frame involved, action on this matter may be delayed until a regularly scheduled meeting of the Board or a special teleconference may be convened as applicable.

Please verify Board member information:

Board Member:	<input type="checkbox"/> David Derry	<input type="checkbox"/> Lance Cook	<input type="checkbox"/> Fred Ferrara	<input type="checkbox"/> Renee Piszczek	<input type="checkbox"/> Brit Szymoniak
Action:	<input type="checkbox"/> Approve	<input type="checkbox"/> Deny	<input type="checkbox"/> Table		

Board Member Signature: _____ Date: ___/___/___



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

BOARD OF CERTIFIED REAL ESTATE APPRAISERS

(Filled out by Board member)

STATE OF ALASKA
BOARD OF CERTIFIED REAL ESTATE APPRAISERS
Work Product Review Sheet

As a member of the Alaska Board of Certified Real Estate Appraisers, and in accordance with 12 AAC 70.110(e), I, _____ have reviewed the appraisal report prepared by the below residential real estate appraiser applicant:

(Board member name)

Residential Real Estate Appraiser:

Property appraised:

The above Board member's actions are as follows:

- Reviewed appraisal report
- Approved appraisal report; complies with USPAP requirements
- Shredded appraisal report per confidentiality agreement
- Tabled
- Denied

NOTE: If the vote is to table or deny, a specific reason must be indicated in the comments field.

COMMENTS: _____

PLEASE NOTE: Board action on the matter noted above is being taken via mail/e-mail vote in accordance with AS 44.62.600. Due to open meeting requirements in this state, members are reminded not to discuss this matter with one another. If a member feels that there are questions or concerns which warrant discussion by the Board prior to voting, the licensing examiner should be contacted. Depending upon the time frame involved, action on this matter may be delayed until a regularly scheduled meeting of the Board or a special teleconference may be convened as applicable.

Please verify Board member information:

Board Member:	<input type="checkbox"/> David Derry	<input type="checkbox"/> Lance Cook	<input type="checkbox"/> Fred Ferrara	<input type="checkbox"/> Renee Piszczek	<input type="checkbox"/> Brit Szymoniak
Action:	<input type="checkbox"/> Approve	<input type="checkbox"/> Deny	<input type="checkbox"/> Table		

Board Member Signature: _____ Date: ____/____/____

Appraiser News Online
March 25, 2015
Vol. 16, No. 5/6

CLOSE

AQB Adopts New State Background Check Requirements

The Appraiser Qualifications Board on March 20 adopted significant changes to the background check requirements of the Real Property Appraiser Qualification Criteria. The new requirements are modifications to original background check requirements adopted by the AQB in December 2011, which never took effect. The new requirements will take effect Jan. 1, 2017.

The new requirements state, "All applicants for a real property appraiser credential shall possess a background that would not call into question public trust." Applicants will be required to provide state regulatory agencies with all information and documents necessary for the jurisdiction to determine an applicant's fitness for licensure or certification. Applicants who have been convicted of or pleaded guilty or nolo contendere to a crime that would call into question the applicant's fitness for licensure with the five-year period immediately preceding the date of the application for licensing automatically would be disqualified from obtaining an appraiser credential.

Importantly, these new requirements provide states with much more flexibility in how they determine whether or not an applicant has a background that would call into question the public trust. The original requirements adopted in 2011 required all candidates for a real property appraiser credential to undergo "background screening" and to provide fingerprints to the state appraiser licensing and certification agency for submission to the Federal Bureau of Investigation (or other government agency) to utilize in connection with a state and national background check. Under the new requirements, states are not required to perform formal background checks and can instead satisfy the minimum AQB criteria by asking appraisers if they have any events in their past that may disqualify them from obtaining an appraiser credential.

Unfortunately, the impact of these new requirements on the state background checks that appraisers are required to undergo likely will be limited because most states (42) enacted their background check requirements prior to the AQB's requirements. Many of these state laws contain provisions that were consistent with the 2011 criteria and require appraisers to submit fingerprints and to undergo formal background checks by a state or a federal law enforcement agency.

The AQB also adopted a new "AQB Guide Note (GN-9)" that gives states additional guidance on how to evaluate an applicant's background, including "Examples of Issues to Consider" and examples of elements of an applicant's background that have a "Substantial Relationship" to the qualifications, functions and duties of an appraiser. The Guide Note also suggests that state appraiser licensing agencies "should consider all evidence related to the extent an applicant is rehabilitated."

In a letter to the AQB last July, the Appraisal Institute requested that any background check requirements be made applicable only to new appraiser credential applicants who currently are not credentialed in another state. AI also requested that any background check requirements exempt existing credential holders and applicants for a credential via reciprocity or a temporary practice permit.

Read the new [background check requirements](#) as they were proposed in the Fifth Exposure Draft of a Proposed Revision to the 2015 Real Property Appraiser Qualification Criteria and Guide Note 9 (GN-9).

Agenda Item # 9

Regulation Updates

STATE OF ALASKA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT PROCEDURES		Procedure No. DOL - 19	Page 2 of 2
		Effective Date December 1995	
SUBJECT BOARD/COMMISSION ACTION ON REGULATIONS		Supersedes	Dated
		APPROVED BY	
DIVISION Occupational Licensing	SECTION Licensing		

The board/commission chair often presides over the hearing. The general principle for conducting a regulations hearing is fairness. The board/commission may impose a time limit on commenters, but each commenter must be treated equally.

Staff should provide a sign-in sheet at the beginning of the hearing for those who plan to give oral comments.

FINAL ACTION BY THE BOARD/COMMISSION ON PROPOSED REGULATIONS: After carefully considering the written comments, any oral comments if a hearing was held, and discussing the costs of the proposal, the board/commission may take final action on proposed regulations. The board/commission's final action must be taken during a properly-noticed public meeting.

The board/commission may adopt the regulations as proposed, amend and adopt the regulations, or take no action on the regulations. If the board/commission amends the regulations beyond the summary of proposed changes it has given during the public notice process, the board/commission must give additional notice before adopting the regulations. It is important for the board/commission to explain the reason for its actions on the record. This is not only helpful in the preparation of the final draft of the regulations, but it is also important during the review of the regulations by the Department of Law and in case of a legal challenge to the regulations.

The record of the meeting should include how the board/commission considered the public comment in its deliberations. Also, the board/commission chair or other board/ commission member must make a statement on the record indicating how the board/commission gave special consideration to the cost to private persons. The board/commission must discuss the costs to private persons on the record, even if no comments on costs were submitted or if there are no apparent costs.

The board/commission's final action must be in the form of a motion that is passed.

The staff person responsible for the minutes of the meeting is also responsible for giving a draft copy of the minutes to the regulations specialist as soon as possible after the meeting.

FINAL REVIEW OF ADOPTED REGULATIONS: After a board/commission has adopted regulations, the regulations specialist will prepare the proper paperwork and submit the project to the Department of Law for final review. If approved by the Department of Law, then the project is sent to the Lieutenant Governor's office for filing.

The regulations specialist will notify board/commission members and affected staff of the effective date of approved regulations.

Chapter 70. Board of Certified Real Estate Appraisers.

12 AAC 70.100 is repealed and readopted to read:

12 AAC 70.100. Application for general real estate appraiser certification by examination. (a) The board will issue a license or 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 licensure or certification under this section shall

(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);

(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;

(2) pay any fees required in 12 AAC 02.370. (Eff. 7/16/92, Register 123; am 12/13/94, Register 133; am ___/___/____, Register _____)

Authority: AS 08.87.020 AS 08.87.110

12 AAC 70.105 is repealed and readopted to read:

12 AAC 70.105. Application for residential real estate appraiser certification by examination. (a) The board will issue a license or 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 licensure or certification under this section shall

(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(b);

(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;

(2) pay any fees required in 12 AAC 02.370. (Eff. 7/16/92, Register 123; am 12/13/94, Register 133; am ___/___/_____, Register _____)

Authority: AS 08.87.020 AS 08.87.110

12 AAC 70 is amended by adding a new section to Article 1 to read:

12 AAC 70.106. Application for general real estate appraiser or residential real estate appraiser certification by reciprocity. (a) The board will issue a license or 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 licensure or certification under this section shall

(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;

(3) verification of current certification or licensure from another state on a form provided by the department. (Eff. ___/___/____, Register _____)

Authority: AS 08.87.020 AS 08.87.110

12 AAC 70.107 is repealed and readopted to read:

12 AAC 70.107. Application for institutional real estate appraiser certification by examination. (a) The board will issue a license or 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 licensure or certification under this section shall

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

(2) pay any fees required in 12 AAC 02.370. (Eff. 4/15/94, Register 130; am 12/13/94, Register 133; am ___/___/_____, Register _____)

Authority: AS 08.87.020 AS 08.87.110

12 AAC 70.115(a) is repealed and readopted to read:

(a) An applicant for certification as a general real estate appraiser shall 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.

12 AAC 70.115(c) is repealed and readopted to read:

(c) An applicant for certification as a residential real estate appraiser shall 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.

(Eff. 12/13/94, Register 133; am 4/16/2004, Register 170; am 1/16/2005, Register 173; am 5/24/2007, Register 182; am 9/14/2012, Register 203; am ___/___/_____, Register _____)

Authority: AS 08.87.020 AS 08.87.110

12 AAC 70.120 is repealed and readopted to read:

12 AAC 70.120. Application for certification by endorsement. (a) The board may issue a license or 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 licensure or certification under this section shall

(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. (Eff. 7/16/92, Register 123; am 12/13/94, Register 133; am 6/13/97, Register 142; am 4/16/2004, Register 170; am ___/___/____, Register _____)

Authority: AS 08.87.020 AS 08.87.110

12 AAC 70.125 is repealed and readopted to read:

12 AAC 70.125. Application for approval as a trainee appraiser. (a) The board will issue a license or 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 licensure or certification under this section shall

(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 of 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. The course must be completed by the trainee appraiser prior to obtaining a trainee appraiser credential. All qualifying education must be completed within the five year period prior to the date of submission of a trainee appraiser application; and

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

(c) To renew a registration as a real estate appraiser trainee, the applicant shall

(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. (Eff. 4/15/94, Register 130; am 12/13/94, Register 133; am ___/___/____,

Register _____)

Authority: AS 08.87.020 AS 08.87.310

12 AAC 70 is amended by adding a new section to Article 1 to read:

12 AAC 70.126. Application for approval as a supervisory appraiser. (a) The board will issue a license or certification approving a person as a supervisory appraiser to an applicant who is licensed or 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 licensure or certification under this section shall

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

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completed application must include

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

(B) proof of 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. The course must be completed by the supervisory appraiser prior to obtaining a supervisory appraiser credential; and

(2) pay any fees required in 12 AAC 02.370. (Eff. ___/___/____, Register

_____)

Authority: AS 08.87.020 AS 08.87.310

12 AAC 70.140(e) is repealed:

(e) Repealed ___/___/____.

(Eff. 7/16/92, Register 123; am 4/15/94, Register 130; am 12/13/94, Register 133; am 6/13/97, Register 142; am 6/5/98, Register 146; am 4/16/2004, Register 170; am 1/16/2005, Register 173; am 5/24/2007, Register 182; am 9/14/2012, Register 203; am ___/___/____, Register _____)

Authority: AS 08.87.020 AS 08.87.110 AS 08.87.310

The introductory language of 12 AAC 70.210(c) is amended to read:

(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:

•••

12 AAC 70.210(c)(3) is amended to read:

(3) courses approved by the Appraiser Qualifications Board [EDUCATIONAL] Course **Approval** [REVIEW] Program.

12 AAC 70.210(e) is repealed and readopted to read:

(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).

(Eff. 7/16/92, Register 123; am 4/15/94, Register 130; am 12/13/94, Register 133; am 6/13/97, Register 142; am 6/5/98, Register 146; am 12/30/99, Register 152; am 9/14/2012, Register 203; am ___/___/____, Register _____)

Authority: AS 08.87.020 AS 08.87.120

12 AAC 70.215(b)(1) is repealed:

(1) repealed ___/___/____;

12 AAC 70.215(c)(3) is amended to read:

(3) **distance education** courses approved by the Appraiser Qualifications Board [EDUCATIONAL] Course **Approval** [REVIEW] Program;

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12 AAC 70.215(c)(4) is repealed:

(4) repealed ___/___/_____. (Eff. 1/7/2001, Register 157; am 1/16/2005,

Register 173; am ___/___/_____, Register _____)

Authority: AS 08.87.020 AS 08.87.120

12 AAC 70.220(e) is amended to read:

(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 7-hour National USPAP Update Course, taught by an Appraiser **Qualifications** [QUALIFICATION] Board (AQB) certified instructor [OR ITS EQUIVALENT], **who is a certified appraiser** [AS DETERMINED BY THE BOARD]. The board will accept courses determined as equivalent by the AQB Course Approval Program. 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 7-hour USPAP Update Course required in this subsection. (Eff. 7/16/92, Register 123; am 12/13/94, Register 133; am 1/7/2001, Register 157; am 4/16/2004, Register 170; am 1/16/2005, Register 173; am 6/22/2005, Register 174; am 9/14/2012, Register 203; am ___/___/_____, Register _____)

Authority: AS 08.87.020 AS 08.87.120

12 AAC 70 is amended by adding a new section to Article 4 to read:

12 AAC 70.935. Supervision of trainee appraisers. (a) Supervisory appraisers 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 would be considered 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 a minimum of three years prior to being eligible to become a supervisory appraiser;

(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) Supervisory appraisers may not supervise more than three trainee appraisers at one time.

(c) Supervisory appraisers 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 and signing the trainee appraisal report(s); 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 this determination of competency in writing on a form provided by the department and shall submit the determination to the department no later than 10 days thereafter.

(d) Trainee appraisers shall report to the department, on a form provided by the

department, the identity of any supervisory appraiser. Trainee appraisers may have more than one supervisory appraiser. When a trainee appraiser has more than one supervisory appraisers, each shall be reported as indicated above.

(e) A supervisor-trainee relationship shall become effective on the date of receipt of the original required form with original signatures by the department.

(f) An appraisal log shall be maintained jointly by the supervising appraiser and the appraisal trainee or appraiser-in-training and shall, at a minimum, include the following for each appraisal:

- (1) type of property;
- (2) date of report;
- (3) address of appraised property;
- (4) description of work performed by the trainee appraiser and the scope of the review and supervision of the supervisory appraiser;
- (5) number of actual work hours by the trainee appraiser on the assignment; and
- (6) the signature and state certification number of the supervisory appraiser;

separate appraisal logs shall be maintained for each supervisory appraiser, if applicable.

(g) Supervisory appraisers shall complete a course that, at a minimum, complies with the specifications for course content established by the ABQ, which is specifically oriented to the requirements and responsibilities of supervisory appraisers and trainee appraisers. The course is to be completed by the supervisory appraiser prior to supervising a trainee appraiser.

(h) Trainee appraisers shall be required to complete a course that, at minimum, complies with the specifications for course content established by the AQB, which is specifically oriented to the requirements and responsibilities of supervisory appraisers and trainee appraisers. The

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course must be completed by the trainee appraiser prior to obtaining a trainee appraiser credential from the individual credentialing jurisdiction. The trainee appraiser course is not eligible towards the 75 hours of qualifying education required. (Eff. ___/___/_____, Register _____)

Authority: AS 08.87.020 AS 08.87.310

ORDER CERTIFYING THE CHANGES TO REGULATIONS
OF THE BOARD OF CERTIFIED REAL ESTATE APPRAISERS

The attached twelve pages of regulations, dealing with application for general or residential real estate appraiser certification by examination, reciprocity, institutional, or endorsement, education requirements, application for approval as a trainee appraiser or as a supervisory appraiser, standards for acceptable education, continuing education requirements, and supervision of trainee appraisers, are hereby certified to be a correct copy of the regulation changes that the Board of Certified Real Estate Appraisers adopted at its April 14, 2015 teleconference meeting, under the authority of AS 08.87.020, AS 08.87.110, AS 08.87.120, and AS 08.87.310 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Board of Certified Real Estate Appraisers paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: _____
Kenai, Alaska

David M. Derry, Chairman
Board of Certified Real Estate
Appraisers

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on _____, 2015 at _____m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

Byron Mallott, Lieutenant Governor

Effective: _____.

Register: _____.

Agenda Item # 10

New Business



***Appraiser Qualifications Board
Course Approval Program
Policies & Procedures***

Effective January 15, 2012

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INTRODUCTION

The Appraiser Qualifications Board (AQB) of The Appraisal Foundation has established the Course Approval Program (CAP) at the request of and as a service to state appraiser regulatory agencies and providers of real estate appraisal education. The AQB hopes this voluntary program will provide a minimum level of acceptance for real estate appraisal education courses meeting the *Real Property Appraiser Qualification Criteria* as established by the AQB.

The AQB was assisted in the development of CAP by three special task forces consisting of persons with outstanding qualifications as appraisers, state regulators, education providers and/or appraisal educators. These individuals devoted many hours to this difficult task and we are deeply indebted to them for their efforts.

The adoption and implementation of the *Real Property Appraiser Qualification Criteria* (effective January 1, 2008) created a need to better identify existing appraisal education content in light of the new criteria requirements. A course matrix was developed that will assist in analyzing what subject matter areas are addressed by existing education courses. This process will enable appraisers and state regulators to uniformly grant education hours to appraisers.

When developing CAP, consideration was given to both the current status of real estate appraisal education and to future educational offerings. As the real estate appraiser education qualification criteria continue to evolve, CAP will evolve accordingly.

Appraiser Qualifications Board

**APPRAISER QUALIFICATIONS BOARD
COURSE APPROVAL PROGRAM
POLICIES AND PROCEDURES**

SECTION 1. PROGRAM PURPOSES/DEFINITIONS AND PARTICIPATION

- A. The Appraiser Qualifications Board (AQB) of The Appraisal Foundation (TAF) establishes this COURSE APPROVAL PROGRAM (CAP) to offer a VOLUNTARY national system for the approval of real property appraisal courses of instruction that satisfy the education criteria established by the AQB for the licensure and certification of real estate appraisers pursuant to Title XI of the Financial Institutions Recovery, Reform, and Enforcement Act (FIRREA).
- B. Specific purposes of this Program are:
1. To assist state appraiser regulatory agencies in the task of reviewing and awarding credit for courses to be applied toward the education requirement for initial real estate appraiser licensure or certification (i.e., "QUALIFYING EDUCATION" [QE] requirements) and the education requirements for retention of real estate appraiser licensure or certification (i.e., "CONTINUING EDUCATION" [CE] requirements).
 2. To encourage the development and availability of education programs for licensed and certified real estate appraisers.
 3. To encourage the development and implementation of *consistent standards* for the approval or recognition of education for licensed and certified real estate appraisers among the various state appraiser regulatory agencies, and to thereby:
 - a. Standardize the review of appraisal education and;
 - b. Promote reciprocity with regard to both appraiser education and licensure/certification.
 4. To provide a secure website for posting approved courses that will be available to state regulatory agencies for review of approved material and to reduce paper work for all participants of CAP.
 5. To provide a course equivalency matrix for conversion of existing and new courses to the *Real Property Appraiser Qualification Criteria*.

IMPORTANT NOTE: "Courses" of the COURSE APPROVAL PROGRAM shall refer to Qualifying Education (QE) or Continuing Education (CE). "Courses" **do not** refer to Practicum courses for the purposes of gaining experience, which are addressed in a separate section.

C. Definitions

1. **Asynchronous Distance Education** -- Any distance education course that does not require a student to take the course at a specific time; i.e. tied to a live, active, verbal presentation by an instructor. Examples of asynchronous courses include: internet or web-based courses or CD ROM based training.
2. **Classroom Education** – Any course delivered in a setting where there is no geographical separation between the instructor(s) and student(s). Also sometimes referred to as "live" or "traditional" education.
3. **Continuing Education (CE)** – Appraisal education that is creditable toward the renewal of a trainee, license or certified classification. All continuing education must be a minimum of 2 hours in length.
4. **Course** – An education offering that includes student material, instructor material, learning objectives, timed outline, a matrix (if applicable), and a Final Examination (if applicable). Each individual delivery method comprises one course.
5. **Course Approval Period** – Classroom courses are approved for three years from the date of approval by the AQB. Distance education courses are approved for up to three years from the date of approval by the AQB or the delivery mechanism approval, whichever comes first.
6. **Course Owner** – Any school, organization, person, or other entity that owns the proprietary rights to a course. Course owners may have developed their own materials or may have purchased the proprietary rights to course materials. Course owners are responsible for the actions of any secondary providers which utilize AQB approved educational material.
7. **Creditable Classroom Hour** – Fifty minutes of teaching out of each sixty-minute segment.
8. **Delivery Method** – Courses may be delivered to students in one of three formats: Classroom (in-person), Synchronous Distance Education or Asynchronous Distance Education.

9. **Distance Education** – Appraisal education that is creditable toward either QE or CE and where there is geographical separation of student and instructor.
10. **Final Examination** – End-of-course, closed-book, proctored cumulative assessment.
11. **Integrated Course** – A course which is based upon the *Real Property Appraiser Qualification Criteria* Guide Note 1 and contains any mix of modules.
12. **Joint Course Owner** - Any combination of schools, organizations, individuals, or other entities that own the proprietary rights to a course. Joint course owners may have jointly developed the course materials or may have purchased proprietary rights to the course materials. Each of the joint course owners is responsible for the actions of all secondary providers that utilize AQB approved educational material.
13. **Material Revision** – Changes and developments in the real estate field have a substantial impact on the appraisal profession. Course owners are expected to review and revise course materials as necessary for errors or deficiencies, and changes and developments within the industry. Changes made to a course which substantially affect course materials will be considered a “material revision.”
14. **Modular Course** – A course which is based upon the *Real Property Appraiser Qualification Criteria* Guide Note 1 and contains the prescribed number of hours per module.

IMPORTANT NOTE: *There is no requirement that any course title mirror the major module topic.*

15. **Presentation Ready** – Free of major methodological, spelling, mathematical and reference errors. No course is considered to be without error; however, significant errors or a series of minor errors will not be acceptable.
16. **Qualifying Education (QE)** – Appraisal education that is creditable toward obtaining a trainee, licensed or certified classification. All qualifying education must be a minimum of 15 hours in length and include a closed-book, proctored, Final Examination.
17. **Secondary Provider** – A school, organization, person or other entity that purchases rights to (but not proprietary rights), or otherwise lawfully acquires from a course owner AQB approved course material. The secondary provider may independently conduct a course using such acquired course materials subject to CAP Policies & Procedures.

18. **Significant Deficiencies** – Errors in the material that result in a course not being “presentation ready.” These errors may include, but are not limited to: incorrect definitions, references, techniques and/or application of techniques, or any error which impacts the learning objectives of the course. Also, a course may contain a series of errors which might not be considered significant individually, but in the aggregate affects the overall quality of the course material; therefore, the course would be found to have significant deficiencies.
 19. **Synchronous Distance Education** – Any distance education course that requires a student to be engaged at a specific time; i.e. simultaneously tied to a live, active, verbal presentation by an instructor. The presentation may be delivered via any number of different technologies including the internet, satellite, or other telecommunications device.
- D. Participation in CAP by education providers is not mandatory. Similarly, state appraiser regulatory agencies are not obligated to utilize or recognize this program. Education providers that have obtained CAP approval of their course(s) must still satisfy any requirements for course approval or recognition promulgated by a state in which approval is sought.
 - E. The AQB will consult an advisory panel, as needed, to assist in providing recommendations to improve CAP. This panel may include representatives from the state appraiser regulatory agencies, education providers and others.
 - F. The AQB may at any time conduct an audit of any approved course to verify that course is being conducted in accordance with the rules and regulations of the CAP approval.

SECTION 2. COURSE APPROVAL OVERVIEW

- A. Any school, organization, person or other entity that *owns* the proprietary rights to a course is eligible to apply for course approval under CAP.

IMPORTANT NOTE: *States wishing to approve qualifying education courses only for qualifying education may do so. This program allows for course approval for both qualifying and/or continuing education, but states may be more restrictive.*

- B. Course approval commences on the date of initial approval granted by the AQB and will be approved for up to three years. USPAP courses will expire the day prior to the effective date of the next edition of USPAP. Distance education courses will be valid for up to three years from the date of AQB approval or the expiration of the distance education delivery method certification, whichever is less. Providers are required to maintain course content in a current form which includes theory,

methodology and USPAP requirements. Courses that include USPAP citations and references must be updated as necessary to reflect changes to USPAP.

- C. CAP approval does not apply retroactively (prior to the date approval is initially granted).
- D. After receiving course approval, the course owner may represent in any advertising or other materials that the course is a CAP approved course, provided that:
 - 1. The number of hours awarded by the AQB by module(s) are indicated; and
 - 2. The course owner advertise all CAP approved courses with the exact title that was submitted to and approved by the AQB; and
 - 3. "CAP Approved" or "AQB Approved" refers to the materials only and not course providers.
- E. Each delivery method of a course will require a separate application and separate delivery system approvals.
- F. Multiple courses may not be combined to reduce the total amount of application fees paid.
- G. The identity of an applicant during the application and course review process shall be disclosed only to those persons directly involved in the process.
- H. Applicants may not state in any advertising or other materials that a course is being or has been submitted to the AQB for review. If an applicant violates this provision, the AQB may suspend the review of the course in question until the violation is corrected. If the violation is not corrected within thirty (30) days of notice, then the application may be declined.

SECTION 3. APPLICATION FOR INITIAL COURSE APPROVAL

- A. Course owners seeking initial AQB approval of their courses must:
 - 1. Complete the online application;
 - 2. Electronically submit in a PDF format all information required by the application ; and

Submit the appropriate application fee(s) as determined by The Appraisal Foundation found in Appendix 1.
- B. A complete application must be submitted in electronic format. The submission of an application for QE including modules or subtopics other than those listed in the

Real Property Appraiser Qualification Criteria will result in an application being returned without action. Course material that is outside of listed modules and subtopics but is still considered appraisal education will be listed under electives as shown on the matrix.

C. Current Offering and Presentation Method

1. The course must be a current offering that is presented by traditional classroom methods or distance learning methods as described in the AQB *Real Property Appraiser Qualification Criteria*.
2. All courses submitted must be presentation ready.
3. Distance education courses must include supporting documentation for course delivery approval.

D. Course Submission Requirements

1. Course Description. The application materials must include a course description, which clearly describes the content of the course.
2. Course Matrix (QE Courses). The application materials must include a course matrix reflecting hours of credit per module(s) and subtopic(s) based upon Guide Note 1 of the 2008 Criteria. The *15-Hour National USPAP Course* does not require breakout of the matrix topics.
3. Timed Outline. An outline that accounts for the general flow and recommended time spent on topics contained within a course.
4. Learning Objectives. The application materials must include a statement of specific learning objectives which:
 - a. Are appropriate for a qualifying and/or continuing education course;
 - b. Clearly state the specific knowledge and/or skills students are expected to acquire by completing the course;
 - c. Are consistent with the course description;
 - d. Are consistent with the textbook and/or other instructional materials;
 - e. Are reasonably achievable within the number of classroom hours allotted for the course; and
 - f. Include material to adequately cover the depth and breadth of the required topic area.

5. **Student/Instructor Materials.** Student and instructor materials to be used by students and the instructor for the course must:
 - a. Cover the subject matter in sufficient depth to achieve the stated course learning objectives;
 - b. Provide appropriately balanced coverage of the subject matter in view of the stated course learning objectives and module(s)/subtopic(s);
 - c. Reflect current knowledge and practice; and
 - d. Not contain significant deficiencies.

6. **Final Examination(s).** Courses must have appropriate testing of each module(s) covered in the course. The course examination(s) must comply with the following criteria:
 - a. The examination(s) must contain a sufficient number of questions to adequately test the subject matter covered in the course;
 - b. The amount of time devoted to examinations must be appropriate for the course;
 - c. Examination questions must, individually and collectively, test at a difficulty level appropriate to measure student achievement of the stated course learning objectives;
 - d. Successful completion of the examination(s) requires the student to answer a minimum of 70% of the examination questions correctly.
 - e. Examination questions must be written in a clear and unambiguous manner;
 - f. The examination must be proctored; and
 - g. No open book exams are permitted.

7. **Instructor Qualifications Policy.** The course owner must have a written policy regarding instructor qualifications that requires the use of instructors who satisfy, at a minimum, at least one of the following qualification requirements:
 - a. A baccalaureate degree in any field and three (3) years of experience directly related to the subject matter to be taught;

- b. A masters degree in any field and one (1) year of experience directly related to the subject matter to be taught;
 - c. A masters or higher degree in a field that is directly related to the subject matter to be taught;
 - d. Five (5) years of real estate appraisal teaching experience directly related to the subject matter to be taught; or
 - e. Seven (7) years of real estate appraisal experience directly related to the subject matter to be taught.
8. Additional Course Owner Policies must include the following:
- a. Attendance Policy – For classroom courses, the course owner must have a written attendance policy that requires student attendance to be verified in accordance with the AQB Criteria. For distance education courses, the course owner must utilize a method acceptable to the AQB for ensuring student achievement of the classroom hour equivalent.
 - b. Course Scheduling Policy - The course owner must have established a policy on course scheduling that provides for a maximum of eight (8) classroom hours of instruction in any given day and for appropriate breaks during each class session.
 - c. Record Retention Policy - The course owner must maintain, for a period of at least five (5) years, accurate records of students' course completion and to provide, within a reasonable period of time, course completion letters or certificates for students who satisfactorily completed a course.
9. The AQB Course Approval Program will not accept applications for courses that rely upon a textbook as the primary instructional material. Textbooks are permitted to be used as a background reference for a course; however, textbooks will not be reviewed as **the** course. The submission must contain sufficient stand-alone instructional materials supporting the specific course learning objectives which enable the CAP Program to review the content and the requested hours of credit.

Courses that are currently approved in the textbook format will continue to be CAP approved until the current expiration of the course. At expiration, renewals will not be accepted and all courses in this format must be rewritten and submitted as initial applications.

SECTION 4. CRITERIA SPECIFIC TO APPROVAL OF DISTANCE EDUCATION

- A. Distance education must contain a closed book, proctored Final Examination or appropriate course mechanisms that demonstrate knowledge of subject matter as required by the *Real Property Appraiser Qualification Criteria* as stated in Section III (F)(6).
- B. Electronic access to the distance education course must provide administrative rights to allow the course reviewer to access the course, quizzes and examinations without having to take the course in sequential order or without having to take quizzes or examinations to proceed with the course. Further, all website links must be valid and active until completion of the review process. If any changes occur, the CAP Administrator must be notified.
- C. A transcript of the distance education course must be sent to CAP in a PDF format.
- D. Course delivery mechanism approval must be obtained from one of the following sources:
 - 1. An AQB approved organization providing approval of course design and delivery; or
 - 2. An accredited college, community college, or university that offers distance education programs and is approved or accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education, that awards academic credit for the distance education courses; or
 - 3. A qualifying college for content approval with a distance education delivery program that approves the course design and delivery that incorporate interactivity.
- E. A distance education course can be submitted to CAP without delivery mechanism approval, however, once the distance education course receives content approval through CAP, the delivery mechanism approval must be submitted to CAP within 90 days or the course must be resubmitted for initial course approval with appropriate fees.
- F. Synchronous distance education may be subject to a discounted review fee *if* the classroom version of the course is already CAP-approved and the synchronous distance presentation of the materials will substantially follow the classroom presentation (with the addition of quizzes and other monitoring methods as required for distance education). Please refer to the appendix for fee information.
- G. Joint Presentation of Distance Education - In the event two providers jointly offer a distance education course, only the provider responsible for the course delivery mechanism is required to meet the requirements of Section 4(D) above.

Contact the CAP Administrator for a listing of AQB-approved organizations that review distance education course delivery mechanisms.

SECTION 5. CRITERIA SPECIFIC TO APPROVAL OF QUALIFYING EDUCATION

Applications for approval of QE shall include the following (in addition to any requirements specific to an initial application, renewal application, or distance education application):

- A. Course Length and Content. The course must be a real estate appraisal course with a minimum of fifteen (15) classroom hours of instruction, including Final Examination time, and must comply with the Required Core Curriculum in the *Real Property Appraiser Qualification Criteria*.
- B. Each application for qualifying education will include a course matrix completed by the provider to reflect credit hours by module(s) and subtopic(s) of the course as shown in Guide Note 1 of the Real Property Appraiser Qualification Criteria.
- C. Approval of a course for QE will include:
 - 1. An assignment of classroom credit hours and Final Examination hours;
 - 2. The AQB course matrix¹ reflecting credit hours per module(s) and subtopic(s); and
 - 3. Approval as a CE course with Final Examination hours and without Final Examination hours.

SECTION 6. CRITERIA SPECIFIC TO APPROVAL OF CONTINUING EDUCATION

Applications for approval of CE shall be a minimum of two (2) classroom hours of instruction on real estate appraisal or related topics such as, but not limited to, those examples identified in the *Real Property Appraiser Qualification Criteria*.

SECTION 7. CRITERIA SPECIFIC TO APPROVAL OF EQUIVALENT USPAP EDUCATION

- A. Providers must submit to the AQB any USPAP courses they have developed for equivalency review and approval. Equivalent USPAP course developers must

¹ The matrix is the worksheet that breaks out the Required Core Curriculum modules and subtopics (as identified in Guide Note 1). The AQB matrix can be found in the appendix.

follow the USPAP Equivalency Checklist as well as the Functional Specifications for Developing Distance Education USPAP Courses (if applicable).

- B. An equivalent distance education USPAP course must receive distance education delivery method approval (if applicable) prior to submission for CAP approval.
- C. Equivalent courses must be titled:
 - 1. {Insert USPAP Cycle Years} *15-Hour Equivalent USPAP Course*
 - 2. {Insert USPAP Cycle Years} *7-Hour Equivalent USPAP Update Course*
- D. The Appraisal Foundation USPAP final examinations must be utilized for all USPAP courses that require a closed-book, proctored final examination. For more information on obtaining The Appraisal Foundation USPAP final examination and examination retake policies, please refer to the "Procedures for Offering the National USPAP Courses."
- E. A *15-Hour Equivalent USPAP Course* does not require breakout of the matrix topics.
- F. USPAP courses cannot be renewed—they expire December 31 of odd-numbered years.

SECTION 8. COURSE RENEWAL REQUIREMENTS

- A. **Approval Period.** Courses will have a maximum approval period of three years, with the exception of USPAP courses (which expire the day prior to the effective date of a new edition of USPAP) and distance education (which can expire earlier depending on the approval dates of the delivery mechanism). The approval date of a renewal course will begin on the day following the expiration date of the current approval. Distance education courses will have a maximum approval of up to three years from AQB approval or expiration of distance education delivery mechanism certification, whichever is less.
- B. **Renewal Submission Requirements**
 - 1. Any CAP-approved course, except USPAP, may be renewed one time after initial approval. Reasonable course revisions and updates that improve courses or keep them current are encouraged; however, if such revisions are so extensive that they substantially alter the scope of the course and effectively create a new and different course an initial application and fee will be required.

2. The renewal fee for each course shall be determined by The Appraisal Foundation as outlined in Appendix 1.
 3. The criteria for course renewal shall be subject to the following:
 - a. All courses for qualifying education must contain the completed course matrix reflecting course hours per module(s) and subtopic(s) as applicable to the course shown in the *Real Property Appraiser Criteria*.
 - b. All distance courses must have a current approval for course design and delivery in accordance with these policies.
 - c. Owners of approved courses are not required to submit course materials or other supplemental course information with the renewal application if no substantial changes have been made and the course was previously submitted electronically.
 - d. The renewal will require owners to identify and explain in detail any significant revisions to approved courses or related policies that have been revised and submitted.
- C. Notification of Renewal and Submission Timeframe. As a courtesy, owners of approved courses will be notified and given instructions on how to renew by the CAP Administrator at least 90 and 30 days prior to expiration. The renewal application, along with the required renewal fee determined by The Appraisal Foundation (found in Appendix 1), is due no later than 15 days prior to expiration of the course or an initial application (along with the appropriate fee) will be required. Also, renewal applications filed after expiration will require an application for initial course approval.

SECTION 9. COURSE RESUBMISSION/WITHDRAWAL REQUIREMENTS

- A. If the AQB finds deficiencies in a course, a resubmission of the course will be required within 90 days of receipt of a letter indicating the deficiencies in the course. For any content deficiencies, the course owner must make the corrections to the course or may opt to withdraw the course from CAP.
- B. For any reallocation of hours in the matrix, within 90 days of receipt of a letter from CAP, the course owner can agree to the reallocation, appeal the decision to the AQB, withdraw the course from CAP, or resubmit the course by changing the content of the course to agree with the original matrix allocation request.
- C. Courses are required to contain current material, theory and methodologies. If a course is materially revised during the three-year approval period, it must be resubmitted as an initial application for review and approval. The application must

include the completed course matrix for course equivalency to the *Real Property Appraiser Qualification Criteria*. Fees for this review are as established by The Appraisal Foundation.

- D. Resubmissions must include a separate document that specifically addresses all the deficiencies or objections identified by the AQB and needs to explain how the course applicant has satisfied each deficiency or objection. All revised material must be shaded, coded or otherwise designated to quickly aid in the review process. The course applicant shall remove all original electronically-submitted files for the course and electronically submit clearly labeled replacement files. Material revisions do not include updates to USPAP courses which are considered a new application.
- E. If a course is not approved by the AQB, the course owner may, at any time within 90 days of the AQB's rejection notice, resubmit the course for reconsideration. Two resubmissions are permitted and the provider will be responsible for any resubmission fees as established by The Appraisal Foundation in Appendix 1. Resubmissions made after 90 days of the AQB's rejection notice will be treated as an application for initial approval and will be charged the initial course review fee. If a course is rejected after two resubmissions, then the course will be treated as an initial application and with applicable fees as established by The Appraisal Foundation in Appendix 1.

SECTION 10. COURSE OWNER/JOINT COURSE OWNERS/SECONDARY PROVIDER RESPONSIBILITIES

- A. Course approval granted to a course owner or joint course owners shall be considered as extending to any entity or secondary provider that conducts or sponsors the course under the auspices or written authorization of the course owner. The course owner must:
 - 1. Inform the Course Approval Program Administrator in writing, when the course materials/rights are sold to a secondary provider. The notification must include the entity name, state/end date of the agreement, the secondary provider delivery mechanism approval certificate website link (if a distance education course), and the specific courses attributable to the secondary provider.
- B. Course owners must require the secondary provider to:
 - 1. Utilize the course owner's materials (including textbook and examinations, if any) without any change in the materials; and for the same number of classroom hours as approved by CAP.
 - 2. Conduct the course in accordance with the course owner's policies relating to instructor qualifications, student attendance, course scheduling and

course prerequisites (if applicable) or its own policies if they meet the minimum CAP requirements. Course owners must assume full responsibility and the consequence thereof (including withdrawal of CAP approval) in the event the secondary provider violates any of the provisions of these policies.

3. Obtain approval of the delivery system in accordance with these policies if the course will be offered by distance education. Course owners *and* secondary providers need to obtain approval of the delivery system.
 4. Clearly state in any advertising that the course has been purchased from the course owner (who shall be specifically named), and that any AQB approval has been granted to that course owner and not to any secondary provider. If a secondary provider does not wish to utilize CAP approval, any and all references to "AQB CAP approval" must be deleted from the course materials and advertising.
- C. CAP approval expires based on the CAP approval period for all entities—course owner and secondary provider—regardless of the possibility of differing expiration dates for AQB approved distance education entities.
- D. Secondary providers are not eligible to submit courses for CAP approval. Only owners or joint course owners as defined in these policies are eligible to have a course approved by CAP. In the event that the course owner or joint course owners sell the proprietary rights of a CAP-approved course, the course owner or joint course owners must inform the CAP Administrator in writing within 30 days of such sale.
- E. CAP approval of a course does not automatically transfer to a new course owner or joint course owners. The new owner(s) will be required to certify in writing that they will abide by all requirements pertaining to the CAP-approved course, including administration of the course and delivery method. The new owner must also certify that they will be responsible for the actions of all approved secondary providers associated with the course. In the event that the new owner(s) wish to change the course as approved, a new application for CAP approval must be submitted, meeting all the requirements for a new course submission.
- F. If proprietary rights to a course are transferred to a new course owner, the expiration date of course approval will remain as the original expiration date of issue to the previous owner.
- G. In the event of multiple course owners, the course must be submitted for CAP approval by all course owners at the same time. Approval will be extended to all schools, organizations, persons, or other entities that own the proprietary rights to the course and appear on the course approval application. In the event of any changes to the course as approved, all course owners must make the approved changes and certify in writing to the CAP Administrator that the changes have been made to the course.

IMPORTANT NOTE: *The course owner is responsible for monitoring any secondary providers or entities that offer the course, ensuring that all provisions of these policies and procedures and all requirements of AQB approval are complied with at all times when the approved course is offered.*

SECTION 11. WITHDRAWAL OF APPROVAL BY THE AQB

Course approval may be withdrawn at any time by the AQB upon finding any of the following:

- A. Course material is not contemporary with all current appraisal practice, including any references to the Uniform Standards of Professional Appraisal Practice.
- B. The course owner submitted to the AQB any false or misleading information in connection with an application for course approval.
- C. A course is not being conducted in the manner represented to the AQB at the time approval was requested, or a course no longer complies with the criteria for approval.
- D. The course owner does not enforce all information and policies required by the CAP application, including but not limited to course prerequisites, instructor qualifications, record retention, student attendance or course scheduling.
- E. The course owner utilizes classroom facilities that do not provide an appropriate learning environment.
- F. The course owner misrepresents approval of a course by the AQB in any manner. This includes, but is not limited to failure to represent in any advertising or other material that the number of classroom hours and/or topic coverage awarded by the AQB is different than the actual number of scheduled classroom hours or topics covered in the course.
- G. The course owner misrepresents the course.
- H. Failure of course owners to notify the AQB of courses sold to secondary providers.
- I. Failure of the course owners to notify the AQB that the proprietary rights have been sold to a new course owner(s).

SECTION 12. PRACTICUM COURSE APPROVAL

CAP Policies and Procedures also apply to practicum courses submitted for review. This section addresses issues unique to practicum courses.

- A. **Purpose and Credit:** The purpose of the practicum course is to provide students with the opportunity to apply current material, theory, and methodologies by completing instructor supervised appraisal assignments. Practicum experience may be submitted to fulfill portions of state required experience credits for appraisal licensing and certification. However, no practicum course experience hours will be approved for fulfillment of any education (QE or CE) requirements.
- B. **Delivery:** Because of the practical, hands-on nature of the practicum course, course instruction and supervision must be face-to-face. Distance education is not a viable delivery option for practicum courses.
- C. **Learning Objectives:** Because the practicum course is focused on the practical application of current material, theories, and methodologies, the practicum course learning objectives should focus on what skills will be applied and practiced as opposed to subject matter topics (please note that a CAP topic matrix is not applicable). Application materials must include specific learning objectives for each practicum course module. All submitted learning objectives should:
 - 1. Be appropriate for a practicum course and consistent with the practicum course description and Guide Note 4 in the *Real Property Appraiser Qualification Criteria*;
 - 2. Clearly state the specific knowledge and/or skills students are expected to apply by participating in the practicum course;
 - 3. Be consistent with the practicum materials;
 - 4. Be reasonably achievable considering the number of experience hours allocated; and
 - 5. Adequately cover the depth and breadth of the required application of a topic area.
- D. **Work Assignments:** A work assignment is an appraisal completed in the practicum course. Work assignments must follow the guidelines below:
 - 1. The practicum course materials or syllabus must provide for in-class work assignments and out-of-class work assignments to accomplish the stated learning objectives.
 - 2. The time period for any experience credit to be granted in a practicum course must be consistent with the type and complexity of the assignment.

3. The course must include a written policy for the assignment of hours to be earned for each work assignment.
 4. All work assignments must be in compliance with the current version of USPAP including requirements for the intended user and intended use.
 5. Work assignments must be communicated in compliance with either the Self-Contained or Summary Appraisal report options of Standard 2 of USPAP and final reports must be maintained by the student according to the Record Keeping section of the ETHICS RULE of USPAP.
- E. Prerequisites: Because the practicum course is focused on the application of material, theory and methodologies, the course owner must have established Basic Appraisal Principles, Basic Appraisal Procedures, and a course on USPAP as minimum prerequisites.
- F. Practicum Instructor Qualification Policy: The practicum course owner must have a written policy outlining practicum instructor qualifications that require, at a minimum, the following qualifications:
1. The instructor must meet or exceed the following appraisal experience requirements:
 - a. Five years of full-time appraisal experience in the last 10 years for a residential focused practicum course.
 - b. Seven years of full-time general appraisal experience in the last 10 years for a general focused practicum course.
 2. Hold at least a baccalaureate degree.
 3. Hold a current state issued appraisal credential (residential certification or general certification) that matches or exceeds the level of experience that the practicum student will pursue. The practicum instructor's state credential should be issued by the same state as the practicum student is applying for experience.
 4. Be in compliance with the COMPETENCY RULE of USPAP for the types of assignments prepared during the practicum course.
- G. Practicum Instructor Guidelines: The practicum course owner must have a written policy of instructor guidelines that, at a minimum, requires:
1. The practicum instructor to meet with students for a minimum of 50% of the practicum course hours.

2. The practicum instructor to grade and correct all work assignments to a minimum of USPAP compliance. The practicum course must outline a policy on how to ensure USPAP compliance.
 3. The practicum instructor must sign off as supervisory appraiser on all work assignments (the appraisals completed as part of the practicum course) completed by the student.
- H. Practicum Course Owner's Policies: Submitted policies must include the following:
1. Instructor/Student Ratio - The practicum course owner must have a written policy defining appropriate instructor-to-student ratios. Stated ratios must be enforced with student enrollment ceilings.
 2. Attendance Policy - The practicum course owner must have a written attendance policy that requires student attendance to be verified in accordance with the AQB Criteria. For non-instruction portions of the practicum courses where attendance cannot be proctored by an on-site official approved by the presenting entity, there must be a method acceptable to the AQB for ensuring student achievement of the practicum experience hours.
 3. Course Scheduling Policy - The practicum course owner must have established a policy on practicum course scheduling that provides for a maximum of eight (8) practicum hours of instruction in any given day and for appropriate breaks during each practicum session.
 4. Record Retention Policy - The practicum course owner must maintain, for a period of at least five (5) years, accurate records, including copies of each practicum appraisal assignment and respective reviews for grading purposes of students' practicum course completion and to provide, within a reasonable period of time, completion letters or certificates for students who satisfactorily completed a practicum course.
- I. Subject Property Selection and Practicum Data: The practicum course must have a policy for the selection of the subject property or properties. This policy must provide for the following:
1. The appropriate property type and complexity for the credential category the practicum course was developed.
 2. If more than one subject property, the appropriate mix of properties to provide appropriate experiential training.
 3. Student inspection of the subject property or properties.

4. Student verification, with at least one market participant, of comparable sales and rentals.
 5. The authenticity of the subject property and all data used in the practicum course (must be actual and identifiable in the market).
- J. Review Fees: The fees for practicum course review will be based on an hourly rate of the estimated time necessary for the reviewer to review the course.

SECTION 13. AMENDMENTS TO POLICIES AND PROCEDURES

- A. Amendments to these Policies and Procedures may be made by the AQB without advance notice to course applicants or other parties and will be effective upon the date of adoption by the AQB.
- B. Course owners will be required to comply with the Policies and Procedures in effect at the time of approval or renewal. However, the AQB will make every attempt to provide reasonable notice of such amendments to course providers before they become effective.

APPENDIX I
Course Approval Program (CAP) Course Fee Schedule
(Effective 1/15/12)

- A. Course owners seeking AQB approval of their courses must submit their course(s) via the online application system and submit the appropriate application fee(s) with credit card only as described in paragraph B.
- B. An application fee(s) must be paid for each course submitted by an applicant for initial review and approval as either a qualifying or continuing education course. Additional fees may be required by other entities for approval of distance education courses. The application fee for each course shall be determined according to the following fee schedule, which is based on the number of actual classroom hours including examination time

CAP FEES	
Qualifying Education-Initial Submission	
15-Hour USPAP Equivalency	\$2,100
15-29 Hours	\$2,100
30-59 Hours	\$2,500
60+ Hours	\$2,900
Synchronous Distance Education*	\$500
Qualifying Education-Renewal	
All QE Courses	\$500
Continuing Education-Initial Submission	
7-Hour USPAP Equivalency	\$1,500
2-13 Hours	\$1,500
14-29 Hours	\$1,800
30-59 Hours	\$2,100
60+ Hours	\$2,400
Synchronous Distance Education*	\$500
Continuing Education-Renewal	
All CE Courses	\$400
Other Fees	
Revisions due to a material change in course content	Initial fee is required for any material change in a course.
Practicum Courses	Fees are based on an hourly rate of the estimated time necessary to complete a review of a course.
Resubmission	Fees are based on an hourly rate (\$175/per hour) of the estimated time necessary to complete a re-review of a course.
Refunds	The application fee is non-refundable except when an application is cancelled and returned by the CAP Administrator due to incompleteness of the application or ineligibility of the applicant. An administrative fee of \$175 will be charged to the applicant in this case.

**Synchronous distance education fees are subject to CAP Policies, Section 4(F). The fee for synchronous distance education does not apply to USPAP equivalent course submissions.*

- C. Separate courses may not be combined to reduce the total amount of application fees paid. If a segment of course instruction may be taken by students independently of other segments, or if separate credit is awarded for such segments, then the segment is a separate course for the purpose of application under this Program.

APPENDIX II
Topic Matrix

CORE CURRICULUM CONTENT	
Basic Appraisal Principles	
A.	Real Property Concepts & Characteristics
	1. Basic Real Property Concepts
	2. Real Property Characteristics
	3. Legal Description
B.	Legal Consideration
	1. Forms of Ownership
	2. Public and Private Controls
	3. Real Estate Contracts
	4. Leases
C.	Influences on Real Estate Values
	1. Governmental
	2. Economic
	3. Social
	4. Environmental, Geographic and Physical
D.	Types of Value
	1. Market Value
	2. Other Value Types
E.	Economic Principles
	1. Classic Economic Principles
	2. Application & Illustration of the Economic Principles
F.	Overview of Real Estate Markets and Analysis
	1. Market Fundamentals, Characteristics, and Definitions
	2. Supply Analysis
	3. Demand Analysis
	4. Use of Market Analysis
G.	Ethics and How They Apply in Appraisal Theory and Practice
	Exam Hours
	TOTAL=30 HOURS

Basic Appraisal Procedures	
A.	Overview of Approaches to Value
B.	Valuation Procedures
	1. Defining the Problem
	2. Collecting and Selecting Data
	3. Analyzing
	4. Reconciling and Final Value Opinion
	5. Communicating the Appraisal
C.	Property Description
	1. Geographic Characteristics of the Land/Site
	2. Geologic Characteristics of the Land/Site
	3. Location and Neighborhood Characteristics
	4. Land/Site Considerations for Highest and Best Use
	5. Improvements - Architectural Styles and Types of Construction
D.	Residential Applications
	Exam Hours
	TOTAL=30 HOURS
15-Hour National USPAP Course (or its equivalent)	
	Instructional Hours
	Exam Hours
	TOTAL=15 HOURS
Residential Market Analysis and Highest and Best Use	
A.	Residential Markets and Analysis
	1. Market Fundamentals, Characteristics and Definitions
	2. Supply Analysis
	3. Demand Analysis
	4. Use of Market Analysis
B.	Highest and Best Use
	1. Test Constraints
	2. Application of Highest and Best Use
	3. Special Considerations
	4. Market Analysis
	5. Case Studies
	Exam Hours
	TOTAL=15 HOURS

Residential Appraiser Site Valuation and Cost Approach	
A.	Site Valuation
	1. Methods
	2. Case Studies
B.	Cost Approach
	1. Concepts and Definitions
	2. Replacement/Reproduction Cost New
	3. Accrued Depreciation
	4. Methods of Estimating Accrued Depreciation
	5. Case Studies
	Exam Hours
	TOTAL=15 HOURS
Residential Sales Comparison and Income Approaches	
A.	Valuation Principles & Procedures - Sales Comparison Approach
B.	Valuation Principles & Procedures - Income Approach
C.	Finance and Cash Equivalency
D.	Financial Calculator Introduction
E.	Identification, Derivation and Measurement of Adjustments
F.	Gross Rent Multipliers
G.	Partial Interests
H.	Reconciliation
I.	Case Studies and Applications
	Exam Hours
	TOTAL=30 HOURS
Residential Report Writing and Case Studies	
A.	Writing and Reasoning Skills
B.	Common Writing Problems
C.	Form Reports
D.	Report Options and USPAP Compliance
E.	Case Studies
	Exam Hours
	TOTAL=15 HOURS
Statistics, Modeling and Finance	
A.	Statistics
B.	Valuation Models (AVM's and Mass Appraisal)
C.	Real Estate Finance
	Exam Hours
	TOTAL=15 HOURS

Advanced Residential Applications and Case Studies	
A.	Complex Property, Ownership and Market Conditions
B.	Deriving and Supporting Adjustments
C.	Residential Market Analysis
D.	Advanced Case Studies
	Exam Hours
	TOTAL=15 HOURS
General Appraiser Market Analysis and Highest and Best Use	
A.	Real Estate Markets and Analysis
	1. Market Fundamentals, Characteristics and Definitions
	2. Supply Analysis
	3. Demand Analysis
	4. Use of Market Analysis
B.	Highest and Best Use
	1. Test Constraints
	2. Application of Highest and Best Use
	3. Special Considerations
	4. Market Analysis
	5. Case Studies
	Exam Hours
	TOTAL=30 HOURS
General Appraiser Sales Comparison Approach	
A.	Value Principles
B.	Procedures
C.	Identification and Measurement of Adjustments
D.	Reconciliation
E.	Case Studies
	Exam Hours
	TOTAL=30 HOURS

General Appraiser Site Valuation and Cost Approach	
A.	Site Valuation
	1. Methods
	2. Case Studies
B.	Cost Approach
	1. Concepts and Definitions
	2. Replacement/Reproduction Cost New
	3. Accrued Depreciation
	4. Methods of Estimating Accrued Depreciation
	5. Case Studies
	Exam Hours
	TOTAL=30 HOURS
General Appraiser Income Approach	
A.	Overview
B.	Compound Interest
C.	Lease Analysis
D.	Income Analysis
E.	Vacancy and Collection Loss
F.	Estimating Operating Expenses and Reserves
G.	Reconstructed Income and Expense Statement
H.	Stabilized Net Operating Income Estimate
I.	Direct Capitalization
J.	Discounted Cash Flow
K.	Yield Capitalization
L.	Partial Interests
M.	Case Studies
	Exam Hours
	TOTAL=60 HOURS
General Appraiser Report Writing and Case Studies	
A.	Writing and Reasoning Skills
B.	Common Writing Problems
C.	Report Options and USPAP Compliance
D.	Case Studies
	Exam Hours
	TOTAL=30 HOURS

APPENDIX III

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AQB QUALIFICATION CRITERIA, EXECUTIVE SUMMARY AND IMPLEMENTATION GUIDE

The Appraisal Foundation encourages the reproduction of The Real Property Appraiser Qualification Criteria, the Executive Summary of the Criteria and the Implementation Guide. However, when using excerpts of the Criteria or other Criteria-related documents, it must be made very clear to the reader the distinction between official AQB Criteria and a comment or opinion about the Criteria. All AQB Criteria quotations must be clearly identified by quotation marks.

NAR Issue Brief

Appraisal Management Company Q&A

What is an Appraisal Management Company (AMC)?

An Appraisal Management Company (AMC) works with lenders and appraisers to facilitate the ordering, tracking, quality control and delivery of appraisal reports. AMCs have been in existence since the 1960s, but in limited numbers when compared to today. In 2009, New York Attorney General Andrew Cuomo, Fannie Mae and Freddie Mac, with support from the Federal Housing Finance Agency, developed a set of appraisal rules called the Home Valuation Code of Conduct (HVCC). The rules were developed to isolate parties with a financial interest in a mortgage loan transaction from appraiser selection and retention. Although no longer in force, HVCC influenced the Appraiser Independence rules now found in The Dodd-Frank Wall Street Reform and Consumer Protection Act. As a result, AMCs have proliferated as many lenders use their services in order to provide strict adherence to Dodd-Frank, Truth in Lending and Interagency Guidelines.

Is a lender required to use an AMC?

Lenders are not required to use AMCs. Lenders must ensure that appraisers are engaged independently and not unduly influenced. As a result, many lenders use Appraisal Management Companies (AMCs) to fulfill that role. Risk practices vary from lender to lender, so AMCs must adjust to the reporting requirements of each lender client.

How are AMCs regulated?

Dodd-Frank requires that the Federal Financial Institution Regulatory Agencies, the Federal Housing Finance Agency and the Bureau of Consumer Financial Protection, jointly promulgate rules on the minimum requirements for states to register AMCs. Some states have already passed AMC legislation, and others are in the process of finalizing legislation. All state legislation must cover the minimum federal requirements, but individual states may adopt their own additional AMC requirements as well.

What is an AMC's role in the appraisal process?

The AMC performs the administrative functions involved in the ordering, completion and delivery of an appraisal report. Each AMC establishes processes to complete and/or enhance these functions based on the AMC's business model and corresponding Federal and State regulatory requirements. Appraisal management companies do not perform appraisals.

NAR Issue Brief

Appraisal Management Company Q&A

How do AMC's qualify appraisers?

AMCs typically develop screening and on-going assessment processes and benchmarks to measure and track performance in order to monitor an appraiser's eligibility for continued appraisal assignments.

How does an AMC select an appraiser for an appraisal assignment?

An AMC assigns an appraisal using a wide range of criteria. Criteria may or may not include local experience and proximity to the subject property, license level, education, access to the appropriate MLS, appraisal quality history, timeline performance and capacity at the time of order assignment.

How does the AMC interact with the appraiser during the course of the assignment?

The AMC places the order with the appraiser, confirms the borrower's contact information, the lender's special instructions and the due date. During the appraisal process, the AMC may communicate with the appraiser and request updates on possible issues or discrepancies. After an appraiser completes an assignment, the appraisal is sent securely to the AMC. Dodd-Frank, and most state regulations, requires AMCs to have a system in place to assess appraisal quality. After this process, the appraisal is available to the lender/Client.

Why do Lenders have their own individual requirements?

In addition to the legislative and regulatory appraisal requirements that have been implemented in the past few years, many lenders have established their own appraisal requirements based on internal risk policies and the data within the appraisal that they feel affects those policies.

What are the options if someone disagrees with the appraisal?

If a party disagrees or wishes to challenge the appraisal, most AMCs have a specified method by which this can be accomplished. Requests are typically made through the lender where additional data/comparables or perceived errors in the report are supplied for reconsideration by the appraiser. After review, the appraiser may, or may not, revise the appraisal report and or value.

Why isn't the buyer the AMC's client? Why is the lender the client?

The AMC is providing a service as an agent for the lender. Lenders are mandated by federal legislation to maintain real estate appraisal programs that independently engage appraisers for federally related transactions. Many lenders use Appraisal Management Companies (AMCs) to fulfill that role.

NAR Issue Brief

Appraisal Management Company Q&A

How can real estate agents prepare the property for an appraisal?

Real estate agents can prepare the property for an appraisal by encouraging homeowners to address obvious deferred maintenance and significant repairs, or any condition that affects safety, soundness or structural integrity. Neither Fannie Mae nor Freddie Mac will accept a loan on a property if there is an existing condition that is severe enough to affect safety, soundness or the structural integrity of a home. Additionally, Freddie Mac will not accept a property that has obvious deferred maintenance and is in need of significant repairs. Real estate agents may also recommend that homeowners remove sensitive pictures or religious symbols that could prevent an appraiser from taking the required photographs for the report due to privacy concerns. Real estate agents may provide buyers and sellers a copy of The Appraisal Foundation's *Guide to Understanding a Residential Appraisal*.

Can real estate agents provide information to the appraiser before the appointment?

Real estate agents are encouraged to provide appraisers information such as recent comparables that are similar to the property being appraised, plat surveys, inspection results, and details about the neighborhood, such as schools and shopping options. Real estate agents should also enter as much information as possible into an MLS listing including multiple interior photos. Some MLSs allow energy efficiency details and certifications to be added to the listing information as well. See a recent blog post, "[10 Tips for Brokers to Help the Appraisal Process](#)", for more information about this topic.

Agenda Item # 13

Administrative Business

Task List

(From March Teleconference)

Task:

David Derry will continue to revise the work log and will send a draft to the board members for comments

Task:

Examiner(s) will compile comments from public comment on regulation changes

Task:

Examiner(s) will continue to work on revising applications and check sheets to conform with proposed regulations.

Task:

Karen Hudson will e-mail to Board members the ASC subcommittee final report, issued on January 14th, 2015.

Task:

Examiner(s) will address to Sara Chambers the reduction of recertification (renewal) fees

Task:

David Derry will forward USPAP course information to Board members and Staff

Agenda Item # 14

Budget Report

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

Board of Certified Real Estate Appraisers
 Schedule of Revenues and Expenditures

	FY 09	FY 10	FY 11	FY 12	FY 13	FY 14
Licensing Revenue	95,509	22,875	203,055	42,190	269,948	56,250
Allowable Third Party Reimbursement	-	-	-	-	-	1,499
Total Revenue	<u>95,509</u>	<u>22,875</u>	<u>203,055</u>	<u>42,190</u>	<u>269,948</u>	<u>57,749</u>
Direct Expenditures						
Personal Services	49,739	50,733	65,321	78,181	46,148	34,915
Travel	7,046	10,479	10,138	8,534	3,759	2,920
Contractual	29,571	59,383	87,668	56,720	44,699	14,955
Supplies	86	425	150	233	61	24
Equipment	-	-	-	-	-	-
Total Direct Expenditures	<u>86,441</u>	<u>121,020</u>	<u>163,276</u>	<u>143,668</u>	<u>94,667</u>	<u>52,815</u>
* Indirect Expenditures	11,111	14,166	11,311	15,739	18,583	20,937
Total Expenses	97,552	135,186	174,587	159,407	113,250	73,752
Annual Surplus (Deficit)	<u>(2,043)</u>	<u>(112,311)</u>	<u>28,468</u>	<u>(117,217)</u>	<u>156,697</u>	<u>(16,002)</u>
Beginning Cumulative Surplus (Deficit)	103,709	101,666	(10,645)	17,823	(99,395)	57,302
Ending Cumulative Surplus (Deficit)	<u>101,666</u>	<u>(10,645)</u>	<u>17,823</u>	<u>(99,395)</u>	<u>57,302</u>	<u>41,300</u>

Collocation Code Name REAL ESTATE APPRAISE
 Acct Type EX

Account Number	Account Name	Sum of Actual
71172	REGULAR PAY	17,698
71670	HOLIDAY PAY	666
71685	PERSONAL LEAVE	2,271
71790	AK SUPPLEMNTL BENEFIT	1,268
71795	MEDICARE TAX	288
71800	PERS DB	272
71801	PERS DCR	1,002
71815	PERS DCR HRA	786
71816	PERS DCR RMP	92
71818	PERS DB UNF'D LIAB	2,360
71820	UNEMPLYMNT INSURANCE	75
71830	GROUP HLTH INSURANCE	6,979
71835	BASIC LIFE & TRAVEL	18
71840	WORKERS' COMP INS	149
71870	LEAVE CASHIN EMPR CH	482
71871	TERMINAL LV EMPR CHG	234
71925	ASEA LEGAL TRUST	31
71936	ASEA INJURY LV USAGE	5
71950	SUPERVSRS LEGAL TRST	18
71970	PERSONAL SVCE TRANS	221
72111	AIRFARE	491
72112	SURFACE TRANSPORT	71
72113	LODGING	99
72114	MEALS & INCIDENTALS	186
72126	NONTAX REIMBURSEMENT	562
72411	AIRFARE	597
72412	SURFACE TRANSPORT	103
72413	LODGING	541
72414	MEALS & INCIDENTALS	264
72930	CASH ADVANCE FEE	6
73051	ACCOUNTING/AUDITING	215
73079	EXPERT WITNESS	1,625
73228	POSTAGE	49
73403	DATA/NETWORK	13
73451	ADVERTISING	709
73668	ROOM/SPACE	15
73809	I/A MAIL	236
73812	I/A LEGAL	12,055
73819	I/A COMMISSION SALES	39
74229	BUSINESS SUPPLIES	24
Grand Total		52,815

Grand Total Equals Direct Expenditures on Board Report

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

Board of Certified Real Estate Appraisers
Schedule of Revenues and Expenditures

	FY 10	FY 11	FY 12	FY 13	FY 14	FY 15 1st - 3rd Qtr
Licensing Revenue	22,875	203,055	42,190	269,948	56,250	41,980
Allowable Third Party Reimbursement*	-	-	-	-	1,499	-
Total Revenue	22,875	203,055	42,190	269,948	57,749	41,980
Direct Expenditures						
Personal Services	50,733	65,321	78,181	46,148	34,915	31,113
Travel	10,479	10,138	8,534	3,759	2,920	1,617
Contractual	59,383	87,668	56,720	44,699	14,955	26,679
Supplies	425	150	233	61	24	42
Equipment	-	-	-	-	-	-
Total Direct Expenditures	121,020	163,276	143,668	94,667	52,815	59,451
**Indirect Expenditures	14,166	11,311	15,739	18,583	20,937	15,996
Total Expenses	135,186	174,587	159,407	113,250	73,752	75,447
Annual Surplus (Deficit)	(112,311)	28,468	(117,217)	156,697	(16,002)	(33,467)
Beginning Cumulative Surplus (Deficit)	101,666	(10,645)	17,823	(99,395)	57,302	41,300
Ending Cumulative Surplus (Deficit)	(10,645)	17,823	(99,395)	57,302	41,300	7,833

*The allocation of the \$20,000 in allowable third party reimbursements will be completed at year-end

**Current year indirect costs are based on the prior fiscal year's total budgeted amount. These costs are averaged over the current fiscal year, then adjusted after the close of the year.

Collocation Code Name REAL ESTATE APPRAISE
 Acct Type EX

Account Number	Account Name	Sum of Actual
71172	REGULAR PAY	15,883
71324	OT - TIME & ONE-HALF	111
71670	HOLIDAY PAY	805
71685	PERSONAL LEAVE	2,552
71690	SICK LEAVE	2
71790	AK SUPPLEMNTL BENEFIT	1,189
71795	MEDICARE TAX	272
71800	PERS DB	879
71801	PERS DCR	709
71815	PERS DCR HRA	562
71816	PERS DCR RMP	226
71818	PERS DB UNF'D LIAB	1,493
71820	UNEMPLYMNT INSURANCE	57
71830	GROUP HLTH INSURANCE	5,258
71835	BASIC LIFE & TRAVEL	13
71840	WORKERS' COMP INS	196
71870	LEAVE CASHIN EMPR CH	384
71871	TERMINAL LV EMPR CHG	187
71925	ASEA LEGAL TRUST	35
71936	ASEA INJURY LV USAGE	8
71950	SUPERVSRS LEGAL TRST	11
71970	PERSONAL SVCE TRANS	281
72111	AIRFARE	562
72112	SURFACE TRANSPORT	96
72113	LODGING	248
72114	MEALS & INCIDENTALS	101
72124	MEALS & INCIDENTALS	92
72125	TAXABLE PER DIEM	76
72126	NONTAX REIMBURSEMENT	441
72930	CASH ADVANCE FEE	2
73029	MEMBERSHIPS	350
73228	POSTAGE	51
73451	ADVERTISING	1,199
73668	ROOM/SPACE	1
73812	I/A LEGAL	25,047
73819	I/A COMMISSION SALES	31
74229	BUSINESS SUPPLIES	42
Grand Total		59,451

Grand Total Equals Direct Expenditures on Board Report

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) (1) (2) (3) or (4) [*select appropriate paragraph number above*], I move to go into executive session for the purpose of discussing:

Board staff _____ to remain during the session **OR** Board only to remain during session.

Off the record at _____.

Example:

In accordance with the provisions of AS 44.62.310 (c)(2), I move to go into executive session for the purpose of discussing the license application of (name). Board staff (names) to remain during the session.

