

**THE ALASKA BOARD OF
CERTIFIED REAL ESTATE
APPRAISERS**



Teleconference Meeting of October 28th, 2015
Juneau, Alaska

Board Packet

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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. Derry (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

2016 STATE HOLIDAY CALENDAR

JANUARY

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FEBRUARY

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NOVEMBER

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DECEMBER

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State Holidays

Date	Holiday
01/01	New Year's Day
01/18	MLK Jr.'s Birthday
02/15	Presidents' Day
03/28	Seward's Day
05/30	Memorial Day
07/04	Independence Day

 Holiday

State calendar maintained by the
Division of Finance,
Department of Administration
<http://doa.alaska.gov/calendars.html>
Rev. 06/22/2015

State Holidays

Date	Holiday
09/05	Labor Day
10/18	Alaska Day
11/11	Veterans' Day
11/24	Thanksgiving Day
12/25	Christmas Day (observed 12/26)

Agenda Item #2

Review / Amend Agenda

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 C - Teleconference
Juneau, Alaska

Wednesday, October 28th, 2015

TENTATIVE MEETING AGENDA

	<u>TIME</u>	<u>TOPIC</u>	<u>LEAD PERSON(S)</u>
1.	1:00 p.m.	Call to order/Roll call	David Derry, Chair
2.	1:05 p.m.	Review Agenda	Chair
3.	1:10 p.m.	Review/Approve Minutes (July 31 st , 2015)	Chair
4.	1:15 p.m.	Ethics Disclosure/Review Ethics	Chair
5.	1:20 p.m.	Investigations Report	Jay Paff
6.	1:40 p.m.	ASC Updates	Examiner
		<ul style="list-style-type: none">• Invoices• Compliance Review - 12 AAC 70.140(c)• Review Response Letter	
7.	1:50 p.m.	Regulations	Examiner
		<ul style="list-style-type: none">• Review/Discuss proposed changes	
8.	2:10 p.m.	Board Business	
		<ul style="list-style-type: none">• Board member update• Review Continuing Education Audits• Application updates	
9.	2:40 p.m.	New Business	Examiner
		<ul style="list-style-type: none">• Appraisal Management Companies (AMC)• AARO Update	
10.	3:00 p.m.	Public Comment	Chair
11.	3:15 p.m.	Budget Report	Martha Hewlett
12.	3:45 p.m.	Administrative Business	
		<ul style="list-style-type: none">• Task list• Annual Report• Set next meeting date(s)	
13.	4:00 p.m.	Adjourn	

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.

(c) The following subject may be considered in an executive session:

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

MOTION WORDING:

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

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

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

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

Agenda Item #3

**Review/Approve Minutes
(July 31st, 2015 Meeting)**

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

BOARD OF CERTIFIED REAL ESTATE APPRAISERS

MINUTES OF THE TELEPHONIC MEETING

Friday, July 31st, 2015

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

By 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 at the State Office Building, 333 Willoughby Avenue, Friday, July 31st, 2015, beginning at 9:00 a.m. The meeting was held in Room 104, Anchorage, Alaska.

Agenda Item 1 Call to Order/Roll Call

The meeting was called to order by Chair, David Derry at 9:00 a.m.

Board Members Present, constituting a quorum:

Alfred Ferrara, Certified Residential Real Estate Appraiser
David Derry, Certified Residential Real Estate Appraiser (Chair)
Renee Piszcek, Mortgage Banking Executive

Attending from the Division of Corporations, Business and Professional Licensing were:

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

Attending from the Appraisal Subcommittee were:

Jim Park, Executive Director
Kristi Klamet, Policy Manager
Neal Fenochietti, Policy manager

Agenda Item 2 Review Agenda

Time: 9:01 a.m.

Licensing Examiner, Laura Carrillo informed the Board that a few changes had been made to the agenda since Board packets were mailed two weeks prior. Ms. Carrillo stated that the agenda had been correctly enumerated, and that subtopics for several agenda items had been added, with which changes were indicated by an asterisk symbol; Agenda Item #9 was amended to add a subtopic of reviewing courtesy license applicants seeking another courtesy license without submitting their appraisal report for their first license, specific continuing education batches were included, and a subtopic of reviewing a renewal audit letter draft was also added. Under Agenda Item #11, statute 08.87.020(3) and regulation 12 AAC 70.120 were added for discussion. Ms. Carrillo informed the Board that the previous Agenda Item #13 topic was changed from Budget Report to Division Updates, as no new budget information had been published since the April teleconference. Ms. Carrillo also reminded the Board to address the annual report. The Board reviewed the amended agenda.

On a motion duly made by Fred Ferrara, seconded by Renee Piszczek, and approved unanimously, it was:

RESOLVED to accept the agenda as amended.

Agenda Item 3 Review/Approve Minutes

Time: 9:03 a.m.

The Board reviewed the agenda for the March and April, 2015 teleconferences. Chair, Dave Derry noted that the second Task List on page 5 of the April minutes were in need of correction.

TASK:

Ms. Carrillo will correct page 5 of the April 14th, 2015 meeting minutes regarding Dave Derry being assigned to review of courtesy reports 7-11.

On a motion duly made by David Derry seconded by Renee Piszczek, and approved unanimously, it was:

RESOLVED to accept the March teleconference minutes as written.

On a motion duly made by David Derry seconded by Renee Piszczek, and approved unanimously, it was:

RESOLVED to accept the April teleconference minutes as amended.

Agenda Item 4 Ethics Disclosure/Review Ethics

Time: 9:07 a.m.

There were no ethics disclosures to report.

Agenda Item 5 Investigative Report

Time: 9:08 a.m.

Investigator, Jay Paff presented his investigative report, which hand included activity from April 6th, 2015 through July 13th, 2015. Mr. Paff referred to the investigative hand out and informed the Board that six cases were opened, four matters were closed, and three remained open during this investigative review period. Since the investigative report was included in the Board packet, one of three remaining open cases had been closed.

Mr. Paff informed the Board that two matters involving one respondent had resulted in a consent agreement. Chair Derry requested for this matter to be included on the Board's agenda as the Board will need to adopt the consent agreement.

Task:

Ms. Carrillo will contact Mr. Paff to ensure the consent agreement is on the Board's agenda for their next meeting.

Agenda Item 6 Public Comment

Time: 9:08 a.m.

The Board was ahead of schedule, so Mr. Derry proposed to hold the meeting in abeyance should a member from the public arrive at the scheduled public comment time at 9:30 a.m. Mr. Ferrara noted that the public comment time was generally scheduled earlier, and suggested that subsequent scheduling of this agenda item be later in the afternoon.

Agenda Item 8 ASC Updates

Time: 9:14 a.m.

Kristi Klamet, James "Jim" Park and Neal Fenochietti were in observance of the Board's meeting for the Board's mandatory annual audit. Mr. Park introduced himself as the Executive Director of the Appraisal Foundation's Appraisal Subcommittee (ASC), and as a Certified General Real Estate Appraiser. Mr. Park proceeded to present to the Board the ASC's line of authority, its regulatory oversight processes, its promulgation of standards set by the foundation's Appraiser Qualifications Board (AQB) to ensure appraisers are applying USPAP to their appraisal assignments, and that jurisdictions are following the subcommittee's policy statements. Mr. Park commented to the Board that the mission of the ASC is to protect federal financial public policy interest and real estate appraisals utilized in federally related transactions. It was also added that the ASC staff is relatively small, employing 13 staff from 7 mortgage-lending government agencies: the Federal Reserve, OCC, FDIC, National Credit Union Administration, HUD, CFPB, and FHFA.

Mr. Park continued to discuss the history and oversight capabilities of the ASC, including its authority over 55 jurisdictions, the compliance review process, and its extended oversight authorized by the Dodd-Frank Act, and enabling statute, Title XI. Mr. Park informed the

Board of the ASC's intended shift towards issuing unique identification numbers in lieu of social security numbers for the National Registry. Mr. Derry inquired to Mr. Park if information on the National Registry is available to the public, to which Mr. Park confirmed, but clarified that state jurisdictions have more intimate access (*private side*) than do the general public (*public side*), due to having state-regulatory sign-in capabilities. The private side allows state agencies to view more extensive disciplinary action details. Mr. Ferrara inquired about the processing time of entering disciplinary action into the National Registry, to which Ms. Klamet asserted that viewing the information once entered is immediate.

Moving to discussion on Appraisal Management Companies (AMC's), Mr. Park informed the Board that the Dodd-Frank act had recommended that states adopt statutes and regulations for the registration and supervision of AMC's by August 10th, 2018 *if* such services exist for federally-related transactions. Mr. Park explained that AMC's are a service used to secure an appraiser for the purpose of conducting an appraisal, but clarified that adopting AMC regulations are *not* mandatory. It was also commented that 38 states have since implemented such regulations as of July 31st, 2015. The ASC and the Board discussed National Registry and state registration fees for AMC's, which are currently ranging from \$150.00-\$8,000 among states that have implemented regulations. Mr. Park commented The ASC had previously sent a bulletin summary of AMC's to all state jurisdictions, which was included in the Board packet. Mr. Park provided AMC definitions as follows:

- Appraisal Management Company operating in *one* state = >15 appraisers on panel
- Appraisal Management Company operating in *several* states = ≥25 appraisers on panel
- Amendments to Title XI by Dodd-Frank Act allows ASC to set National Registry fee between \$25.00-\$50.00 if an AMC panel is based on the number of appraisers used for an appraisal within the past 12 months, or;
- Panel can be based on number of appraisers on panel, whether they've been used for an appraisal or not, or;
- For the purpose of discouraging under reporting, the Dodd-Frank Act allows the ASC to set other fee standards outside this range—flat fees—based on the number of states AMC's are conducting business in

Mr. Ferrara inquired to the ASC whether, once drafted, they could review the Board's proposed AMC statutes and regulations before adopting and implementing them, to which Mr. Park verified that ASC policy managers perform this task. Mr. Ferrara handed the ASC draft regulations that was compiled by Paige Hodson of an Appraisal Management Company.

Operations Manager, Sara Chambers joined the room telephonically at 10:00 a.m.

Operations Manager, Sara Chambers left the room telephonically at 12:00 p.m.

Kristi Klamet addressed the Board to discuss findings from the Board's compliance review audit. During a compliance review in August 2014, the ASC determined that the Alaska Board of Certified Real Estate Appraisers was not satisfactory. Ms. Klamet reviewed the Appraisal Subcommittee's 7 policy statements, and noted the following findings for their July 2015 compliance review:

1.) Statutes, Regulations, Policies and Procedures Governing State Programs

Has come into compliance; the Board's updated regulations came into effect July 1st.

2.) Temporary Practice

Has come into compliance; ASC reminds administrative staff to issue courtesy licenses within 5 days, or otherwise send a status letter informing applicant of missing documentation. ASC noted that this was an area of non-compliance, mainly due to the high licensing examiner turn-over and insufficient staff back-up. During the July review, only one file was not issued within 5 days due to employee absence.

3.) National Registry

Has come into compliance; the Board has paid National Registry Fees on time; this was previously an issue due to staff turnover.

4.) Application Process

Has come into compliance; ASC compliments the Board on their quick response in reviewing the five work products for USPAP compliance. ASC notes that all applicants will be applying by reciprocity until a state shows non-compliance—at which time the applicant should apply by endorsement. It was noted that the Board provided a distinction between endorsement and reciprocity. ASC also notes to the Board that effective January 1st, 2015 all trainees working towards certification as a general or residential real estate appraiser must have a Bachelor's degree before becoming certified. ASC also commends the Board and staff for their updated checklists, which will help ensure applications are complete and applicants meet the qualifying criteria.

5.) Reciprocity

Has come into compliance; the updated regulations effective July 2015 sets clarification for Reciprocity, and distinguishes this application type from endorsement.

6.) Education

Has come into compliance; ASC notes that previously, some AQB/IDECC-approved courses did not have their respective certifications included in their files, and that some continuing education files were missing. ASC notes that the Board has since remediated this issue.

7.) State Agency Enforcement

Is compliant; ASC notes that this was not previously an issue.

Task:

Fred Ferrara will write a letter to the AQB in regards to the stipulation that trainees working towards a certification must hold a Bachelor's degree before becoming certified, as it is believed a provision should be in place to allow "grandfathering".

Mr. Derry inquired to Records and Licensing Supervisor, Dawn Hannasch and Operations Manager, Sara Chambers whether regulation changes must first go through the formal process, to which Ms. Hannasch confirmed. Ms. Hannasch advised the Board to consolidate their regulation projects in order to minimize the Board's direct expenses.

Agenda Item 7 Break

Time: 10:45 a.m.

David Derry called for break at 10:45 a.m.

Off record at 10:45 a.m.

On record at 10:55 a.m.

Agenda Item 9 Board Business

Time: 10:55 a.m.

Board Member Update –

Although no new Board member was appointed, Ms. Hannasch informed the Board that there have been several applicants with Boards and Commissions. Mr. Derry discussed the extent to which public members—in their relation to appraising—should be disconnected from this field in order to be more truly representative of the general public, to which it was clarified that the public member's profession cannot be within the realm of appraising. Mr. Derry expressed his preference to have a member from southeast Alaska be appointed as a public member to reflect a more encompassing geographical region of Alaska. Mr. Ferrara commented that a land trust member, architect or builder would be ideal.

Task:

Fred Ferrara will contact architect, Clay Porter about filling the public member position.

Task:

Renee Piszcek will inquire with employees at Doyon Ltd. about filling the public member position.

Task:

David Derry will contact MAI, Charles Horan about filling the public member position.

Review Draft of Work Log -

Hearing nothing further on Board member updates, Mr. Derry addressed revising the existing work log. Mr. Derry pointed to the report types: restricted use (R), summary (S), and Self Contained (SC); he advised that consequent to the obsolescence of SC, the amended work log should include "Restricted Report" and "Appraisal Report" only. Mr. Derry further

commented that “Inspected Property” and “Neighborhood Description and Market Analysis” should be amended for I and III, respectively. Mr. Derry then discussed value opinion, and whether the work log is confidential. The Board determined that the value opinion should be removed.

The Board also discussed supervisory appraiser/trainee appraiser work logs, of which the amended work log will suffice. Ms. Carrillo informed the Board that the Division’s Publications Specialist can make the form interactive.

Task:

David Derry will make the above noted amendments to the existing work log, and will send the revision to Ms. Carrillo via e-mail.

Task:

Ms. Carrillo will send the amended work log to the Division’s Publications Specialist.

Outstanding Renewal Audits -

The Board discussed an outstanding renewal audit from a certificate holder who had signed a consent agreement requiring submission of continuing education activity for two renewal periods subsequent to the agreement. The certificate holder showed deficient continuing education credit for the renewal period of July 1st, 2013 through July 30th, 2015 (July 1st, 2015-June 30th, 2017 renewal form). Ms. Piszcek inquired whether acceptable continuing education courses and the process of applying for approval were clearly outlined in the statutes and regulations, to which Mr. Ferrara and Mr. Derry confirmed. Mr. Derry and Ms. Carrillo clarified that the course, “Appraisers Embracing Technology & Management” for four continuing education credits had not been approved, but that the certificate holder was petitioning for approval under 12 AAC 70.200(b).

Mr. Derry advised the Board that a strongly-worded letter should be issued to the certificate holder with verbiage to comply with two subsequent renewal audits. Ms. Carrillo informed the Board that this was already part of the consent agreement, and that courtesy reminder letters had already been issued despite a notice from the Division’s paralegal that the certificate holder would not receive further reminders. In addition, Ms. Carrillo noted to the Board that on the Professional Fitness section of the biennial renewal form, the certificate holder did not check the appropriate, “Yes” response to a question related to having a license disciplined. The certificate holder had to be asked to amend the renewal form. The Board discussed that although the content of the course is acceptable, the concern lies in the situation from which the request manifested, one that Mr. Derry stated demonstrates lack of seriousness and attention to detail. Ms. Hannasch reminded the Board to take caution in setting an unwanted and unacceptable precedence for similar circumstances.

On a motion duly made by Fred Ferrara, seconded by Renee Piszcek, and agreed unanimously, it was:

RESOLVED to deny the “Appraisers Embracing Technology & Management” course for four credits.

The Board discussed the certificate holder’s ability to reapply for a new certificate, which the Board and Ms. Hannasch commented that an interview may be required.

Review Work Products –

Hearing nothing further on review of outstanding renewal audits, Mr. Derry moved to discussion on reviewing work products for July.

Task:

Fred Ferrara will review July work products 1-8.

Task:

David Derry will review July work products 9-16.

Discussion then moved to restrictions on issuing second courtesy licenses. Ms. Carrillo prompted the Board to clarify whether the standard protocol should be to not issue second courtesy licenses to applicants without first receiving the report for the property authorized under their previous courtesy license. Ms. Klamet clarified with the Board that this is within acceptable practices. Ms. Carrillo commented that a letter is enclosed with a courtesy license that advises the licensee to submit a report within 30 days of completing the appraisal, or otherwise notify the office in writing if an appraisal has been canceled. Ms. Piszcek inquired whether Alaska is unique in requiring submitting appraisal reports, to which Ms. Klamet confirmed. Ms. Piszcek further suggested that as long as an individual has held at least one courtesy license, reviewing their *first* appraisal report should suffice as to not review their *second*, with which Mr. Derry agreed and would consider this in the future. Ultimately, the Board advised Ms. Carrillo to make sure previous appraisal reports are *received* before being issued a second courtesy license. It was noted that the appraisal report does not have to be *reviewed*.

Task:

Fred Ferrara will contact previous board members to clarify the logic behind why appraisal reports are being requested, as removing this requirement may be included in the Board’s next regulation project.

Review Continuing Education Applications –

Batch 060515 (Non-AQB/IDECC approval): A quorum had not yet been established for this batch of continuing education applications, which was posted on the secure site for review of June 2015 applications. Ms. Carrillo informed the Board that Mr. Ferrara and Ms. Piszcek had submitted their votes, but that one more decision was needed. Mr. Derry provided the last votes needed to approve courses under this batch.

Batch 070215 (Has AQB/IDECC approval): Ms. Carrillo informed Mr. Derry that the current batch of continuing education applications with AQB or IDECC approval had not been reviewed and approved. Ms. Carrillo also reiterated the ASC's earlier findings to be diligent in checking to make sure that timed outlines are included in non-AQB/IDECC approved courses. Mr. Derry provided his approval for all courses under this batch.

Ms. Carrillo clarified with the Board that continuing education providers may request a different number of hours for approval—usually the total hours provided—than what a certificate holder will document or claim on their renewal form. This occurs because certificate holders may not be required to attend the full course or seminar, however, the actual hours of participation in will be verified by their certificate of attendance.

Review/Discuss renewal compliance statement -

The Board reviewed the renewal compliance statement and found it sufficient. Ms. Carrillo, Ms. Hannasch and the Board discussed the renewal process.

Review Audit Letter Draft -

The Board reviewed Ms. Carrillo's draft of the audit letter.

On a motion duly made by Renee Piszcek, seconded by Fred Ferrara, and approved unanimously, it was:

RESOLVED to approve the audit letter draft prepared by Ms. Carrillo.

Task:

Ms. Carrillo will send letters to audited certificate holders on August 3rd, 2015.

Agenda Item 10 Lunch

Time: 12:00 p.m.

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

Off record at 12:00 p.m.

On record at 1:11 p.m.

Review Finalized Regulations –

12 AAC70.120(a)(5): Ms. Carrillo explained to the Board that this specific regulation pertained to the requirement of endorsement applicants to submit 42 hours of continuing education to meet initial qualifying criteria—Ms. Carrillo informed the Board that this regulation was repealed and is no longer in the revised regulations effective July 1st. After speaking with previous Records & Licensing Supervisor, Karen Hudson, Ms. Carrillo sought clarification from the Board if they were aware of voting to repeal this regulation.

08.87.020(3): AMC's were revisited, wherein it was discussed whether this statute gives the Board the authority to adopt regulations without going through the legislative process, as long as the regulations are enacted in an effort to comply with the Dodd-Frank Act, Title XI, and FIRREA. Mr. Park advised the Board that regulations should be adopted such that the Board has the authority to discipline AMC's, investigate any complaint, ensure such companies comply with USPAP, are paying national registry fees, and are registering lawfully within our state. As such, it was suggested that the Board check with appropriate departments before enacting regulations without legislative approval.

Ms. Hannasch noted in 08.87.020(3) that adoptions of regulations can be made only if such changes are necessary to comply with the requirements of [Title XI], and reiterated that adopting AMC's are in fact not required. Ms. Hannasch further suggested obtaining a legal opinion on this matter. Mr. Park explained to the board that if state laws are not in place, unregulated AMC's would not be able to provide management services for federally-related transactions in Alaska.

On a motion duly made by Fred Ferrara, seconded by Renee Piszcek, and approved unanimously, it was:

RESOLVED to assign Ms. Carrillo to obtain a legal opinion on whether or not the Board can adopt AMC regulations without going through the legislative process.

Task:

Ms. Carrillo will request a legal opinion in regards to the Board adopting AMC's under 08.87.020(3).

Paige Hodson arrived for discussion on AMC's. Ms. Hodson introduced herself of having been involved in a work group that has been attempting to introduce AMC's to legislation. Mr. Ferrara previously distributed a hand-out of proposed regulations prepared by Ms. Hodson and her work group under Agenda Item #8. Ms. Hodson informed the Board that

the proposed regulations were pulled from an amalgam of state regulations, including Oregon, Texas, and Vermont, and of which were checked against the final rulings for AMC's.

Task:

Renee Piszczek will work with Paige Hodson to further develop regulations for AMC's, and will provide an update at the Board's next meeting.

Background Checks –

Hearing nothing further on AMC's, Mr. Derry moved to discussion on background checks, prompting Mr. Ferrara to provide an update on a previously assigned task. Mr. Ferrara informed the Board that he and Mr. Cook consulted the Appraisal Institute's study of state requirements for background checks, which erroneously stated that Alaska requires fingerprinting.

Task:

Ms. Carrillo will contact the Appraisal Institute to inform them of the background check error.

On a motion duly made by Fred Ferrara, seconded by Renee Piszczek, and approved unanimously, it was:

RESOLVED to accept regulations pertaining to criminal background checks as written.

Mr. Ferrara and Mr. Derry discussed sending out advisory letters informing certificate holders and licensees of any program updates, asking Ms. Hannasch if other boards send such letters, to which Ms. Hannasch confirmed.

Agenda Item 12 New Business

Time: 1:56 p.m.

Appraisal Management Companies and 08.87.020(3) -

AMC's were extensively discussed under Agenda Item's #8 and #11.

Review Finalized Forms -

Mr. Derry addressed the applications included in the Board packet, upon which Ms. Carrillo informed the Board that each application had been revised since the packets were mailed, as the applications included were completed before finalized regulations went into effect on July 1st. Ms. Carrillo also informed the Board that per regulation 12 AAC 70.126, she and the publication specialist recently completed the supervisory approval application, which was distributed to the Board for review. Ms. Carrillo mentioned compiling a list of approved

supervisors, to which Mr. Derry expressed concern over not having a list of supervisors available to the public. It was agreed upon that a list of supervisors would be kept for internal tracking purposes only.

Ms. Carrillo distributed the most up-to-date application, which was the Certified General Real Estate Appraiser application; the form includes a distinction between four application types: endorsement, reciprocity, examination and trainee transition, which are all included on the one application. The updated general application is most reflective of what the residential application will also look like. Ms. Carrillo reiterated Ms. Klamet's suggestion that the Board provide an option—like the trainee transition—for an applicant to transition from a certified residential to a certified general appraiser, which is considered an upgrade and requires additional qualifying education. Ms. Klamet added that this application option would make screening more efficient for such an upgrade.

Task:

Ms. Carrillo will work with the Division's publications specialist to update forms and applications, including providing an upgrade option from residential to general.

Review Check Sheets -

Ms. Carrillo informed the Board that she had revised and created check sheets for the following applications:

- General by Examination
- Residential by Examination
- General/Residential by Endorsement
- General/Residential by Reciprocity
- Supervisory Appraiser
- Trainee
- Trainee Transition

The Board commented they would review the check sheets along with the revised applications via e-mail.

Task:

Ms. Carrillo will send all revised applications and checklists to the Board via e-mail.

Review Examination Approval Process -

Ms. Carrillo informed the Board that a new examination approval process should be reviewed, as it has now been established by the AQB—and promulgated in the APR statutes

and regulations—that qualifying education and experience must be verified *before* being approved to sit for the uniform examination. Ms. Carrillo addressed the approval process insert, which clarifies the requirements needed before an applicant is informed of the Board’s decision to allow the applicant to take the AQB-endorsed Uniform State Certification Examination. The proposed process also included a draft notification letter, and a scaled scoring guide asserting the acceptable exam score (75%) needed to become certified. Ms. Carrillo clarified that when an application by examination is sent to the Board for approval, it will not be sent for additional review after exam scores are received, rather the applicant will automatically be issued a certificate upon receipt of a passing exam score. In addition, Ms. Carrillo reiterated Ms. Klamet’s suggestion that work products should be received by both residential and general certification examination applicants as part of their application before being reviewed for exam approval.

On a motion duly made by Dave Derry, seconded by Renee Piszczek, and approved unanimously, it was:

RESOLVED to approve Ms. Carrillo’s proposed examination approval process as written.

Task:

Ms. Carrillo will update examination checklists and applications to ensure work products are received at the time of initial application.

Review Application -

Ms. Carrillo informed the Board that there was a Certified General Real Estate Appraiser by Examination application ready for review. Ms. Carrillo noted to the Board that with the current application under review, the candidate was not asked to submit a work product sample. The Board decided to allow this applicant to submit the work product later, whereas subsequent applicants will be requested to submit the work product at the time of initial application.

On a motion duly made by Dave Derry, seconded by Renee Piszczek, and approved unanimously, it was:

RESOLVED to approve Brandy Eber’s request to sit for the AQB-endorsed Uniform State General Certificate Examination, and approve certificate pending receipt of a work product sample.

Task:

Ms. Carrillo will request the work product for the appraisal of 401-599 Parks Highway in Wasilla from Brandy Eber.

*Operations Manager, Sara Chambers joined the room telephonically at 2:22 p.m.
Operations Manager, Sara Chambers left the room telephonically at 2:42 p.m.*

Agenda Item 13 Division Update

Time: 2:22 p.m.

Sara Chambers clarified with the Board that she was no longer the Division Director, although she has reprised her role as the Division's Operations Manager. Ms. Chambers reiterated that no new budget information had been published since the April teleconference, but did inform them that the fiscal year-end and FY16 1st quarter reports with interpretations would be available between October and November. Mr. Derry inquired to Ms. Chambers revenue the Board generated during the June 30th, 2017 renewal period. Ms. Chambers provided the value of \$248,595.00, which was extracted from the program's FY15 4th quarter report through July 30th, 2015. Ms. Chambers then informed the Board of the state's budget crisis and encouraged the Board to be mindful of travel and other Board expenses that may greatly impact the Board's reserve.

Agenda Item 14 Administrative Business

Time: 2:42 p.m.

Ms. Carrillo addressed the AARO conference in D.C., and inquired to the Board which Board members would be attending in October. Mr. Derry prompted clarification from Ms. Hannasch on whether she planned to attend, to which she confirmed. Ms. Hannasch asked asserted that with the current budget climate, travel approvals should be submitted as much in advance as possible, and also inquired as to whether a second staff member would be considered for Board travel. The Board continued to discuss travel to D.C. for the AARO Conference/AQB Public Session. Mr. Park encouraged attendance as useful topics are to be discussed, including regulation of AMC's.

On a motion duly made by Fred Ferrara, seconded by Renee Piszczek, and approved unanimously, it was:

RESOLVED to approve two staff members and one board member to attend the AARO Conference/AQB Public Session in Washington, D.C. from October 16th through the 20th, 2015.

Set Meeting Dates -

The Board reviewed the calendar to set their next meeting date. It was decided to set the next meeting date after the AARO Conference/AQB Public Session, on October 28th, 2015 at 1:00 p.m. via teleconference.

Task List -

Mr. Derry addressed tasks lists, including the annual report. Ms. Carrillo informed the Board that members could send receipts to our office, and explained that the Division's front desk

works concurrently as a travel service to arrange air and hotel for staff and board members. Ms. Carrillo added that Board members can request travel services by filling out a brief travel form. Mr. Derry reiterated tasks lists assigned during this meeting.

Ms. Carrillo informed the Board of position statements, explaining that other boards write position statements to reflect the collective opinion on a specific issue, and post the statements on their program website. The Board could, for example, write a position statement in regards to reviewing appraisals, as it is a common question received on the administrative end. Some states have laws governing appraisal reviews; Mr. Park commented that in some states, even if an appraisal review is conducted without expressing an opinion value, an individual must state certified or licensed, or are otherwise in violation of state statutes.

Task:

Ms. Carrillo will send a sample position statement to Mr. Derry and Mr. Ferrara.

Annual Report -

Task:

Mr. Derry will work on the annual report and submit it to Ms. Carrillo.

Agenda Item 15 Adjourn

Time: 3:07 p.m.

Before adjourning the meeting, Ms. Carrillo clarified continuing education participation for Board members; Board members are able to receive a minimum of two hours and a maximum of 7 hours for attending a Board meeting—but only once per renewal cycle.

Respectfully Submitted by:

Laura Carrillo
Licensing Examiners

Approved by:

David Derry, Chair
Alaska State Board of Certified Real Estate Appraisers

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.

(c) The following subject may be considered in an executive session:

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

MOTION WORDING:

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

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

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

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

Agenda Item #4

**Ethics Disclosure/Review
Ethics**

MEMORANDUM

State of Alaska
Department of Law

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

State of Alaska Department of Law

Who Is My Designated Ethics Supervisor?

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

Executive Agencies

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

Boards and Commissions

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

Public Corporations

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

Office of the Governor

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

University of Alaska

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

EXECUTIVE BRANCH AGENCIES

Administration: Leslie Ridle, Deputy Commissioner

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

Corrections: April Wilkerson, Director of Administrative Services

Education & Early Development: Les Morse, Deputy Commissioner

Environmental Conservation: Tom Cherian, Director of Administrative Services

Fish & Game: Kevin Brooks, Deputy Commissioner

Health & Social Services: Dallas Hargrave, Human Resource Manager

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

Law: Jonathan Woodman, Assistant Attorney General

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

Natural Resources: John Crowther, Inter-Governmental Coordinator

Public Safety: Terry Vrabec, Deputy Commissioner

Revenue: Dan DeBartolo, Administrative Services Director

Transportation & Public Facilities:

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

Updated April 2015

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

Department of Law

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

Introduction

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

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

Scope of Ethics Act (AS 39.52.110)

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

Misuse of Official Position (AS 39.52.120)

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

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



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



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

Improper Gifts (AS 39.52.130)

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

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

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

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

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

A form for reporting gifts is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff.

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



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



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

Improper Use or Disclosure of Information (AS 39.52.140)

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



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



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



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

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

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

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

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

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



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



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

Improper Representation (AS 39.52.160)

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



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

Restriction on Employment After Leaving State Service (AS 39.52.180)

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

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

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



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



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

Aiding a Violation Prohibited (AS 39.52.190)

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

Agency Policies (AS 39.52.920)

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

Disclosure Procedures

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

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

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

ATTORNEY GENERAL'S ADVICE (AS 39.52.240-250)

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

REPORTS BY THIRD PARTIES (AS 39.52.230)

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

Complaints, Hearings, and Enforcement

COMPLAINTS (AS 39.52.310-330)

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

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

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

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

CONFIDENTIALITY (AS 39.52.340)

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

HEARINGS (AS 39.52.350-360)

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

PERSONNEL BOARD ACTION (AS 39.52.370)

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

PENALTIES (AS 39.52.410-460)

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

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

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

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

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

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

DEFINITIONS (AS 39.52.960)

Please keep the following definitions in mind:

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

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

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

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

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

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

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

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

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

Revised 9/2013

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

Responsibilities of Designated Ethics Supervisors for Boards and Commissions

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

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

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

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

6/14

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

Sec. 44.62.310. Government meetings public.

(c) The following subject may be considered in an executive session:

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

MOTION WORDING:

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

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

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

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

Agenda Item #5

Investigative 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: October 13, 2015
TO: Alaska Board of Certified Real Estate Appraisers
THRU: Alvin M. Kennedy, Senior Investigator
Angela G. Birt, Chief Investigator *AB*
FROM: Jay H. Paff, Investigator *JHP*

SUBJECT: Certified Real Estate Appraisers Report for October 28, 2015 Board Meeting.

The following information was compiled as an investigative report to the Board for the period from July 13, 2015 through October 13, 2015. Including cases, complaints, and intake matters, since the last report, the Division opened **one (1)** matter and closed **one (1)** matter. There is currently **2 (two)** on-going matters under active investigation or pending litigation.

<u>CASE#</u>	<u>OPENED</u>	<u>VIOLATION</u>	<u>PROFESSION</u>
2015-000527	04/28/2015	Incompetence	Appraiser
2015-000528	04/28/2015	Incompetence	Appraiser

OPEN CASES AND COMPLAINTS: TOTAL = 2

INVESTIGATIVE ACTIONS CLOSED SINCE LAST MEETING:

2015-001370	07/28/2015	Incomplete Complaint	Appraiser
-------------	------------	----------------------	-----------

CLOSED CASES AND COMPLAINTS: TOTAL = 1

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.

(c) The following subject may be considered in an executive session:

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

MOTION WORDING:

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

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

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

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

Agenda Item #6

ASC Updates

Invoice Summary for: AK 06/26/2015 to 07/25/2015

Appraisal SubcommitteeFederal Financial Institutions Examination Council
National Registry InvoiceInvoice No. **AK-15-165**Invoice Date: **07/25/2015****Laura Carrillo**Board of Certified Real Estate Appraisers
PO Box 110806
Juneau, AK, 99811-0806

The National Registry fees stated below are due for AK appraisers who have been added to the National Registry or renewed existing licenses or certifications for the period of 06/26/2015 - 07/25/2015. Please review this invoice immediately for accuracy and contact the ASC if you have any questions.

Period	Amount	Licenses	Fees
0	\$ 0	0	\$ 0
2	\$ 80	49	\$ 3,920
Total:		49	\$ 3,920

Number of licenses / certifications added: 0
renewed: 49
reactivated: 0
expired: 47

Registry statistics - Appraisers

License Type	Total Prior to New Data	Total with new Data
Certified General	112	112
Certified Residential	134	133
Total:	246	245

If you would like to receive your invoices electronically, please contact the Appraisal Subcommittee at ASCRegistry@asc.gov.

* Payment of this invoice is due within 45 calendar days of the invoice date. Nonpayment results in appraisers becoming "inactive," meaning they are not authorized to perform appraisals in federally related transactions. Interest may accrue on any unpaid balance as specified by Federal law. Checks or electronic funds transfers should be made payable to the "Appraisal Subcommittee."

1401 H St NW • Suite 760 • Washington, DC 20005 • (202) 289-2735 • Fax (202) 289-4101

Invoice Summary for: AK 07/26/2015 to 08/25/2015

Appraisal SubcommitteeFederal Financial Institutions Examination Council
National Registry InvoiceInvoice No. **AK-15-166**Invoice Date: **08/25/2015****Laura Carrillo**Board of Certified Real Estate Appraisers
PO Box 110806
Juneau, AK, 99811-0806

The National Registry fees stated below are due for AK appraisers who have been added to the National Registry or renewed existing licenses or certifications for the period of 07/26/2015 - 08/25/2015. Please review this invoice immediately for accuracy and contact the ASC if you have any questions.

Period	Amount	Licenses	Fees
0	\$ 0	0	\$ 0
2	\$ 80	11	\$ 880
4	\$ 160	1	\$ 160
6	\$ 240	1	\$ 240
Total:		13	\$ 1,280

Number of licenses / certifications added: 1
renewed: 12
reactivated: 0
expired: 48

Registry statistics - Appraisers

License Type	Total Prior to New Data	Total with new Data
Certified General	112	91
Certified Residential	133	117
Total:	245	208

If you would like to receive your invoices electronically, please contact the Appraisal Subcommittee at ASCRegistry@asc.gov.

* Payment of this invoice is due within 45 calendar days of the invoice date. Nonpayment results in appraisers becoming "inactive," meaning they are not authorized to perform appraisals in federally related transactions. Interest may accrue on any unpaid balance as specified by Federal law. Checks or electronic funds transfers should be made payable to the "Appraisal Subcommittee."

1401 H St NW • Suite 760 • Washington, DC 20005 • (202) 289-2735 • Fax (202) 289-4101

Invoice Summary for: AK 08/26/2015 to 09/25/2015

Appraisal SubcommitteeFederal Financial Institutions Examination Council
National Registry InvoiceInvoice No. **AK-15-167**Invoice Date: **09/25/2015****Laura Carrillo**Board of Certified Real Estate Appraisers
PO Box 110806
Juneau, AK, 99811-0806

The National Registry fees stated below are due for AK appraisers who have been added to the National Registry or renewed existing licenses or certifications for the period of 08/26/2015 - 09/25/2015. Please review this invoice immediately for accuracy and contact the ASC if you have any questions.

Period	Amount	Licenses	Fees
0	\$ 0	0	\$ 0
2	\$ 80	4	\$ 320
Total:		4	\$ 320

Number of licenses / certifications added: 0
renewed: 4
reactivated: 0
expired: 82

Registry statistics - Appraisers

License Type	Total Prior to New Data	Total with new Data
Certified General	91	92
Certified Residential	117	120
Total:	208	212

If you would like to receive your invoices electronically, please contact the Appraisal Subcommittee at ASCRegistry@asc.gov.

* Payment of this invoice is due within 45 calendar days of the invoice date. Nonpayment results in appraisers becoming "inactive," meaning they are not authorized to perform appraisals in federally related transactions. Interest may accrue on any unpaid balance as specified by Federal law. Checks or electronic funds transfers should be made payable to the "Appraisal Subcommittee."

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Appraisal Subcommittee

Federal Financial Institutions Examination Council

August 26, 2015

RECEIVED
Juneau
AUG 28 2015

Division of Corporations, Business
and Professional Licensing

Ms. Laura Carrillo, Licensing Examiner
Board of Certified Real Estate Appraisers
Department of Commerce, Community & Economic Development
Division of Corporations, Business & Professional Licensing
P.O. Box 110806
Juneau, AK 99811-0806

RE: ASC Preliminary Compliance Review of Alaska's Appraiser Regulatory Program

Dear Ms. Carrillo:

Thank you for your cooperation and your staff's assistance in the July 28-31, 2015, Appraisal Subcommittee (ASC) Compliance Review (Review) of the Alaska appraiser regulatory program. Enclosed are the ASC Staff Preliminary Compliance Review Findings. Deficiencies requiring your immediate attention were identified during the Review and closing conference. The Preliminary Compliance Review Findings are based on the Policy Statements in effect at the time of the Review.

In order to conclude our Review and investigation, please provide a written response within 60 days from the date of this letter. Your response should set forth steps taken, or steps you will take, to address each identified area of non-compliance. Your response should also include any additional information you would like the ASC to consider.

After receiving your response, or once the 60-day response period has passed, whichever occurs first, all correspondence and staff recommendations will be forwarded to the ASC for final consideration. You will receive a final ASC Compliance Review Report (Report) with the ASC's findings and required actions. The final Report will be posted to the public section of the ASC website in accordance with the Freedom of Information Act.

Please contact us if you have any questions.

Sincerely,



Denise Graves
Deputy Executive Director

Enclosure

cc: Mr. David Derry, Board Chair
Ms. Dawn Hannasch, Records & Licensing Supervisor
Ms. Sara Chambers, Operations Manager

ASC Compliance Categories:

Division of Corporations, Business
and Professional Licensing

Below are descriptions of the categories for the ASC Staff Assessment column of “yes”, “no” and “Area of Concern (AC)” on the ASC Preliminary Compliance Review Report.

- **No** – A **No** applies when the identified area is not in compliance with Title XI, ASC Policy Statements or AQB Criteria. **No** applies when the State has not completely resolved the concern. A **No** may be changed to a **yes** from the Preliminary Compliance Review Report to the Final Compliance Review Report if the State completely resolves the concern and ASC staff has validated the change. A **No** may be changed to an **AC** from the Preliminary Compliance Review Report to the Final Compliance Review Report if the State reports they resolved the concern, however, ASC staff has not validated the action(s).
- **Area of Concern (AC)** – An **AC** applies when an area is identified as technically in compliance, however ASC staff identified something that if continued could cause the Program to become out of compliance.

As an example, the State’s regulations do not require AQB Criteria for continuing education. The State, however, is in compliance by practice. The concern is that if the State is challenged legally, they could lose and be required to allow an appraiser to be renewed under the erroneous regulation.

An **AC** also applies when ASC staff has identified best practice suggestions that could strengthen the Program.

An **AC** may be changed to a **yes** from the Preliminary Compliance Review Report to the Final Compliance Review Report if the State’s action resolves the concern and ASC staff has validated the action(s).

As an example, the State amended and adopted the regulation to meet AQB Criteria and provided documentation showing the adoption was finalized.

An **AC** will remain if ASC staff is unable to verify the State’s reported remedy.

As an example, if the State reports that a remedy is in place and provides documents showing the new process, but ASC staff cannot validate that the State is actually using the new process, it will remain an **AC** until the next Review.

- **Yes** – A **Yes** applies when the State is in compliance in the area and ASC staff has not recommended State actions.

ASC Staff Compliance Review Preliminary Findings

Alaska Appraiser Regulatory Program (State)		
Board of Certified Real Estate Appraisers (Board)/Decision Making	ASC Compliance Review Date: July 28-31, 2015	PM: K. Klamet
Umbrella Agency: Department of Commerce, Community & Economic Development, Division of Corporations, Business & Professional Licensing	Review Period: August 2014 to July 2015	Report Issue Date: August 25, 2015
Number of State Credentialed Appraisers on National Registry: 246	Complaints Outstanding: 3	
Complaints Received During Review Period: 11	Complaints Exempted: None (Special Documented Circumstances)	Complaints Outstanding Including Exemptions: 0

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 JUL 28 2015
 AUG 8 2015
 Bureau

Division of Corporations, Business
 and Professional Licensing

Applicable Federal Citations	ASC Staff Assessment Compliance (YES/NO) Areas of Concern (AC)			ASC Staff Observations	ASC Staff Comments
	YES	NO	AC		
Statutes, Regulations, Policies and Procedures:		X			
States must, at a minimum, adopt and/or implement all relevant AQB Criteria. (12 U.S.C § 3345; 12 U.S.C. § 3347; Policy Statement 1 C, D.)				Alaska regulation 12 AAC 70.140 (c) has not been amended to adopt the January 1, 2015 edition of The Real Property Appraiser Qualification Criteria and Interpretations of the Criteria.	None
Temporary Practice:	X			No compliance issues noted.	None
National Registry:	X			No compliance issues noted.	None
Application Process:	X			No compliance issues noted.	None
Reciprocity:	X			No compliance issues noted.	None
Education:	X			No compliance issues noted.	None
Enforcement:	X			No compliance issues noted.	None



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND
PROFESSIONAL LICENSING

P.O. Box 110806
Juneau, AK 99811-0806
Main: 907.465.2550
Fax: 907.465.2974

September 29th, 2015

Denise Graves
Appraisal Subcommittee
Federal Financial Institutions, Examination Council
1401 H. Street, NW, Suite 760
Washington, DC 20005

Re: Response to ASC Preliminary Compliance Review for Alaska

Dear Appraisal Subcommittee Staff,

During your Compliance Review from August 2014 – July 2015, it was determined that the Alaska Board of Certified Real Estate Appraisers remained non-compliant in one (1) out of the seven (7) concerns identified by your agency. In the follow-up report dated August 26th, 2015, the ASC required further action by the Board to submit a written update regarding amendments to 12 AAC 70.140(c), which must reflect the January 1, 2015 edition of The Real Property Appraiser Qualification Criteria and Interpretations of the Criteria. Please allow this letter to serve as a response to the above referenced citation.

The Alaska Board of Certified Real Estate Appraisers is scheduled to convene on October 28th, 2015, and will discuss several proposed regulation amendments, including 12 AAC 70.140(c). A proposed amendment to the cited regulation is included on page two of the attachment. Board-approved regulation amendments will open up a 30-day public comment period before being introduced to legislation.

Respectfully,

A handwritten signature in blue ink that reads "Laura Carrillo".

Laura Carrillo
Licensing Examiner, Alaska Board of Certified Real Estate Appraisers

Attachment: Proposed regulation amendments

Cc: David Derry, Board Chair
Alfred Ferrara, Board Vice Chair
Dawn Hannasch, Records & Licensing Supervisor
Sara Chambers, Operations Manager
Janey Hovenden, Division Director

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.

(c) The following subject may be considered in an executive session:

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

MOTION WORDING:

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

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

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

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

Agenda Item #7

Regulations

APR Regulation Projects (proposed AMC regulations not included here)

- **12 AAC 70.100** – May be amended to add a new section:
 - (E) Submit a copy of the work product from any appraisal performed by the applicant and included in the log of appraisals submitted under 12 AAC 70.110(a)
- **12 AAC 70.100** – May be amended to add a new section:
 - (3) Passes the examination described in 12 AAC 070.130(a)(1)
- **12 AAC 70.105(c)** – May be amended to add a new section:
 - (E) Submit a copy of the work product from any appraisal performed by the applicant and included in the log of appraisals submitted under 12 AAC 70.110(a)
- **12 AAC 70.105** – May be amended to add a new section:
 - (3) Passes the examination described in 12 AAC 070.130(a)(2)
- **12 AAC 70.115** – May be amended to add a new section:
 - (f) An applicant for approval as a trainee appraiser shall document satisfactory completion of 75 creditable classroom hours as specified in the following core curriculum:
 - (1) basic appraisal principles, 30 hours;
 - (2) basic appraisal procedures, 30 hours;
 - (3) the 15-hour national USPAP course or its equivalent, 15 hours.
- **12 AAC 70.125(B)** – This regulation may be amended to read: “proof that the applicant has successfully completed and passed 75 classroom hours of instruction that meet the requirements in 12 AAC 70.115(f).”
- **12 AAC 70.125** – May be amended to add a new section:
 - (d) An trainee appraiser who is applying to transition as a certified general real estate appraiser must
 - (1) Submit a completed application, on a form provided by the department; the application must include:
 - (A) the personal identification information requested on the form;
 - (B) official transcripts showing the applicant has met the degree requirements of 12 AAC 70.115(a).
 - (C) in addition to the core curriculum requirements in 12 AAC 70.115(f), documentation of completion of 225 addition core curriculum hours as specified in 12 AAC 70.115(b)(4)-(10)
 - (D) Determination of Competency form per 12 AAC 70.935(c)(3)

- (E) Authorization for Release of Records form
- (2) Pay any fees required in 12 AAC 02.370
- (3) Submit a copy of the work product from any appraisal performed by the applicant and included in the log of appraisals submitted under 12 AAC 70.110(a)

- **12 AAC 70.125** – May be amended to add a new section:
 - (e) An trainee appraiser who is applying to transition as a certified residential real estate appraiser must
 - (1) Submit a completed application, on a form provided by the department; the application must include:
 - (A) the personal identification information requested on the form;
 - (B) official transcripts showing the applicant has met the degree requirements of 12 AAC 70.115(a).
 - (C)) in addition to the core curriculum requirements in 12 AAC 70.115(f), documentation of completion of 125 addition core curriculum hours as specified in 12 AAC 70.115(d)(4)-(10)
 - (D) Determination of Competency form per 12 AAC 70.935(c)(3)
 - (E) Authorization for Release of Records form
 - (2) Pay any fees required in 12 AAC 02.370
 - (3) Submit a copy of the work product from any appraisal performed by the applicant and included in the log of appraisals submitted under 12 AAC 70.110(a)

- **12 AAC 70.140(c)** – This regulation should be amended to read: “An applicant’s classroom hours of education for certification as a general or residential real estate appraiser must include coverage of all topics listed in the applicable Appraiser Qualification Criteria Developed by the Appraiser Qualifications Board of the Appraisal Foundation, *The Real Property Appraiser Qualification Criteria* effective January 1, 2015, located in the Appendix of the *Real Property Appraiser Qualification Criteria and Interpretations of the Criteria, adopted on December 9th, 2011.*”

- **12 AAC 70.105** – May be amended to add a new section:
 - A certified residential appraiser who is applying to transition as a certified residential real estate appraiser must
 - (1) Submit a completed application, on a form provided by the department; the application must include:
 - (A) the personal identification information requested on the form;
 - (B) official transcripts showing the applicant has met the degree requirements of 12 AAC 70.115(a).

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

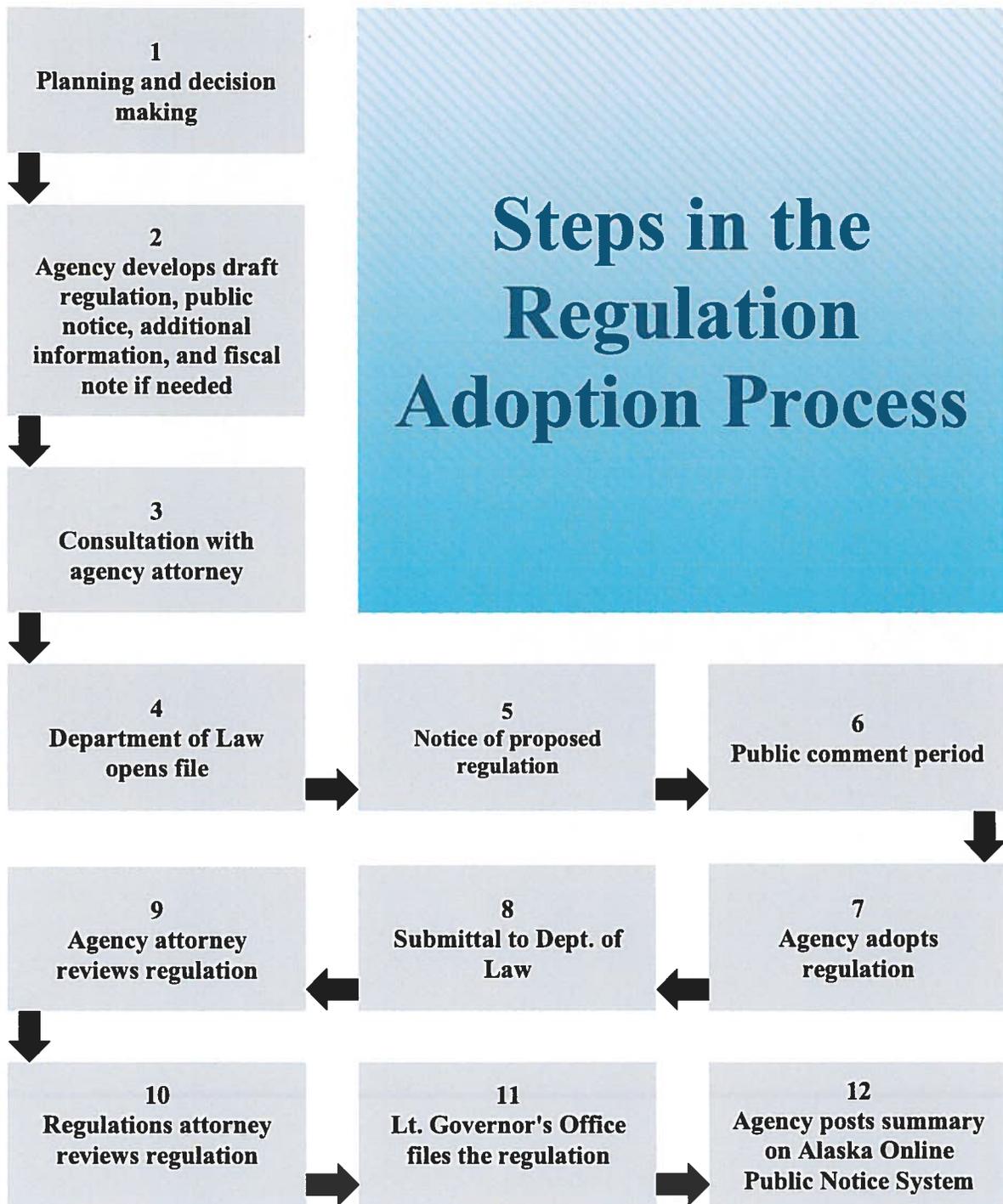
(D) Authorization for Release of Records form

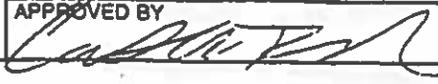
(E) a copy of a non-residential work product from any appraisal performed by the applicant and included in the log of appraisals submitted under 12 AAC 70.110(a)

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

(2) Pay any fees required in 12 AAC 02.370

(3) Pass the examination described in 12 AAC 070.130(a)(1) and 12 AAC 70.100(3)



STATE OF ALASKA DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT POLICY AND PROCEDURES		P & P No. DOL-19	Page 1 OF 3
SUBJECT BOARD/COMMISSION ACTION ON REGULATIONS		Effective Date December 1995	
		Supersedes P & P No. DOL-19	Dated 10/95
DIVISION OCCUPATIONAL LICENSING		SECTION	
APPROVED BY 			

REQUEST FOR REGULATIONS: When a board/commission requests a change in its regulations, the board/commission should explain, on the record during a properly noticed public meeting, the reason for the change and give detailed information on the change requested. The staff person responsible for the meeting minutes is also responsible for relaying the board/commission's request to the regulations specialist through a draft copy of the minutes, plus any other information that explains the board/commission's request.

The regulations specialist will provide a draft copy of the requested changes in the regulations. It may be necessary to consult with the Department of Law on the board/commission's authority to make the changes requested. It may also be necessary for the board/commission to provide additional information on its intent before the regulations changes are drafted.

PUBLIC NOTICE OF REGULATIONS CHANGES: Once a board/commission has reviewed the draft of proposed regulations and agreed on the wording of the proposed changes, the board/commission must pass a motion approving the regulations for public notice. The board/commission should state on the record whether it intends to hold a public hearing on the regulations. The responsible staff should give a draft copy of the minutes to the regulations specialist and provide the date, location, and time of the public hearing, if applicable.

The regulations specialist will prepare and distribute the public notice, including providing a copy of the notice and regulations to all board/commission members and the affected staff.

PUBLIC COMMENTS ON REGULATIONS: All notices of proposed regulations include an opportunity for the public to give written comments on the regulations and a specific invitation for comments on the cost of the proposed regulatory action. The board/commission is obligated to seriously consider all written comments, and oral comments if a hearing is held, before taking final action on the regulations. To be considered, written or oral comments must be submitted as instructed in the public notice.

The public notice also includes a deadline for submitting written comments. This deadline is strictly enforced, and letters received after the deadline will not be forwarded to a board/commission for its consideration. Written comments must be received at the address given in the public notice by the deadline date; the postmark date is not considered.

Comments received by phone will not be considered as written comments. The division will accept faxed comments. Staff should inform anyone submitting oral comments outside of the public hearing that the comments will not become a part of the record of the regulations project.

Comment letters should be addressed to the regulations specialist. **If a staff member other than the regulations specialist receives a letter commenting on proposed regulations, the letter should be given to the regulations specialist immediately.**

STATE OF ALASKA DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT POLICY AND PROCEDURES		P & P No. DOL-19	Page 2 OF 3
		Effective Date December 1995	
SUBJECT BOARD/COMMISSION ACTION ON REGULATIONS		Supersedes P & P No. DOL-19	Dated 10/95
		APPROVED BY	
DIVISION OCCUPATIONAL LICENSING	SECTION		
<p>At the close of the public comment period, the regulations specialist will compile the written comments and provide them to staff for distribution to board/commission members. The board/commission chair should ensure that all members have carefully considered the public comment letters before the board/commission takes action on the regulations.</p> <p>REGULATION HEARINGS: If a board/commission chooses to hold a hearing on proposed regulations, the information about the public hearing must be included in the original or a supplemental notice of the proposed regulations. Hearings are usually held in conjunction with a regularly-scheduled meeting of the board/commission, and are always recorded. A board/commission may choose to use teleconferencing sites for the regulations hearing.</p> <p>If a board/commission has not given notice of a public hearing, the board/commission may not accept any oral comments on the regulations. If the board/commission accepts oral comments without having given notice of a public hearing, the board/commission is required to give supplemental notice and hold a hearing at a later date to allow other interested parties to give oral comments.</p> <p>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.</p> <p>Staff should provide a sign-up sheet at the beginning of the hearing for those who plan to give oral comments.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>The board/commission's final action must be in the form of a motion that is passed.</p>			

STATE OF ALASKA DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT POLICY AND PROCEDURES		P & P No. DOL-19	Page 3 OF 3
SUBJECT BOARD/COMMISSION ACTION ON REGULATIONS		Effective Date December 1995	
		Supersedes P & P No. DOL-19	Dated 10/95
		APPROVED BY	

DIVISION OCCUPATIONAL LICENSING	SECTION
---	---------

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, 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.

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.

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MOTION WORDING:

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

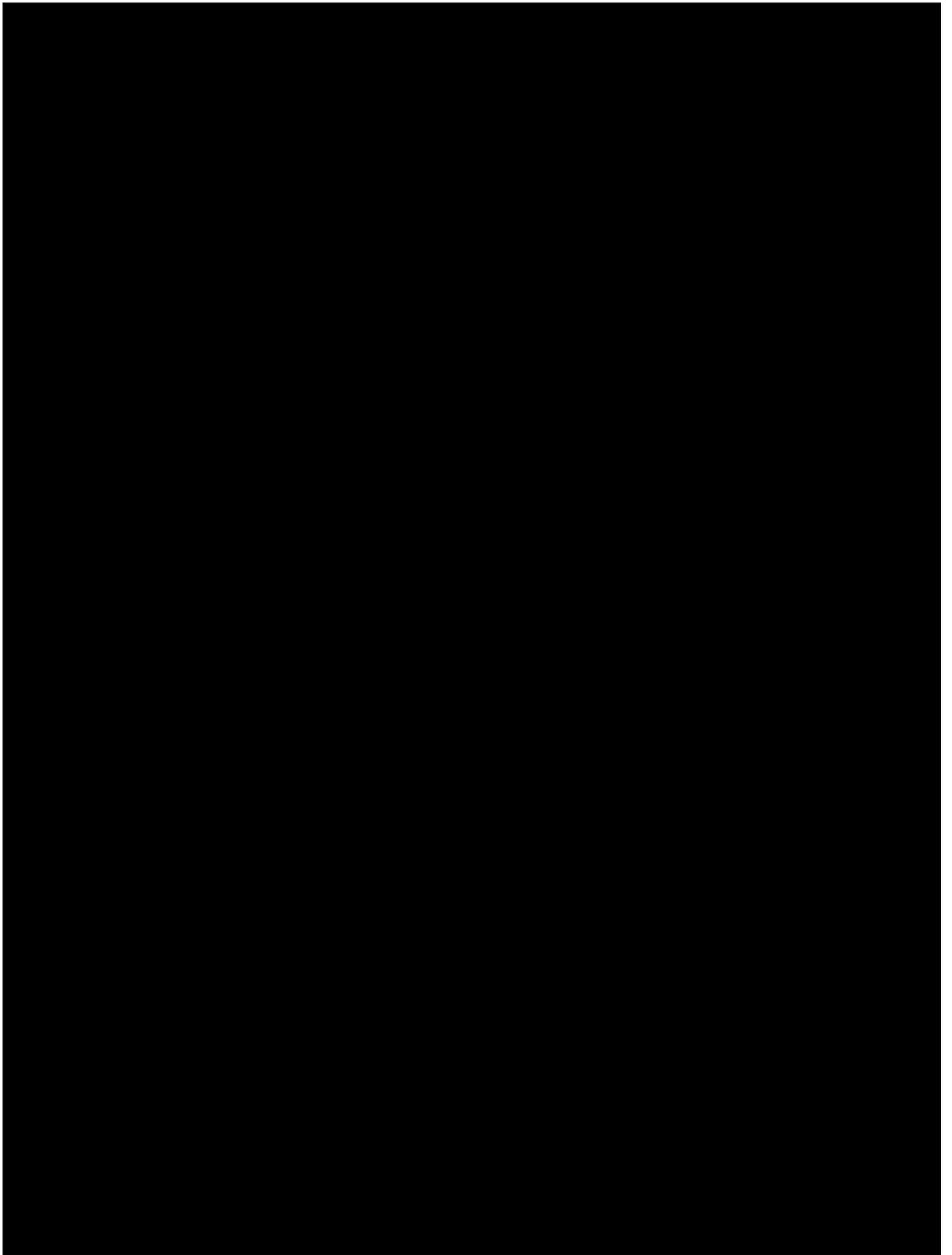
- (1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity; *OR***
- (2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; *OR***
- (3) matters which by law,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

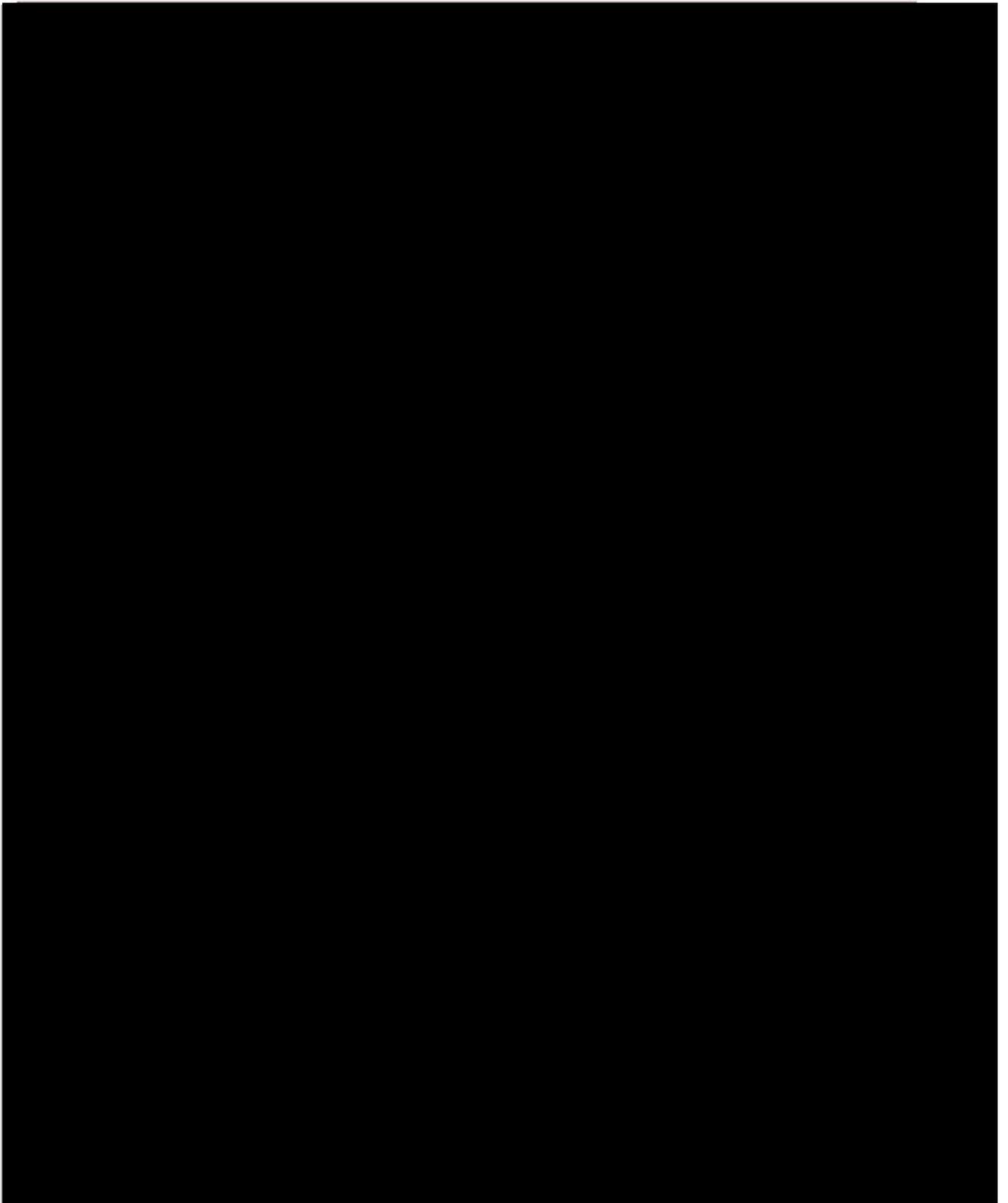
**Board staff is requested to remain during the session *OR*
Board only to remain during session.”**

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

Agenda Item #8

Board Business





Board of Certified Real Estate Appraisers

Approved Supervisors

Note: In order to become an approved supervisor, a certified real estate appraiser must submit form 08-4663 (Supervisor Approval Request), as well as a certificate showing completion of a supervisory appraiser/trainee appraiser course.

Approved Supervisor Name	Certificate Type	Number	Effective Date
██████████	██████████	████	██████████

EXECUTIVE SESSION MOTION

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

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

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

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



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

Real Estate Appraisers Program

State Office Building, 333 Willoughby Avenue, 9th Floor

PO Box 110806, Juneau, AK 99811-0806

Phone: (907) 465-2550 • Fax: (907) 465-2974

Email: license@alaska.gov

Website: ProfessionalLicense.Alaska.Gov/RealEstateAppraisers

Application For General Real Estate Appraiser Certification

The following documents and fees must be on file with the division before the file will be reviewed;

1. **APPLICATION:** Completed, signed and notarized application (Form 08-4163). An applicant with a "yes" answer to one or more professional conduct questions must submit a separate written, signed and dated explanation and provide copies of any supporting documents.

2. **FEES:**

Nonrefundable Application Fee	\$450
Initial Certification Fee	\$1050
Federal Registry Fee	\$80
Total Fees Due	\$1580

3. **RELEASE:** Completed Authorization for Release of Records form (provided below).

4. **CHOOSE TO APPLY FOR CERTIFICATION BY:**

Endorsement

If the jurisdiction from which you are using your credentials to apply in Alaska is **not** in compliance with the provision of Title XI of the Financial Institutions Reforms Recovery and Enforcement Act (FIRREA of 1989) as determined by the Appraisal Subcommittee (ASC). State compliance reviews will be conducted administratively.

Reciprocity

If the jurisdiction from which you are using your credentials to apply in Alaska is in compliance with the provision of Title XI of the Financial Institutions Reforms Recovery and Enforcement Act (FIRREA of 1989) as determined by the Appraisal Subcommittee (ASC). State compliance reviews will be conducted administratively.

Examination

If you hold a Bachelor's degree, have completed core curriculum requirements, and are requesting Board approval to take the Uniform State General Certification Examination endorsed by the Appraiser Qualifications Board of the Appraiser Foundation.

Residential Transition

If you currently hold credentials of the certified residential real estate appraiser and have completed 100 core curriculum core requirements to become a certified general appraiser.

Trainee Transition

If you hold a current certification as a trainee and have completed 225 hours of core curriculum education required to become a certified general appraiser.

CERTIFICATION BY ENDORSEMENT: In addition to the fees, release and application, the following items must be on file before the board will consider an application for a certificate by endorsement;

1. **Copy of examination results** as proof of successful completion of the Uniform State General Certification Examination endorsed by the Appraiser Qualifications Board of the Appraisal Foundation.
2. **Licensure Verification Form** sent directly from each state or other licensing jurisdiction in which the applicant holds or has held a real estate appraiser certificate or license (attached).
 - a. The state from which the applicant is endorsing must have certification requirements substantially equivalent to Alaska's requirements, i.e., 300 creditable hours of classroom instruction, 3,000 hours of work experience and successful completion of an approved examination.
 - b. The verification must confirm that the applicant is not the subject of an unresolved complaint or disciplinary action before an authority regulating real estate appraisers or a professional real estate appraisers' association.
3. **Authorization for Release of Records** (attached).

CERTIFICATION BY RECIPROCITY: In addition to the fees, release and application, the following must be on file before the Board will consider an application for a certificate by examination as a general real estate appraiser:

1. **Application:** Completed, signed and notarized application. An applicant with a “yes” answer to one or more professional conduct questions must submit a separate written, signed and dated explanation and provide copies of any supporting documents.
2. **Certification/License Requirements:** An applicant for certification as a general real estate appraiser by reciprocity must hold a valid certificate or license from a state whose requirements for real estate appraiser certification meets or exceeds those required in AS 08.87.110(c) and 12 AAC 70.106.
3. **Certification/License Verification** sent directly from each state or other licensing jurisdiction in which the applicant holds or has held a real estate appraiser certificate or license.
 - a. The State from which the applicant is endorsing must have certification requirements substantially equivalent to Alaska's requirements, i.e., 300 creditable classroom hours of education, 3,000 hours of work experience and successful completion of an approved examination.
 - b. The verification must confirm that the applicant is not the subject of an unresolved complaint or disciplinary action before an authority regulating real estate appraisers or a professional real estate appraisers' association.
4. **Authorization for Release of Records** (attached).

CERTIFICATION BY EXAMINATION: In addition to the fees, release and application, the following must be on file before the Board will consider an application for a certificate by examination as a general real estate appraiser:

1. **Official Transcripts:** notarized copies of certificates of completion, or other evidence of course completion acceptable to the board, that verify classroom hours of education required in 12 AAC 70.115 (see below).
2. **Core Curriculum:** 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 specified in the following core curriculum, of which at least 150 hours must be completed within the five years preceding the date of a complete application:
 - a. basic appraisal principles, 30 hours;
 - b. basic appraisal procedures, 30 hours;
 - c. 15-hour National USPAP course taught by an Appraiser Qualifications Board Certified Instructor;
 - d. general appraiser market analysis and the principle of the highest and best use of property, 30 hours;
 - e. statistics, modeling, and finance, 15 hours;
 - f. general appraiser sales comparison approach, 30 hours;
 - g. general appraiser site valuation and cost approach, 30 hours;
 - h. general appraiser income approach, 60 hours;
 - i. general appraiser report writing and case studies, 30 hours;
 - j. appraisal subject matter electives, 30 hours.
3. **Degree Requirements:** A bachelor's degree or higher from an accredited college or university;
4. **Work Experience:** Three forms completed by a combination of three different individuals referenced in 12 AAC 70.110 (form enclosed) verifying 3,000 hours of experience with at least 1,500 hours in nonresidential work obtained continuously over a period of not less than 30 months. An applicant may not receive credit for more than 1,250 hours of experience in real property appraisal in a 12-month period;
5. **Completed Work Verification Log:** Document appraisal work. Please do not submit work products (appraisal report) at time of application. Please do not submit work products at time of application. The Board or Board Designee will select products for review.
6. **Examination:** Copy of examination results as proof of successful completion of the Uniform State General Certification Examination endorsed by the Appraiser Qualifications Board of the Appraiser Foundation. The Alaska Board of Certified Real Estate Appraisers currently utilizes as its testing agent Pearson Education, Inc., which administers both the Certified Residential Appraiser test and the Certified General Appraiser test. For specific information regarding the examination, contact: For information regarding the examination, contact: *Pearson Vue*, 800-274-7488.
7. **Authorization for Release of Records** (attached).

RESIDENTIAL TRANSITION: In addition to the fees, release and application, the following must be on file before the Board will consider an application for a certified residential real estate appraiser to transition to a general real estate appraiser:

1. **Core Curriculum:** 100 hours of hours related to general real estate appraising
2. **Authorization for Release of Records** (attached).

TRAINEE TRANSITION: In addition to the fees, release and application, the following must be on file before the Board will consider an application for a certified trainee to transition to a general real estate appraiser

1. **Core Curriculum:** 225 additional hours of education per 12 AAC 70.115(a); 4-10 under “B” of exam directions above.
2. **Determination of Competency** (attached)
3. **Authorization for Release of Records** (attached).

! General Information

APPLICATION PROCESSING:

The amount of time it takes to process the application varies, depending on when all complete and correct documents and fees are received by the division. If the application is incomplete, the applicant will be notified of incomplete and/or incorrect documents and fees. When the application is complete and correct, all supporting documents have been received, and all fees have been paid, a license will be issued and sent to you with an accompanying cover letter with further information about Alaska statutory requirements. If the application is not approved for licensure, a written explanation of the basis of that denial and information on how to appeal the decision will be provided.

CERTIFICATE TERM:

Certificates are issued for a two-year period. However, all real estate certificates expire on June 30 of odd-numbered years, regardless of the date of issuance, except certificates or licenses issued within 90 days of the expiration date are issued to the next biennial expiration date. One renewal notice will be mailed at least 30 days before the certificate expiration to the last known address of record.

FINGERPRINTING:

For programs requiring fingerprinting please be advised that processing is performed by the Department of Public Safety and they require about two months for processing, so plan accordingly.

“YES” RESPONSES:

A “Yes” response in the application does not mean your application will be denied. If you have responded “Yes” to any professional fitness question in the application be sure to submit an explanation and documentation.

DENIAL OF APPLICATION:

Please be aware that the denial of an application of licensure may be reported to any person, professional licensing board, federal, state, or local governmental agency, or other entity making a relevant inquiry or as may be required by law.

ADDRESS OR NAME CHANGE:

In accordance with 12 AAC 02.900, it is the applicant's/licensee's responsibility to notify the division, in writing, of changes of address or name. Name and address change notification forms are available on the division's website. The address of record with the division will be used to send renewals and all other official notifications and correspondence. The name appearing on the license must be your current legal name.

SOCIAL SECURITY NUMBERS:

AS 08.01.060 and 08.01.100 require that a U.S. Social Security Number be on file with the division before a professional license is issued or renewed for an individual. If you do not have a U.S. Social Security Number, please complete the Request for Exception from Social Security Number Requirement form located at ProfessionalLicense.Alaska.gov or contact the division for a copy of the form.

SPECIAL ACCOMMODATIONS FOR EXAMINATION:

Programs under the jurisdiction of the Division of Corporations, Business and Professional Licensing are administered in accordance with the Americans with Disabilities Act. If you require a special accommodation when taking the licensing examination you must submit an *Application for Examination Accommodations for Candidates with Disabilities form* (08-4214).

PUBLIC INFORMATION:

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

ABANDONMENT:

Under 12 AAC 02.910, an application is considered abandoned when 12 months have elapsed since correspondence was last received from or on behalf of the applicant. An abandoned application is denied without prejudice. At the time of abandonment, the division will send notification to the last known address of the applicant, who has 30 days to submit a written request for a refund of biennial license and other fees paid, however the application fee will not be refunded. If no request for refund is received within that time frame, no refund will be issued.

PAYMENT OF CHILD SUPPORT AND STUDENT LOANS:

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

BUSINESS LICENSES:

Renewal applications for business licenses are mailed separately. For more information about business licenses, call (907) 465-2550 or online at BusinessLicense.Alaska.gov

STATUTES AND REGULATIONS:

The complete set of statutes and regulations for this program is available on the division's website at ProfessionalLicense.Alaska.gov. If you are unable to download the statutes and regulations, please contact the division and request a copy by mail.

NOTIFICATION OF PROPOSED REGULATION CHANGES

If you would like to receive notice of all proposed regulations changes for your program please send a request in writing with your name, preferred contact method (mail or e-mail) and the program you want to be updated on to:

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



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

APR

FOR DIVISION USE ONLY

Real Estate Appraisers Program
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Website: ProfessionalLicense.Alaska.Gov/RealEstateAppraisers

Certified General Real Estate Appraiser Application

PART I		Application Type and Payment of Fees	
Applying by:	<input type="checkbox"/> Endorsement, State of _____	<input type="checkbox"/> Reciprocity, State of _____	
	<input type="checkbox"/> Examination	<input type="checkbox"/> Residential Transition	<input type="checkbox"/> Trainee Transition
Fees Due:	<input type="checkbox"/> Nonrefundable Application Fee		\$450
	<input type="checkbox"/> Initial Certification Fee		\$1050
	<input type="checkbox"/> Federal Registry Fee (\$40 per year)		\$80
Make checks payable to: State of Alaska or use the attached credit card payment form.			TOTAL: \$1580

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

PART III Professional Fitness Questions

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

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

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

PART IV Notarized Signature

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

<div style="border: 1px dashed gray; width: 80%; margin: auto; padding: 10px;"> <p style="color: gray; font-size: small;">Notary Stamp</p> </div>	Signature of Applicant:	Name of Applicant:
	Notary Public for the State of:	My Commission Expires:
	SUBSCRIBED AND SWORN TO before me on this day:	

PART VI Statutory Education Requirement (Exam and Trainee Transition Applicants Only)

DEGREE REQUIREMENT 12 AAC 70.115(a)

12 AAC 70.115(a): An applicant must hold a Bachelor's degree or higher. Send official transcripts to the Division.

School	Degree	Date Degree Receive

— AND —

Per 12 AAC 70.115(b) an applicant for certification as a general real estate appraiser **BY EXAMINATION** shall document satisfactory completion of 300 creditable classroom hours of instruction that meet the requirements in 12 AAC 70.140 with emphasis of general properties, and specified in the following core curriculum, of which at least 150 hours must be completed within the five years immediately preceding the date of a complete application.

TRAINEES: Under the provisions of Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Appraisal Qualifications Board (AQB) established the following requirements for an applicant to transition from a certified trainee appraiser to a certified general real estate appraiser.

Trainee appraisers transitioning to a certified general real estate appraiser must document completion of 4-10 below for 225 additional hours:

Required Courses	Course Sponsor	Course #	Date	Hours
1. Basic Appraisal Principles Hours Required: 30				
2. Basic Appraisal Procedures Hours Required: 30				
3. 15-Hour National USPAP Course or Equivalent Hours Required: 15				
4. General Market Analysis and the Principle of Highest and Best Use of Property Hours Required: 30				
5. Statistics, Modeling and Finance Hours Required: 15				
6. General Sales Comparison Approach Hours Required: 30				
7. General Appraiser Site Valuation and Cost Approach Hours Required: 30				
8. General Income Approach Hours Required: 60				
9. General Report Writing and Case Studies Hours Required: 30				
10. Appraisal Subject Matter Electives Hours Required: 30				

Are the required course completion certificates attached?

Yes

No

PART VII Required Core Curriculum (Residential Transition Applicants Only)

Under the provisions of Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Appraisal Qualifications Board (AQB) established the following requirements for an applicant to transition from a certified residential real estate appraiser to a certified general real estate appraiser.

Required Courses	Course Sponsor	Course #	Date Completed	Hours Completed
1. General Appraiser Market Analysis and Highest and Best Use Hours Required: 15				
2. General Appraiser Sales Comparison Approach Hours Required: 15				
3. General Appraiser Site Valuation and Cost Approach Hours Required: 15				
4. General Appraiser Income Approach Hours Required: 45				
5. General Appraiser Report Writing and Case Studies Hours Required: 10				
Total Hours: 100				
Are the required course completion certificates attached?			Yes <input type="checkbox"/>	No <input type="checkbox"/>



THE STATE
of

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Real Estate Appraisers Program

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E-mail: license@alaska.gov

Website: ProfessionalLicense.Alaska.Gov/RealEstateAppraisers

PART VIII Authorization for Release of Records

To Whom It May Concern:

I, _____
First Name Middle Name Last Name

residing at _____
Address City State ZIP Code

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

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

This release also applies to any documents or records which contain information pertaining to psychiatric, drug or alcohol evaluation, diagnosis, or treatment received by me and which were prepared or made in conjunction with, or under the authority or guidance of any local, state, or federal law which relates to psychiatric, drug or alcohol evaluation, diagnosis or treatment.

I request that upon presentation of this release, or a certified true copy of it, that you provide copies of those records to the Division and/or its investigators, and/or representatives of the Office of the Attorney General of the State of Alaska.

This authorization is given expressly in connection with my application for issuance of a certificate as a real estate appraiser. This authorization expires one year from the date of my signature below.

Signature: _____ Date: _____

Home Telephone: _____ Work Telephone: _____



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PART IX Verification of Licensure / Certification

Name and Address of Applicant	
--------------------------------------	--

TO STATE LICENSING BOARD: I, the applicant, am applying for a certification to practice as a General Real Estate Appraiser in the State of Alaska. The Alaska Real Estate Appraisers Program requires that this form be completed by each jurisdiction in which I hold or have held licenses/certificates. The state boards must complete the bottom section of this form and return it **directly to the above address**. The State of Alaska will also accept a standard computer verification that provides substantially the same information.

— — — THIS PART TO BE COMPLETED BY THE LICENSING BOARD — — —

Name of Licensee / Certificate Holder		Date of Birth:	
License / Certificate Number	Original Issue Date:	State:	
Certificate Type	Date by Endorsement:	Date by Reciprocity:	Date by Examination:
Exam Source (If applicable)		Date of Exam:	
Is the License / Certificate Current?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Lapse Date:	Expiration Date:
Is the applicant the subject of an unresolved complaint or ongoing disciplinary action?			* Yes <input type="checkbox"/> No <input type="checkbox"/>
Has the applicant's license/certificate ever been suspended, revoked, voluntarily surrendered, placed on probation, or restricted in any other way?			* Yes <input type="checkbox"/> No <input type="checkbox"/>
* If yes, please provide a copy of the disciplinary action document.			
Comments (if any)			
BOARD SEAL (All verifications must have a board seal)	Sign and Date: _____ State Board and Title: _____ Email: _____ Contact Phone Number: _____		



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of

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PART X Verification of Work Experience (For Examination Applicants Only)

Verification of 3,000 hours of appraisal work obtained continuously over a period of not less than 30 months (at least 1,500 hours in nonresidential appraisal work) must be certified by a combination of at least three different individuals referenced below:

Reference Types - 1) a licensed construction contractor; 2) a federal or state regulated lender; 3) a present or former employer of the applicant; 4) an officer of a state or federal agency; 5) or an officer of a company that customarily uses the services of a real estate appraiser who has recent knowledge of the applicant's experience on that company's behalf.

If an applicant cannot, for good cause, provide work experience forms from at least three different individuals, the board may, consider and approve other kinds of work experience verification.

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

Printed Name

Title

Representing

I certify to my knowledge that:

(Name of Applicant) _____ has at least 3,000 hours (obtained over a period of not less than 30 months) of experience of which 1,500 hours of experience is known to me to be nonresidential experience in real property appraisal.

I am/was associated with the applicant from _____ Mo/Yr to _____ Mo/Yr,

in the capacity of (reference types 1-5 above) _____

Notary Stamp

Signature of Applicant:

Notary Public for the State of:

SUBSCRIBED AND SWORN TO before me on this day:



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Determination of Competency

(For trainees transitioning to certified general real estate appraiser)

To be completed by the supervisory appraiser within 10 days of the competency determination date.
12 AAC 70.935(c)(3)

Trainee Appraiser Name		Certificate #	
-------------------------------	--	----------------------	--

Supervisor Name		Certificate #	
Supervision State Date		Determination Date	

During the above-stated period I have determined that the above real estate appraiser trainee has demonstrated his/her ability in the Competency Rule which states in the Uniform Standards of Professional Appraisal Practice that an appraiser must:

1. be competent to perform the assignment;
2. acquire necessary competency to perform the assignment, or;
3. decline or withdraw from the assignment.

I observed that this trainee real estate appraiser has demonstrated:

- The ability to properly identify the problem to be addressed, and;
- The knowledge and experience to complete the assignment competency and;
- Recognition of, and compliance with, laws and regulations that apply to the appraiser or to the assignment.

Signature: _____ **Date:** _____

WORK LOG VERIFICATION GUIDELINES

Please use the following guide when completing the work verification log. The purpose of this log is for the board to determine the diversity and complexity of work experience and to verify the appropriate number of work hours. **Please note that for EXAMINATION applications, the Board will randomly select a work product to determine USPAP compliance, which must be submitted to the Board before a certificate is issued. The work product will be selected based on these forms.**

Part One Guidelines

Report Date: The month and year the appraisal report was completed.

Subject Property Address: This is the common name/location of the property, i.e., George's Office Tower, Anchorage, Alaska. Please be very clear so the board can understand the property being appraised.

Report Type: Please check appropriate format for report, i.e., Restricted Report, Summary, or Appraisal Report.

Property Classification: Indicate the type of property classification (Key included on next page).

Client Named in Report: Name of client or entity for which the report was prepared.

Work Hours: Indicate total number of hours spent on research, analysis, and preparation of report. Do not include hours which someone else spent.

Part Two Guidelines

Trainee Appraiser: For each criterion (I – X), the trainee appraiser shall indicate whether they contributed to the specific appraisal criteria by writing, "T" in the appropriate line for each property documented.

Supervisory Appraiser: For each criterion (I – X), the supervisory appraiser shall indicated on the appropriate line for each property documented whether they had the following responsibilities:

- Primary Responsibility → Write "P"
- Co-Appraiser → Write "C"
- Reviewed and Approved → Write "R"

For criterion XI indicate the approximate number as described below under experience category.

Criterion Includes:

- I. Inspected property
- II. Developed Building Description and Analysis
- III. Neighborhood Description and Market Analysis
- IV. Developed the Highest and Best Use
- V. Collected, Verified and Analyzed Data
- VI. Developed Income Approach
- VII. Developed Cost Approach
- VIII. Developed Sales Comparison
- IX. Developed Final Reconciliation
- X. Other (attach an explanation on a separate piece of paper)
- XI. Experience Category: Indicate on the line the numeric value associated with each experience type (described below):

- 1.) Fee and Staff Appraisal
- 2.) Ad Valorem Tax Appraisal
- 3.) Review Appraisal
- 4.) Appraisal Analysis
- 5.) Real Estate Counseling
- 6.) Highest and Best Use Analysis
- 7.) Feasibility Analysis
- 8.) Setting forth opinions of value of real property for tax purposes as an employee of a county assessor or Board of Equalization
- 9.) Assistance in preparation of appraisals
- 10.) Real estate valuation experience as a real estate lending officer or real estate broker, but only to the extent that the experience is directly related to the actual performance or professional review of real estate appraisals.

WORK VERIFICATION LOG

PART TWO:

Assignments for Month of: _____
 (Complete a Work Verification Log for each month)

Trainee Appraiser: For each criterion I through I, indicate to which portions of the assignment you contributed by writing "T" in the line designated for Trainee Appraisers.

Supervisory Appraiser: For criterion I through X, indicate to which portions of the assignment you contributed by writing "P" (Had Primary Responsibility), "C" (Co-appraised), or "R" (Reviewed and Approved) in the line designated for Supervisory Appraisers.

Name: _____ Certificate #: _____

Signature: _____ Date Signed: _____

Hours Requested on This Page _____ Total Hours: _____

PART ONE:

Report Type: Restricted Report = **RR** Summary = **SU** Appraisal Report = **AR**

Property Classification: Commercial Building = **CB** Commercial & Office Land = **CL** Farm/Forest Land = **FL**
 FL with Residential/Farm-Use Equipment = **FR** Industrial & Business Campus Land = **IL**
 Industrial Warehouse & Manufacturing Building = **IB** Multi-Family Small 2-4 Units = **MFS**
 Multi-Family Large 5+ Units = **MFL** Multi-Family Land = **ML** Office Buildings = **OB**
 Residential Single-Family Land including Subdivision Potential and Multiple Lot Sales = **RL**
 Single-Family Residential = **SFR** Other = **OT** – specify _____

Report Date	Subject Property Address	Report Type	Property Classification	Client Named in Report	Work Hours	T – Trainee	S – Supervisor	I. Inspected Property	II. Developed Building Description and Analysis	III. Neighborhood Description & Market Analysis	IV. Developed the Highest & Best Use	V. Collected, Verified and Analyzed Data	VI. Developed Income Approach	VII. Developed Cost Approach	VIII. Developed Sales Comparison	IX. Developed Final Reconciliation	X. Other (please attach explanation)	XI. Experience Category (1-10) on code page
						T	S											
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						T	S											
						S												
						T	S											
						S												
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						S												
						T	S											
						S												
						T	S											
						S												

Supervisory Appraiser Name: _____ Certificate Number: _____

Supervisory Appraiser Signature: _____ Date: _____



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

Real Estate Appraisers Program

State Office Building, 333 Willoughby Avenue, 9th Floor

PO Box 110806, Juneau, AK 99811-0806

Phone: (907) 465-2550 • Fax: (907) 465-2974

Email: license@alaska.gov

Website: ProfessionalLicense.Alaska.Gov/RealEstateAppraisers

Application For Residential Real Estate Appraiser Certification

The following documents and fees must be on file with the division before the file will be reviewed:

- APPLICATION:** Completed, signed and notarized application (Form 08-4163). An applicant with a "yes" answer to one or more professional conduct questions must submit a separate written, signed and dated explanation and provide copies of any supporting documents.

- FEES:**

Nonrefundable Application Fee	\$450
Initial Certification Fee	\$1050
Federal Registry Fee	\$80
Total Fees Due	\$1580

- RELEASE:** Completed Authorization for Release of Records form (provided below).

- CHOOSE TO APPLY FOR CERTIFICATION BY:**

Endorsement

If the jurisdiction from which you are using your credentials to apply in Alaska is **not** in compliance with the provision of Title XI of the Financial Institutions Reforms Recovery and Enforcement Act (FIRREA of 1989) as determined by the Appraisal Subcommittee (ASC). State compliance reviews will be conducted administratively.

Reciprocity

If the jurisdiction from which you are using your credentials to apply in Alaska is in compliance with the provision of Title XI of the Financial Institutions Reforms Recovery and Enforcement Act (FIRREA of 1989) as determined by the Appraisal Subcommittee (ASC). State compliance reviews will be conducted administratively.

Examination

If you hold a Bachelor's degree, have completed core curriculum requirements, and are requesting Board approval to take the Uniform State Residential Certification Examination endorsed by the Appraiser Qualifications Board of the Appraiser Foundation.

Trainee Transition

If you hold a current certification as a trainee and have completed 125 hours of core curriculum education required to become a certified residential appraiser.

CERTIFICATION BY ENDORSEMENT: In addition to the fees, release and application, the following items must be on file before the board will consider an application for a certificate by endorsement;

- Copy of examination results** as proof of successful completion of the Uniform State Residential Certification Examination endorsed by the Appraiser Qualifications Board of the Appraisal Foundation.
- Licensure Verification Form** sent directly from each state or other licensing jurisdiction in which the applicant holds or has held a real estate appraiser certificate or license (attached).
 - The state from which the applicant is endorsing must have certification requirements substantially equivalent to Alaska's requirements, i.e., 200 creditable hours of classroom instruction, 2,500 hours of work experience and successful completion of an approved examination.
 - The verification must confirm that the applicant is not the subject of an unresolved complaint or disciplinary action before an authority regulating real estate appraisers or a professional real estate appraisers' association.
- Authorization for Release of Records** (attached).

CERTIFICATION BY RECIPROCITY: In addition to the fees, release and application, the following must be on file before the Board will consider an application for a certificate by examination as a residential real estate appraiser:

1. **Application:** Completed, signed and notarized application. An applicant with a “yes” answer to one or more professional conduct questions must submit a separate written, signed and dated explanation and provide copies of any supporting documents.
2. **Certification/License Requirements:** An applicant for certification as a residential real estate appraiser by reciprocity must hold a valid certificate or license from a state whose requirements for real estate appraiser certification meets or exceeds those required in AS 08.87.110(c) and 12 AAC 70.106.
3. **Certification/License Verification** sent directly from each state or other licensing jurisdiction in which the applicant holds or has held a real estate appraiser certificate or license.
 - a. The State from which the applicant is endorsing must have certification requirements substantially equivalent to Alaska's requirements, i.e., 200 creditable classroom hours of education, 2,500 hours of work experience and successful completion of an approved examination.
 - b. The verification must confirm that the applicant is not the subject of an unresolved complaint or disciplinary action before an authority regulating real estate appraisers or a professional real estate appraisers' association.
4. **Authorization for Release of Records** (attached).

CERTIFICATION BY EXAMINATION: In addition to the fees, release and application, the following must be on file before the Board will consider an application for a certificate by examination as a residential real estate appraiser:

1. **Official Transcripts:** notarized copies of certificates of completion, or other evidence of course completion acceptable to the board, that verify classroom hours of education required in 12 AAC 70.115 (see below).
2. **Core Curriculum:** 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 nonresidential properties, and specified in the following core curriculum, of which at least 150 hours must be completed within the five years preceding the date of a complete application:
 - a. basic appraisal principles, 30 hours;
 - b. basic appraisal procedures, 30 hours;
 - c. 15-hour National USPAP course taught by an Appraiser Qualifications Board Certified Instructor;
 - d. residential market analysis and highest and best use, 15 hours;
 - e. residential appraiser site valuation and cost approach, 15 hours;
 - f. residential appraiser sales comparison approach, 30 hours;
 - g. residential appraiser report writing and case studies, 15 hours;
 - h. statistics, modeling and finance, 15 hours;
 - i. Advanced residential applications and case studies, 15 hours;
 - j. appraisal subject matter electives, 20 hours.
3. **Degree Requirements:** A bachelor's degree or higher from an accredited college or university;
4. **Work Experience:** Three forms completed by a combination of three different individuals referenced in 12 AAC 70.110 (form enclosed) verifying 2,500 hours of experience obtained continuously over a period of not less than 24 months. An applicant may not receive credit for more than 1,250 hours of experience in real property appraisal in a 12-month period.
5. **Completed Work Verification Log:** Document appraisal work. Please do not submit work products (appraisal report) at time of application. Please do not submit work products at time of application. The Board or Board Designee will select products for review.
6. **Examination:** Copy of examination results as proof of successful completion of the Uniform State Residential Certification Examination endorsed by the Appraiser Qualifications Board of the Appraiser Foundation. The Alaska Board of Certified Real Estate Appraisers currently utilizes as its testing agent Pearson Education, Inc., which administers both the Certified Residential Appraiser test and the Certified Residential Appraiser test. For specific information regarding the examination, contact: For information regarding the examination, contact: *Pearson Vue*, 800-274-7488.
7. **Authorization for Release of Records** (attached).

TRAINEE TRANSITION: In addition to the fees, release and application, the following must be on file before the Board will consider an application for a certified trainee to transition to a residential real estate appraiser

1. **Core Curriculum:** 125 additional hours of education per 12 AAC 70.115(a); d-j under “2” of exam directions above.
2. **Determination of Competency** (attached)
3. **Authorization for Release of Records** (attached).

! General Information

APPLICATION PROCESSING:

The amount of time it takes to process the application varies, depending on when all complete and correct documents and fees are received by the division. If the application is incomplete, the applicant will be notified of incomplete and/or incorrect documents and fees. When the application is complete and correct, all supporting documents have been received, and all fees have been paid, a license will be issued and sent to you with an accompanying cover letter with further information about Alaska statutory requirements. If the application is not approved for licensure, a written explanation of the basis of that denial and information on how to appeal the decision will be provided.

CERTIFICATE TERM:

Certificates are issued for a two-year period. However, all real estate certificates expire on June 30 of odd-numbered years, regardless of the date of issuance, except certificates or licenses issued within 90 days of the expiration date are issued to the next biennial expiration date. One renewal notice will be mailed at least 30 days before the certificate expiration to the last known address of record.

FINGERPRINTING:

For programs requiring fingerprinting please be advised that processing is performed by the Department of Public Safety and they require about two months for processing, so plan accordingly.

"YES" RESPONSES:

A "Yes" response in the application does not mean your application will be denied. If you have responded "Yes" to any professional fitness question in the application be sure to submit an explanation and documentation.

DENIAL OF APPLICATION:

Please be aware that the denial of an application of licensure may be reported to any person, professional licensing board, federal, state, or local governmental agency, or other entity making a relevant inquiry or as may be required by law.

ADDRESS OR NAME CHANGE:

In accordance with 12 AAC 02.900, it is the applicant's/licensee's responsibility to notify the division, in writing, of changes of address or name. Name and address change notification forms are available on the division's website. The address of record with the division will be used to send renewals and all other official notifications and correspondence. The name appearing on the license must be your current legal name.

SOCIAL SECURITY NUMBERS:

AS 08.01.060 and 08.01.100 require that a U.S. Social Security Number be on file with the division before a professional license is issued or renewed for an individual. If you do not have a U.S. Social Security Number, please complete the Request for Exception from Social Security Number Requirement form located at ProfessionalLicense.Alaska.gov or contact the division for a copy of the form.

SPECIAL ACCOMMODATIONS FOR EXAMINATION:

Programs under the jurisdiction of the Division of Corporations, Business and Professional Licensing are administered in accordance with the Americans with Disabilities Act. If you require a special accommodation when taking the licensing examination you must submit an *Application for Examination Accommodations for Candidates with Disabilities form* (08-4214).

PUBLIC INFORMATION:

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

ABANDONMENT:

Under 12 AAC 02.910, an application is considered abandoned when 12 months have elapsed since correspondence was last received from or on behalf of the applicant. An abandoned application is denied without prejudice. At the time of abandonment, the division will send notification to the last known address of the applicant, who has 30 days to submit a written request for a refund of biennial license and other fees paid, however the application fee will not be refunded. If no request for refund is received within that time frame, no refund will be issued.

PAYMENT OF CHILD SUPPORT AND STUDENT LOANS:

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

BUSINESS LICENSES:

Renewal applications for business licenses are mailed separately. For more information about business licenses, call (907) 465-2550 or online at: BusinessLicense.Alaska.gov

STATUTES AND REGULATIONS:

The complete set of statutes and regulations for this program is available on the division's website at ProfessionalLicense.Alaska.gov. If you are unable to download the statutes and regulations, please contact the division and request a copy by mail.

NOTIFICATION OF PROPOSED REGULATION CHANGES

If you would like to receive notice of all proposed regulations changes for your program please send a request in writing with your name, preferred contact method (mail or e-mail) and the program you want to be updated on to:

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



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Website: ProfessionalLicense.Alaska.Gov/RealEstateAppraisers

Certified Residential Real Estate Appraiser Application

PART I		Application Type and Payment of Fees	
Applying by:	<input type="checkbox"/> Endorsement, State of _____	<input type="checkbox"/> Reciprocity, State of _____	
	<input type="checkbox"/> Examination	<input type="checkbox"/> Trainee Transition	
Fees Due:	<input type="checkbox"/> Nonrefundable Application Fee		\$450
	<input type="checkbox"/> Initial Certification Fee		\$1050
	<input type="checkbox"/> Federal Registry Fee (\$40 per year)		\$80
Make checks payable to: State of Alaska or use the attached credit card payment form.			TOTAL: \$1580

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

PART III Professional Fitness Questions

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

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

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

PART IV Notarized Signature

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

<div style="border: 1px dashed gray; width: 80%; margin: auto; padding: 10px;"> <p style="color: gray; font-size: small;">Notary Stamp</p> </div>	Signature of Applicant:	Name of Applicant:
	Notary Public for the State of:	My Commission Expires:
	SUBSCRIBED AND SWORN TO before me on this day:	

PART VI Statutory Education Requirement (Exam and Trainee Transition Applicants Only)

DEGREE REQUIREMENT 12 AAC 70.115(a)

12 AAC 70.115(a): An applicant must hold a Bachelor’s degree or higher. Send official transcripts to the Division.

School	Degree	Date Degree Receive

— AND —

Per 12 AAC 70.115(b) an applicant for certification as a residential real estate appraiser **BY EXAMINATION** shall document satisfactory completion of 300 creditable classroom hours of instruction that meet the requirements in 12 AAC 70.140 with emphasis of residential properties, and specified in the following core curriculum, of which at least 150 hours must be completed within the five years immediately preceding the date of a complete application.

TRAINEES: Under the provisions of Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Appraisal Qualifications Board (AQB) established the following requirements for an applicant to transition from a certified trainee appraiser to a certified residential real estate appraiser.

Trainee appraisers transitioning to a certified residential real estate appraiser must document completion of a-j below for 125 additional hours:

Required Courses	Course Sponsor	Course #	Date	Hours
a. Basic Appraisal Principles Hours Required: 30				
b. Basic Appraisal Procedures Hours Required: 30				
c. 15-Hour National USPAP Course or Equivalent Hours Required: 15				
d. Residential Market Analysis and Highest and Best Use Hours Required: 15				
e. Residential Appraiser Site Valuation and Cost Approach Hours Required: 15				
f. Residential Sales Comparison Income Approaches Hours Required: 30				
g. Residential Report Writing and Case Studies Hours Required: 15				
h. Statistics, Modeling and Finance Hours Required: 15				
i. Advanced Residential Applications and Case Studies Hours Required: 15				
j. Appraisal Subject Matter Electives Hours Required: 20				

Are the required course completion certificates attached?

Yes

No



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PART VIII Authorization for Release of Records

To Whom It May Concern:

I, _____
First Name Middle Name Last Name

residing at _____
Address City State ZIP Code

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

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

This release also applies to any documents or records which contain information pertaining to psychiatric, drug or alcohol evaluation, diagnosis, or treatment received by me and which were prepared or made in conjunction with, or under the authority or guidance of any local, state, or federal law which relates to psychiatric, drug or alcohol evaluation, diagnosis or treatment.

I request that upon presentation of this release, or a certified true copy of it, that you provide copies of those records to the Division and/or its investigators, and/or representatives of the Office of the Attorney General of the State of Alaska.

This authorization is given expressly in connection with my application for issuance of a certificate as a real estate appraiser. This authorization expires one year from the date of my signature below.

Signature: _____ Date: _____

Home Telephone: _____ Work Telephone: _____



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PART IX Verification of Licensure / Certification

Name and Address of Applicant _____

TO STATE LICENSING BOARD: I, the applicant, am applying for a certification to practice as a residential real estate appraiser in the State of Alaska. The Alaska Real Estate Appraisers Program requires that this form be completed by each jurisdiction in which I hold or have held licenses/certificates. The state boards must complete the bottom section of this form and return it **directly to the above address**. The State of Alaska will also accept a standard computer verification that provides substantially the same information.

THIS PART TO BE COMPLETED BY THE LICENSING BOARD

Name of Licensee / Certificate Holder				Date of Birth:	
License / Certificate Number		Original Issue Date:		State:	
Certificate Type	Date by Endorsement:	Date by Reciprocity:	Date by Examination:		
Exam Source (If applicable)				Date of Exam:	
Is the License / Certificate Current?	Yes <input type="checkbox"/>	Lapse Date:		Expiration Date:	
Is the applicant the subject of an unresolved complaint or ongoing disciplinary action?				* Yes <input type="checkbox"/>	No <input type="checkbox"/>
Has the applicant's license/certificate ever been suspended, revoked, voluntarily surrendered, placed on probation, or restricted in any other way?				* Yes <input type="checkbox"/>	No <input type="checkbox"/>
* If yes, please provide a copy of the disciplinary action document.					
Comments (if any)					
BOARD SEAL (All verifications must have a board seal)			Sign and Date: _____ State Board and Title: _____ Email: _____ Contact Phone Number: _____		



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PART X Verification of Work Experience (For Examination Applicants Only)

Verification of 2,500 hours of appraisal work obtained continuously over a period of not less than 24 months and must be certified by a combination of at least three different individuals referenced below:

Reference Types - 1) a licensed construction contractor; 2) a federal or state regulated lender; 3) a present or former employer of the applicant; 4) an officer of a state or federal agency; 5) or an officer of a company that customarily uses the services of a real estate appraiser who has recent knowledge of the applicant's experience on that company's behalf.

If an applicant cannot, for good cause, provide work experience forms from at least three different individuals, the board may, consider and approve other kinds of work experience verification.

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

Printed Name Title Representing

I certify to my knowledge that:

(Name of Applicant) _____ has at least 2,500 hours (obtained over a period of not less than 24 months) of experience.

I am/was associated with the applicant from _____ Mo/Yr to _____ Mo/Yr,

in the capacity of (reference types 1-5 above) _____

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



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Determination of Competency

(For trainees transitioning to certified residential real estate appraiser)

To be completed by the supervisory appraiser within 10 days of the competency determination date.
12 AAC 70.935(c)(3)

Trainee Appraiser Name		Certificate #	
-------------------------------	--	----------------------	--

Supervisor Name		Certificate #	
Supervision State Date		Determination Date	

During the above-stated period I have determined that the above real estate appraiser trainee has demonstrated his/her ability in the Competency Rule which states in the Uniform Standards of Professional Appraisal Practice that an appraiser must:

1. be competent to perform the assignment;
2. acquire necessary competency to perform the assignment, or;
3. decline or withdraw from the assignment.

I observed that this trainee real estate appraiser has demonstrated:

- The ability to properly identify the problem to be addressed, and;
- The knowledge and experience to complete the assignment competency and;
- Recognition of, and compliance with, laws and regulations that apply to the appraiser or to the assignment.

Signature: _____ **Date:** _____

WORK LOG VERIFICATION GUIDELINES

Please use the following guide when completing the work verification log. The purpose of this log is for the board to determine the diversity and complexity of work experience and to verify the appropriate number of work hours. **Please note that for EXAMINATION applications, the Board will randomly select a work product to determine USPAP compliance, which must be submitted to the Board before a certificate is issued. The work product will be selected based on these forms.**

Part One Guidelines

Report Date: The month and year the appraisal report was completed.

Subject Property Address: This is the common name/location of the property, i.e., George's Office Tower, Anchorage, Alaska. Please be very clear so the board can understand the property being appraised.

Report Type: Please check appropriate format for report, i.e., Restricted Report, Summary, or Appraisal Report.

Property Classification: Indicate the type of property classification (Key included on next page).

Client Named in Report: Name of client or entity for which the report was prepared.

Work Hours: Indicate total number of hours spent on research, analysis, and preparation of report. Do not include hours which someone else spent.

Part Two Guidelines

Trainee Appraiser: For each criterion (I – X), the trainee appraiser shall indicate whether they contributed to the specific appraisal criteria by writing, "T" in the appropriate line for each property documented.

Supervisory Appraiser: For each criterion (I – X), the supervisory appraiser shall indicated on the appropriate line for each property documented whether they had the following responsibilities:

- Primary Responsibility → Write "P"
- Co-Appraiser → Write "C"
- Reviewed and Approved → Write "R"

For criterion XI indicate the approximate number as described below under experience category.

Criterion Includes:

- I. Inspected property
- II. Developed Building Description and Analysis
- III. Neighborhood Description and Market Analysis
- IV. Developed the Highest and Best Use
- V. Collected, Verified and Analyzed Data
- VI. Developed Income Approach
- VII. Developed Cost Approach
- VIII. Developed Sales Comparison
- IX. Developed Final Reconciliation
- X. Other (attach an explanation on a separate piece of paper)
- XI. Experience Category: Indicate on the line the numeric value associated with each experience type (described below):

- 1.) Fee and Staff Appraisal
- 2.) Ad Valorem Tax Appraisal
- 3.) Review Appraisal
- 4.) Appraisal Analysis
- 5.) Real Estate Counseling
- 6.) Highest and Best Use Analysis
- 7.) Feasibility Analysis
- 8.) Setting forth opinions of value of real property for tax purposes as an employee of a county assessor or Board of Equalization
- 9.) Assistance in preparation of appraisals
- 10.) Real estate valuation experience as a real estate lending officer or real estate broker, but only to the extent that the experience is directly related to the actual performance or professional review of real estate appraisals.

WORK VERIFICATION LOG

PART TWO:

Assignments for Month of: _____
 (Complete a Work Verification Log for each month)

Trainee Appraiser: For each criterion I through I, indicate to which portions of the assignment you contributed by writing "T" in the line designated for Trainee Appraisers.

Supervisory Appraiser: For criterion I through X, indicate to which portions of the assignment you contributed by writing "P" (Had Primary Responsibility), "C" (Co-appraised), or "R" (Reviewed and Approved) in the line designated for Supervisory Appraisers.

Name: _____ Certificate #: _____

Signature: _____ Date Signed: _____

Hours Requested on This Page _____ Total Hours: _____

PART ONE:

Report Type: Restricted Report = RR Summary = SU Appraisal Report = AR

Property Classification: Commercial Building = CB Commercial & Office Land = CL Farm/Forest Land = FL
 FL with Residential/Farm-Use Equipment = FR Industrial & Business Campus Land = IL
 Industrial Warehouse & Manufacturing Building = IB Multi-Family Small 2-4 Units = MFS
 Multi-Family Large 5+ Units = MFL Multi-Family Land = ML Office Buildings = OB
 Residential Single-Family Land including Subdivision Potential and Multiple Lot Sales = RL
 Single-Family Residential = SFR Other = OT – specify _____

Report Date	Subject Property Address	Report Type	Property Classification	Client Named in Report	Work Hours	T – Trainee	S – Supervisor	I. Inspected Property	II. Developed Building Description and Analysis	III. Neighborhood Description & Market Analysis	IV. Developed the Highest & Best Use	V. Collected, Verified and Analyzed Data	VI. Developed Income Approach	VII. Developed Cost Approach	VIII. Developed Sales Comparison	IX. Developed Final Reconciliation	X. Other (please attach explanation)	XI. Experience Category (1-10) on code page
						T	S											
						S												
						T	S											
						S												
						T	S											
						S												
						T	S											
						S												
						T	S											
						S												
						T	S											
						S												

Supervisory Appraiser Name: _____ Certificate Number: _____

Supervisory Appraiser Signature: _____ Date: _____



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APR

FOR DIVISION USE ONLY

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Supervisor Approval Request

Per 12 AAC 70.935, a supervisory appraiser shall be certified in Alaska and in good standing for at least three years before applying on this form. A supervisory appraiser must comply with the Competency Rule of the Uniform Standards of Professional Appraisal Practice, and may not supervise more than three trainee appraisers at any given time.

This form must be accompanied by:

- a copy of the certificate or other verifying document showing completion of a supervisory appraiser/trainee appraiser course.

Name				Certification	<input type="checkbox"/> Residential <input type="checkbox"/> General
Certificate Number		Initial Issue Date		Lapse Date	
Address	Address	City	State	ZIP Code	
Phone Number		Email			

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

I further acknowledge that I shall be responsible for the training, guidance, and direct supervision of a trainee appraiser as outlined in 12 AAC 70.935(c)(1)(2)(3). I will submit a Determination of Competency form when a certified trainee under my supervision demonstrates competency in the Competency Rule of the Uniform Standards of Professional Appraisal Practice.

<div style="border: 1px dashed black; padding: 10px; width: fit-content; margin: auto;">Notary Stamp</div>	Signature of Applicant:	Print Name of Applicant:
	Notary Public for the State of:	My Commission Expires:
	SUBSCRIBED AND SWORN TO before me on this day:	

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.

(c) The following subject may be considered in an executive session:

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

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

Agenda Item #9

New Business

FRIDAY, OCTOBER 16, 2015

8:30a—12:00p AQB— Public Meeting at Westin

1400 M Street NW, Washington, D.C. Open meeting to all, but please register on Appraisal Foundation website:

https://www.appraisalfoundation.org/imis/TAFCore/Events/Event_Display.aspx?EventKey=AQB

12:00p – 4:00p REGISTRATION **National Foyer**

1:15p –3:00p OPENING SESSION **National A,B,C**

Welcome: Nikole Avers— AARO President
Tamora Papas—Board Member, Washington, D.C.

“A View From the Top”
Art Lindo—ASC Chair, Federal Reserve Bank

ASC & TAF Updates:
Jim Park - Executive Director, Appraisal Subcommittee
Kelly Davids— Vice President, The Appraisal Foundation

3:00p - 3:15p BREAK **National Foyer**

3:15p – 4:30p APPRAISAL FOUNDATION HOT TOPICS

Wayne Miller—AQB **Moderator: Bruce Unangst, LA**
Barry Shea —ASB
Rick Baumgardner —APB

SATURDAY, OCTOBER 17, 2015

8:00a – 4:00p REGISTRATION **National Foyer**

7:45a – 8:30a CONT’L BREAKFAST **National A,B,C**

8:30a – 9:30a Breakout Session #1
Investigators “Decoding Deception” **Room TBA**

Thomas “Hal” Humphreys - FIND Investigations
Moderator: BJ Jibben, Wyoming

Administrators “Multiple Regression Analysis for Regulators”
Larry Clark - IAAO **Room TBA**
Moderator: Gae Lynn Cooper, OR

Board Members/Legal — “Ethics, Ex Parte & Emails” Part I
Room TBA

Roberta Ouellette—Counsel , N. Carolina Board
Kim Wells— Counsel, Ohio Board

9:30a – 10:30a Breakout Session #2
Investigators “Interviewing the Unwilling” **Room TBA**

Thomas “Hal” Humphreys **B.J. Jibben, Moderator**

Administrators “Little Fish/Big Pond or Big Fish/Little Pond: Regulatory Mergers & Acquisitions” **Room TBA**

Debbie Rudd; Nikole Avers

Board Members/Legal — “Ethics, Ex Parte & Emails” Part II



**AARO – COMMITMENT TO SUCCESS AND
ADVANCEMENT OF APPRAISER AND AMC
REGULATORY PROGRAMS THROUGH
LEADERSHIP, COOPERATION,
COMMUNICATION AND EDUCATION**



**24th Annual
Fall Conference
WESTIN
WASHINGTON, D.C.
OCTOBER 16-19, 2015**

**Printing is graciously sponsored by
National Background Check**

FUTURE AARO CONFERENCE SITES

Phoenix, AZ April 8—10, 2016
Washington, DC Fall 2016

Roberta Ouellette and Kim Wells Room TBA
 10:30a – 10:45a BREAK National Foyer
 10:45a – 12:15p Breakout Session #3
Best Practices Roundtables
 Investigators Moderator: Danielle Morales, MS Room TBA
 Closed to Investigators Only
 Administrators Moderator: Lee Gordon, AR; Juana Watkins, FL Room TBA
 Board Members Moderators: Joe Ibach, ND; Fran Oreto, FL Room TBA
 12:15p – 1:15p LUNCH On your Own
 12:15p - 1:15p BOARD OF DIRECTORS MEETING Room TBA
 Open to All AARO Members
 1:30p - 3:00p NAC & Young Appraisers Professional Network Greg
 Stephens—MetroWest Appraisal National A,B,C
 Kerri Panchuk—The Five Star Jordan
 Petkovski—Title Source Moderator: Jim Martin, CA
 3:00p – 3:15p BREAK National Foyer
 3:15p - 4:30p “Experience—The Changing Landscape” National A,B,C
 Jim Martin— Director, California Office of Real Estate Appraisers
 Brian Sholley— EVP, RE & IT, OnCourse Learning
 Moderator: Larry Disney, KY
 6:00p – 8:00p PRESIDENT’S RECEPTION & SILENT AUCTION

Monticello BR

SUNDAY, OCTOBER 18, 2015

7:45a – 8:30a CONT’L BREAKFAST National Foyer
 All sessions of AARO are open to anyone, except those specific sessions that are announced as being closed.
 8:30a - 9:30a COMMITTEE MEETINGS
 Policy & Planning - Debbie Rudd Room TBA
 Nominating - Larry Disney *Closed* Room TBA
 Budget and Finance - Dave Campbell Room TBA
 Program – Anne Petit Room TBA
 9:45a—10:45a ADVISORY COUNCIL MEETINGS
 ASC Advisory—Amy McClellan Room TBA
 Qualifications Advisory—Sherry Bren Room TBA
 USPAP Advisory—Larry Disney Room TBA
 AMC Advisory Council—Fran Oreto Room TBA
 Appraiser Profession Organizations Room TBA
 Advisory Council – Joe Ibach
 10:45a –11:00a BREAK National Foyer
 11:00a – 12:00a National Registry Unique Identification Numbers

Brian Kelly – ASC Moderator: Dee Sharp, WA National A,B,C

SUNDAY, OCTOBER 18, 2015— Continued

12:00p – 1:00p LUNCH Monticello BR
 “The Strategic Future of AARO”
 1:15p—2:30p Weird Science! Experience Evaluation Tool
 Peter Fontana— Montana Appraiser Board National A, B, C
 Tom Stevens— Montana Appraiser Board
 Moderator: Craig Steinley, SD
 2:30p— 2:45p BREAK National Foyer
 2:45p - 3:30p ANNUAL BUSINESS MEETING National A,B,C
 Committee & Advisory Council Reports
 Nominating Committee Recommendations
 Award Presentations & Installation of Officers
 Comments by Outgoing President & New President
 3:30p - 4:30p BOARD OF DIRECTORS MEETING Room TBA
 Open to All AARO Members

*** D.C. After Dark Walking Tour ***

7:15p Bus to National Mall leaves the Westin
 7:30p—9:30p National Park Ranger Guided Walking Tour!

MONDAY, OCTOBER 19, 2015

7:45a – 8:30a CONT’L BREAKFAST National Foyer
 8:30a – 10:00a FTC v. NC Dental Board: What It Means for Regulators National A,B,C
 Dale Atkinson, Executive Director, Federation of Associations of Regulatory Boards
 Moderator: Toni Bright, IA
 10:00a-10:15a BREAK
 10:15a—11:45a Guidance on AMC Final Rules National A,B,C
 ASC Staff
 Moderator: Allison McDonald, FL
 12:00p – 1:00p LUNCH Monticello BR
 Sponsor/Vendor Demonstration Tables
 1:15p - 2:45p “What is Your Body Language Saying About You?”
 Christopher Ulrich—CU In The Moment National A,B,C
 Moderator: Nikole Avers
 2:45p—3:30p Future Education Forum National A,B,C
 TAF, ASC & AARO Steering Committee
 Moderator: Anne Petit
 3:30p - 4:00p CLOSING REMARKS National A,B,C
 2015-2016 AARO President

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.

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Agenda Item #11

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 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

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Agenda Item #12

Administrative Business

Task List

Derry

- David Derry will contact MAI, Charles Horan about filling the public member position.
- David Derry will make the above noted amendments to the existing work log, and will send the revision to Ms. Carrillo via e-mail.
- David Derry will review July work products 9-16.
- Mr. Derry will work on the annual report and submit it to Ms. Carrillo.

Ferrara

- Fred Ferrara will write a letter to the AQB in regards to the stipulation that trainees working towards a certification must hold a Bachelor's degree before becoming certified, as it is believed a provision should be in place to allow "grandfathering".
- Fred Ferrara will contact architect, Clay Porter about filling the public member position.
- Fred Ferrara will review July work products 1-8.
- Fred Ferrara will contact previous board members to clarify the logic behind why appraisal reports are being requested, as removing this requirement may be included in the Board's next regulation project.

Renee

- Renee Piszczek will inquire with employees at Doyon Ltd. about filling the public member position.
- Renee Piszczek will work with Paige Hodson to further develop regulations for AMC's, and will provide an update at the Board's next meeting.

Examiner

- Ms. Carrillo will correct page 5 of the April 14th, 2015 meeting minutes regarding Dave Derry being assigned to review of courtesy reports 7-11.
- Ms. Carrillo will contact Mr. Paff to ensure the consent agreement is on the Board's agenda for their next meeting.
- Ms. Carrillo will send letters to audited certificate holders on August 3rd, 2015.
- Ms. Carrillo will request a legal opinion in regards to the Board adopting AMC's under 08.87.020(3).
- Ms. Carrillo will contact the Appraisal Institute to inform them of the background check error.
- Ms. Carrillo will work with the Division's publications specialist to update forms and applications, including providing an upgrade option from residential to general.
- Ms. Carrillo will send all revised applications and checklists to the Board via e-mail.
- Ms. Carrillo will update examination checklists and applications to ensure work products are received at the time of initial application.
- Ms. Carrillo will request the work product for the appraisal of 401-599 Parks Highway in Wasilla from Brandy Eber.
- Ms. Carrillo will send a sample position statement to Mr. Derry and Mr. Ferrara

From: [Chambers, Sara C \(CED\)](#)
To: [Andersen, Signe P \(LAW\)](#)
Cc: [Carrillo, Laura N \(CED\)](#); [Hannasch, Dawn K \(CED\)](#)
Subject: FW: APR Opinion Request from LAW
Date: Friday, October 02, 2015 11:24:28 AM
Attachments: [image001.png](#)

Greetings, Signe. The Board of Real Estate Appraisers would like assistance with a question pertaining to their ability to adopt regulations. Please see below.

Laura Carrillo is our point on this.

Thank you,

Sara Chambers
Division Operations Manager

Alaska Division of Corporations, Business and Professional Licensing

P.O. Box 110806, Juneau, AK 99811-0806

commerce.alaska.gov/web/cbpl

Phone: (907) 465-2144

FAX: (907) 465-2974

Any guidance provided by this electronic communication is not a binding legal opinion, ruling, or interpretation that may be relied upon, but merely guidance concerning existing statutes and regulations. There may be other unique or undisclosed facts, circumstances, and information that may have changed any guidance provided in this communication.

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From: Carrillo, Laura N (CED)
Sent: Friday, October 02, 2015 11:23 AM
To: Chambers, Sara C (CED)
Cc: Hannasch, Dawn K (CED)
Subject: APR Opinion Request from LAW

Hi Sara,

At its last meeting in July, the APR Board consented to seek the Dept. of Law's opinion on whether they could adopt AMC regulations without having to go through the legislative process. 08.87.020(3) says that the Board could adopt regulations to comply with Title XI. Could you please put me in contact with LAW to obtain their opinion on this?

Thank you!

Laura Carrillo

Licensing Examiner

Board of Certified Real Estate Appraisers

State of Alaska – DCCED – CBPL

Phone: 907-465-2588

E-mail: laura.carrillo@alaska.gov

Fax: 907-465-2974

Annual Report
Fiscal Year 2015

**BOARD OF CERTIFIED REAL ESTATE
APPRAISERS**

July 2015



**DIVISION OF CORPORATIONS, BUSINESS
AND PROFESSIONAL LICENSING**

This Annual Performance Report is presented in accordance with Alaska Statute 08.01.070(1) and Alaska Statute 37.07.080(b). Its purpose is to report the accomplishments, activities, and the past and present needs of the licensing program.

**BOARD OF REAL ESTATE APPRAISERS
FY 2015 ANNUAL REPORT**

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ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS
FY 2015 ANNUAL REPORT
IDENTIFICATION OF BOARD

<u>Board Member (CURRENT)</u>	<u>Date Appointed</u>	<u>Term Expires</u>
Alfred J. Ferrara , MAI, SRA – Vice Chair Certified General Real Estate Appraiser	3/1/2014	3/1/2018
David M. Derry , MAI -- Chair Certified General Real Estate Appraiser	3/1/2014	3/1/2018
Lance Cook Certified Residential Real Estate Appraiser	3/1/2012	3/1/2016
Renee Piszczek Mortgage Banking Executive	9/2/2014	3/1/2018
Vacant Public Member	3/3/2014	3/1/2015

ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS
FY 2015 ANNUAL REPORT
IDENTIFICATION OF STAFF

Lisa Robinson, Licensing Examiner

April 25, 2014 - Present

Department of Commerce, Community and Economic Development
Division of Corporations, Business & Professional Licensing
P.O. Box 110806
Juneau, AK 99811-0806
Work: 907-465-3811
Fax: 907-465-2974

Susan Johnson, Licensing Examiner

July 2013 – April 2014

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Alysha Hernandez, Licensing Examiner

July 2012 - August 2012 & May 2013

Department of Commerce, Community and Economic Development
Division of Corporations, Business & Professional Licensing
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Juneau, AK 99811-0806
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Michelle Johnston, Records & Licensing Supervisor

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Division of Corporations, Business & Professional Licensing
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Jennifer Wirawan, Investigator III

Department of Commerce, Community and Economic Development
Division of Corporations, Business & Professional Licensing
550 West 7th Avenue, Suite 1500
Work: 907-269-7901

ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS
FY 2015 ANNUAL REPORT
NARRATIVE STATEMENT

The Board of Certified Real Estate Appraisers met six times in FY 2015: July 9, 2014 (teleconference), October 9, 2014 (in person, ANC), December 11, 2014 (telecom), March 12, 2015 (telecom), April 14, 2015 (telecom), July 31, 2015 (in person, ANC) and scheduled meeting October 23, 2015 (telecom). All Board meetings are public-noticed and a copy of the agenda made available to the public.

The Board continued its review and approval (as appropriate) of education classes for both initial General Appraiser Certification, applications for Residential Appraiser Certification, continuing education courses, applications for Registered Trainees and applications for courtesy licenses. Other applications for appraisal certifications were denied or approved pending for lack of required education and/or documented appraisal experience. The Board continues to review complaints and issues brought before it. Mr. Jay Pfaff, the assigned investigator to the Board has been helpful in providing information to the Board regarding complaint investigations and recommending appropriate disciplinary actions when required.

The Board underwent compliance reviews by both the Appraisal Subcommittee, Federal Financial Institutions Examination Council and the Alaska State Legislature, Legislative Budget and Audit committee. At this time, the State Legislative Budget and Audit committee recommendations are still considered confidential, so the Board is not at liberty to disclose their findings and recommendations.

The Appraisal Subcommittee (ASC) conducted compliance audits August 4-7, 2014, a "follow-up" March 23-24, 2015 and a full audit July 27-31, 2015. The August 2014 audit found numerous items that needed to be improved upon, most of which stem from a lack of consistent, knowledgeable support from Staff in Juneau. The "follow-up" audit was due to the number of items identified in the audit. Staff changes were made in fall 2014 with assigned, permanent, capable staff persons having knowledge of the requirements in Title XI and the recommendations made by the ASC regarding staff support and processes. States with an acceptable audit rating are audited every 2 years, but due to the ongoing deficiencies in Alaska we were subject to annual audits and the "follow-up" audit in March 2015. The July 2015 audit preliminarily identified few deficiencies, and it is anticipated that when the final report is received (sometime late 2015) we may be moved to a 2 year review cycle. Special credit and recognition goes to Sara Chambers, Dawn Hannasch, and Laura Carrillo for their efforts addressing the staff and process related audit issues.

The ASC also noted a number of inconsistencies between Alaska's Statutes and Regulations - Certified Real Estate Appraisers and the Appraiser Qualification Board's (AQB) Real Property Appraiser Qualification Criteria. This has been an ongoing problem, since our statutes and regulations were out of compliance with requirements in the Dodd Frank Act of 2010 that went into effect in July 2013 with additional requirements in effect January 2015. The Board was very concerned with the deficiencies identified in the audit which prompted the frequency of the ASC audits. The Board addressed and voted on changing regulations that they have the power to change, and voted to recommend the necessary changes to the statutes that were taken before the legislature.

The Statutes and Regulations of Certified Real Estate Appraisers, July 2014, was passed by the legislature and signed into law by the Governor. Under the new Statute (AS 08.87.010) the Board of Certified Real Estate Appraisers has the authority to make regulatory changes necessary to comply with federally mandated real estate appraiser requirements, promulgated by the Appraisal Foundation and Dodd Frank Act. Some of the requirements under Dodd Frank are still evolving, specify appraiser background checks and appraisal management company (AMC) regulation. Following public notice to all certified appraisers in the state and review of any public comments, the Board adopted the new regulations which were published July 2015.

The board continues to be concerned with the lack of funding considering the increased regulatory pressure. Federally mandated compliance and additional regulations under the Dodd Frank Act will require additional board meetings and development of regulations for compliance. The AMC (appraisal management company) regulations are the most immediate and will require most of the funding. The impact of these changes directly will impact the license fees of our small number of appraisers in the State. We currently have some of the highest fees in the nation. The Board is of the opinion that the State should budget the Appraisal Board as a separate line item to buffer and insulate the expense as Federal law manifests itself.

The board has established an AMC (appraisal management company) task force of professional appraisers, in conjunction with the Alaska Chapter of the Appraisal Institute, and with a board member to develop the regulations for AMC oversight. Again this regulation will be necessary for AMC's to operate in the State of Alaska. The board considers it is in the best interest and imperative for Alaska appraisers to have AMC regulations in effect.

In 2014 the board voted to join the Association of Appraiser Regulatory Officials (AARO) and attend their national meetings. A board member and two staff persons have been authorized by the board to attend the fall conference in Washington DC, October 16.

ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS

FY 2015 ANNUAL REPORT

BUDGET RECOMMENDATIONS FOR FY 2016

TRAVEL REQUESTS: All travel requests must be ranked in order of the board's priority. Provide the best estimates based on past actuals and seasonal trends in travel, such as summer hotel rooms or increased fuel costs. Calculate on full costs and note any third-party fiscal offsets. Expand the tables below as needed.

Board Meetings

Rank	Date	Location	# of Board Members	# of Staff	Total Estimated Cost (Total of airline, hotel, mileage, M&IE, parking, rental car, taxi, etc.)
1	October	Anchorage, AK	5	1	\$2000
2	January	Anchorage, AK	5	1	\$2000
3	April	Anchorage, AK	5	1	\$2000
4	July	Anchorage, AK	5	1	\$2000
5	As needed	Anchorage (for AMC regulation development)	5	1	\$2,000

In-State/Out-Of-State Training

Rank	Date	Location	# of Board Members	# of Staff	Total Estimated Cost (Total of airline, hotel, mileage, M&IE, parking, rental car, taxi, etc.)
1	March-April 2016	Anchorage, AK or out of state if no AK course offered	1	1	\$1,000
	March-April 2016	Anchorage, AK		1*	\$500
Description of meeting and its role in supporting the mission of the board: USPAP course attendance. *This is recommended for the State Administrative Hearing Officer. The Board feels that to properly adjudicate cases he/she must be knowledgeable of the Uniform Standards applicable to the appraisal profession.					

Out-Of-State Meetings and Additional In-State Travel

Rank	Date	Location	# of Board Members	# of Staff	Total Estimated Cost (Total of airline, hotel, mileage, M&IE, parking, rental car, taxi, etc.)	Total Potential Third-Party Offset
1	October 2015	Washington DC	1	2	\$6,000	0
	April 2016	Phoenix, AZ	1	2	\$5,000	
Description of meeting and its role in supporting the mission of the board: Attendance at the fall and spring conferences of the Association of Appraiser Regulatory Officials (AARO).						

NON-TRAVEL BUDGET REQUESTS

Dues/Memberships/Resources/Online Training/Teleconferences

Provide details of the budgetary request. Break down into specific events, where applicable.

1	Product or service: Teleconference	Provider: GCI	Cost per event: \$150.00
Description of item and its role in supporting the mission of the board: The Board will conduct teleconferences when needed to discuss mail votes and other board business.			

**ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS
 FY 2015 ANNUAL REPORT
 BUDGET RECOMMENDATIONS FOR FY 2016 CONTINUED**

Other Items with a Fiscal Impact:

1	Product or service: None known at this time	Provider:	Cost per event:
	Description of item and its role in supporting the mission of the board:		

Summary of FY16 fiscal requests

Board Meetings	\$10,000
Travel for Exams	N/A
Out-Of-State and Additional In-State Travel	\$12,500
Dues/Memberships/Resources/Online Training/Teleconferences	\$450.00
Total Potential Third-Party Offset	\$1,000
Other	N/A
Total Requested:	\$23,950

Additional information:

ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS
FY 2015 ANNUAL REPORT
ANTICIPATED PROPOSED LEGISLATION FOR FY 2016

Complete one sheet per legislative proposal

No Legislation anticipated for FY 2016

Focus Area (Check all that apply)

- Economic Development
- Government Within Our Means
- National Regulatory/Industry Changes
- Enhance Public Protection

1. **Subject and Proposed Language (include intent and statutory reference)**
2. **Explain the benefits the proposed legislation would provide.**
3. **Explain the consequences, if any, of not implementing the proposed statutory change.**
4. **Describe any potential negative impacts of this legislation and how they would be minimized.**
5. **Who do you anticipate will support the bill and why? Include municipalities, groups, etc...**
6. **Who do anticipate will oppose the bill and why?**
7. **What other state departments will be affected by this legislation? Have you discussed the impact with the affected departments, and if so who and do they support this bill?**
8. **Identify and describe any previous state or federal legislation or similar efforts in other states which affect or relate to this proposal.**
9. **Has this bill topic been previously introduced in the legislature? If so, what was the final outcome and why?**
10. **In the event questions should be raised during review of this request, please indicate below which board member should be contacted:**

ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS
FY 2015 ANNUAL REPORT
ANTICIPATED REGULATIONS FOR FY 2016

Briefly explain any regulations projects that the board expects to propose this fiscal year.

The Board anticipates that the regulations necessary for the AMC (appraisal management company) oversight are required under Dodd Frank and accordingly authorized the appraisal statute adopted July 2015. An opinion by the State Attorney General's office has been requested.

ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS

FY 2015 ANNUAL REPORT

GOALS AND OBJECTIVES FOR FY 2016

Explain the board's mission:

- (1) establish the examination specifications for certification as a general real estate appraiser, as a residential real estate appraiser and as an institutional real estate appraiser;
- (2) adopt rules of professional conduct to establish and maintain a high standard of integrity in the real estate appraisal profession
- (3) adopt regulations necessary to carry out the purposes of this profession, including regulations necessary to comply with the requirements of 12 U.S.C. 3331 – 3351 (Title XI, Financial Institutions Reform, Recovery, and Enforcement Act of 1989), as amended by 12 U.S.C. 5301 – 5641 (Dodd-Frank Wall Street Reform and Consumer Protection Act).
- (4) review and approve education courses for certification and continuing education for certified real estate appraisers.

List the board's FY15 goals and objectives and how they were met:

1. Review recommendations changes and modify current statutes and regulations to include changes as needed for implementation. **The Board adopted revised statutes during FY15.**
2. Correct the ASC identified audit deficiencies and comply with federal appraisal requirements. **In conjunction with staff changes and board adoption of the new appraiser statute, preliminary reports from the most recent ASC audit found few exceptions. It is anticipated the Alaska may be placed on a 2 year audit cycle. This has been a top priority for the board in FY15.**
3. Circulate the Board meeting dates to appraisal organizations, interested individuals, and users of appraisal services. **The Board meeting dates are posted on their website.**
4. Provide public notice of all meetings in the newspaper. **The Board's meetings were public noticed in FY15.**
5. Promptly review, approve/deny initial certification and continuing education courses/seminars available to certified individuals. **The approved courses are available on the website.**
6. Look into the set up and notice-giving possibilities of dissemination Appraiser Board activities through email database addresses of licensed appraisers. **The Board has implemented asking for email addresses on renewal.**

7. At the time of initial certification, the Board is to review the appraiser's application along with one appraisal report completed by the applicant, in accordance with 12 AAC 70.110 (e). **The Board has adopted a procedure in the application stage to accomplish this.**
8. To have at least one face-to-face meetings per year. **The Board had two face-to-face meetings in FY15.**
9. To encourage and develop dialog promotional education in the State of Alaska for the State Certified Appraisers. **The Board has continued to encourage discussions regarding the appraisal process with other's in the real estate industry, such as Real Estate agents, in an effort to better understand the industry as a whole.**

List the board's FY16 goals and objectives. Include any strengths, weaknesses, opportunities, and threats, as well as any resources needed:

1. Seek comments/input from other organizations that are involved in our use of appraisal services in Alaska. **The Board will continue to offer public comment at every meeting and will continue to receive input from the ASC.**
2. Circulate the Board meeting dates to appraisal organizations, interested individuals, and users of appraisal services. **The Board meeting dates will be posted to their website.**
3. Disseminate information about Board actions to the appraisal members. **The Board will consider preparing a newsletter in electronic format for distribution to all appraisal members. The Board will encourage a Board member to attend Appraisal Institute meetings and provide reports as appropriate to the Institute members.**
4. Post the minutes of each Board meeting on the Certified Appraisers website. **The minutes are being posted and an effort is underway to approve the minutes in a timely fashion so the final, approved minutes are posted promptly.**
5. Continue to review initial certification and continuing education courses/seminars available to certified individuals. **The Board adopted a provision that those education courses/seminars that have received AQB/IDECC approval are reviewed and approved by the chair. The board established a process that other education courses/seminars needing full board approval will be review and voted monthly on the 15th.**
6. Look into the set up and notice-giving possibilities of dissemination Appraiser Board activities through email database addresses of licensed appraisers. **The Board has begun this process and will look at utilizing their website as well to distribute information to licensees.**
7. At the time of initial certification, the Board is to review the appraiser's application along with one appraisal report completed by the applicant, in accordance with 12 AAC 70.110 (e). **The Board is taking steps to make sure that this is occurring in the future.**
8. To have at least one face-to-face meeting per year. **The Board continues to meet this goal.**
9. To encourage and develop dialog promotional education in the State of Alaska for the State Certified Appraisers. **The Board has continued to encourage discussions regarding the appraisal process with other's in the real estate industry, such as Real Estate agents, in an effort to better understand the industry as a whole.**

10. Work with legislature and department to restructure funding and budget process. **Take concerns to the Legislature.**
11. Establish a full five member board. **The board has operated short 1 member since the expiration of the “public” member’s term in March. Inquires with the Governor’s Office reports that there have been no applicants. The board will work to recruit a public member and restore a full board.**
12. Come into regulatory compliance with Dodd-Frank regarding Appraisal Management Company registration. **The Board has established a task force and will be developing regulations to meet the 3 year timeline for adoption.**

In order to join the state in a time of austerity, list the top three areas where the board believes this licensing program could reasonably reduce its costs or services.

Note that since the appraisal board was originally established as a self-supporting entity, by design, the incentive is to be as austere as possible. However the changing federal appraisal requirements and frequent audits have resulted in staff time expense mostly beyond our board or staff control.

1. Meet federal appraisal requirements and pass ASC (Appraisal Sub Committee, federal) audits which place us on a 2 year audit cycle. Currently, due to deficiencies identified in the audits Alaska has been on a 1 year cycle and even had an additional (2 audits) audit in 2015. The most recent audit, July 2015 should result in moving us to a 2 year cycle.
2. Using email/website systems for voting on license applicants and education course/seminar approvals.
3. Holding one face to face meeting per year rather than two. Other meetings will be accomplished by telecom.

**ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS
FY 2015 ANNUAL REPORT
SUNSET AUDIT RECOMMENDATIONS**

This is from the 2014 Annual Report; I do not have any info regarding any legislative audit.

Date of last Legislative Audit: 10/30/2009

Board sunset date: _____

Audit Recommendation #1:

The Board of Certified Real Estate Appraisers (BCREA) and the Department of Commerce, Community, and Economic Development (DCCED) should take timely corrective action in response to Appraisal Subcommittee (ASC) findings.

Action taken: BCREA received the ASCs Preliminary Findings on June 18, 2013 and is in the process of forming a response to comply with the 60 day deadline set by ASC.

Next Steps: BCREA will mail their letter before the aforementioned deadline in FY 14 to correspond with ASC in a timely fashion.

Date completed:

Audit Recommendation #2:

The division's professional licensing administrative officer should take steps to improve administrative support.

Action taken: BCREA has requested that the Division place an examiner who provided consistent administrative support for the Board from FY12 to part of FY13 be placed back with them as this individual was competent in the duties of the Board and was well organized

Next Steps: The Board is waiting further action from the Division

Date completed:

Audit Recommendation #3:

BCREA and staff within the Office of the governor should work together to increase the pool of qualified applicants available for board appointments to ensure full representation.

Action taken: BCREA has been consistently at capacity since vacancies in FY08. With the absence of its Public Member, BCREA as filled that position and is now full.

Next Steps: With the coming fiscal year and the Board having two positions coming to their first term, BCREA will do everything in its power to ensure the BCREA is always a complete Board.

Date completed:

--

Date of last Legislative Audit: _____

Board sunset date: _____

Audit Recommendation #1:

Action taken:
Next Steps:
Date completed:

Audit Recommendation #2:

Action taken:
Next Steps:
Date completed:

Audit Recommendation #3:

Action taken:
Next Steps:
Date completed:

Audit Recommendation #4:

Action taken:
Next Steps:
Date completed:

Insert Statistical Overview pdf here (Pub Spec will do this)

EXECUTIVE SESSION MOTION

Sec. 44.62.310. Government meetings public.

(c) The following subject may be considered in an executive session:

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

MOTION WORDING:

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

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

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

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

Statutes and Regulations **Certified Real Estate** **Appraisers**

July 2015

(Centralized Statutes and Regulations not included)



DEPARTMENT OF COMMERCE, COMMUNITY,
AND ECONOMIC DEVELOPMENT

***DIVISION OF CORPORATIONS, BUSINESS
AND PROFESSIONAL LICENSING***

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

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**CHAPTER 87.
REAL ESTATE APPRAISERS.**

Article

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

**ARTICLE 1.
BOARD OF CERTIFIED REAL ESTATE APPRAISERS.**

Section

- 10. Board created**
- 20. Powers and duties of board**

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

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

- (1) establish the examination specifications for certification as a general real estate appraiser, as a residential real estate appraiser and as an institutional real estate appraiser;
- (2) adopt rules of professional conduct to establish and maintain a high standard of integrity in the real estate appraisal profession; and
- (3) adopt regulations necessary to carry out the purposes of this chapter, including regulations necessary to comply with the requirements of 12 U.S.C. 3331 – 3351 (Title XI, Financial Institutions Reform, Recovery, and Enforcement Act of 1989), as amended by 12 U.S.C. 5301 – 5641 (Dodd-Frank Wall Street Reform and Consumer Protection Act); the regulations adopted by the board under AS 08.87.110, 08.87.120, and 08.87.310 may not be more stringent than the corresponding minimum requirements for receiving approval of the state's program of certification of real estate appraisers under 12 U.S.C. 3331 – 3351 or other federal law.

**ARTICLE 2.
CERTIFICATION.**

Section

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

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

- (1) does not hold a certificate issued by the board, whose certificate is suspended or revoked, or whose certificate has lapsed or terminated, and holds out as a certified real estate appraiser in any way, orally or in writing, directly or by implication;
- (2) is certified as a residential real estate appraiser and holds out as certified to appraise real estate other than
 - (A) residential real property of four or fewer units; or
 - (B) residential real property of 12 or fewer units when a net income capitalization analysis is not required by the terms of the appraisal assignment and a secondary mortgage market form is used; or
- (3) is certified as an institutional real estate appraiser and
 - (A) holds out as certified to appraise real estate other than
 - (i) residential real property of four or fewer units having a transaction value of less than \$1,000,000; or
 - (ii) commercial property having a transaction value of less than \$250,000;
 - (B) holds out as performing real estate appraisal services for a fee or for the public at large;
 - (C) accepts a fee for real estate appraisal services other than for services conducted as a full-time employee of a financial institution with offices in the state and other than a salary received as a full-time employee of the financial institution; or

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

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

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

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

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

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

(5) has paid the required fees.

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

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

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

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

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

(2) pays the required fee; and

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

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

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

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

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

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

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

(3) of

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

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

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

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

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

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

(2) pays the required fee; and

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

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

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

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

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

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

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

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

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

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

ARTICLE 3. PROHIBITED PRACTICES AND DISCIPLINARY PROCEEDINGS.

Section

200. Prohibited practices

210. Disciplinary proceedings

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

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

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

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

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

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

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

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

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

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

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

ARTICLE 4. GENERAL PROVISIONS.

Section

300. Retention of records

310. Trainee appraiser; supervisory appraiser

320. Actions by uncertified real estate appraisers prohibited

330. Exemptions

340. Appraisals by uncertified appraisers permitted

900. Definitions

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

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

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

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

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

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

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

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

Sec. 08.87.900. Definitions. In this chapter

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

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

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

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

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

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

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

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

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

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

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

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

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

CHAPTER 70.
BOARD OF CERTIFIED REAL ESTATE APPRAISERS.

Article

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

ARTICLE 1.
APPLICATION AND EXAMINATION REQUIREMENTS.

Section

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

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

(b) An applicant for certification under this section must

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

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

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

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

(D) subject to the penalties of unsworn falsification as defined in AS 11.56.210, a list of crimes described in AS 08.87.110 and AS 08.87.210 for which the applicant has been convicted; and

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

Authority: AS 08.87.020 AS 08.87.110

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

(b) An applicant for certification under this section must

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

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

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

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

- (D) subject to the penalties of unsworn falsification as defined in AS 11.56.210, a list of crimes described in AS 08.87.110 and AS 08.87.210 for which the applicant has been convicted; and
(2) pay any fees required in 12 AAC 02.370.

Authority: AS 08.87.020 AS 08.87.110

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

- (b) An applicant for certification under this section must
- (1) submit a completed application, on a form provided by the department; the completed application must include the personal identification information requested on the form;
 - (2) pay any fees required in 12 AAC 02.370; and
 - (3) submit verification of current certification or licensure from another state on a form provided by the department.

Authority: AS 08.87.020 AS 08.87.110

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

- (b) An applicant for certification under this section must
- (1) submit a completed application, on a form provided by the department; the completed application must include
 - (A) the personal identification information requested on the form;
 - (B) official transcripts, notarized copies of certificates of completion, or other evidence of course completion acceptable to the board, that verify the classroom hours of instruction required of general real estate appraisers in 12 AAC 70.115(a) or (b), as applicable; and
 - (C) proof of full-time employment with a financial institution with offices in this state; and
 - (2) pay any fees required in 12 AAC 02.370.

Authority: AS 08.87.020 AS 08.87.110

12 AAC 70.108. WORK EXPERIENCE REQUIREMENTS FOR REAL ESTATE APPRAISER CERTIFICATION. (a) An applicant for certification as a general real estate appraiser shall submit verification of 3,000 hours of appraisal work obtained continuously over a period of not less than 30 months. At least 1,500 hours of the appraisal work must be in nonresidential appraisal work. The board will only accept work experience that was obtained after January 30, 1989 and was performed in compliance with Standard 1 and Standard 2 of the Uniform Standards of Professional Appraisal Practice (USPAP) in effect at the time that the work experience was obtained.

(b) An applicant for certification as a residential real estate appraiser shall submit verification of 2,500 hours of appraisal experience obtained continuously over a period of not less than 24 months. The board will only accept work experience that was obtained after January 30, 1989 and was performed in compliance with Standard 1 and Standard 2 of the USPAP in effect at the time that the work experience was obtained.

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

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

Authority: AS 08.87.020

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

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

- (b) The board will accept a work experience verification form only if it is notarized and has been completed by
- (1) a licensed construction contractor;
 - (2) a federal or state regulated lender;

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

Authority: AS 08.87.020

12 AAC 70.115. EDUCATION REQUIREMENTS FOR REAL ESTATE APPRAISER CERTIFICATION. (a) An applicant for certification as a general real estate appraiser must document satisfactory completion of 300 creditable classroom hours of instruction that meet the requirements in 12 AAC 70.140 with emphasis on appraisal of nonresidential properties, and a bachelor's degree or higher in any field from an accredited college or university.

(b) An applicant for the Appraiser Qualification Board approved examination for certification as a general real estate appraiser shall document satisfactory completion of 300 creditable classroom hours as specified in the following core curriculum, of which at least 150 hours must be completed not later than the five years immediately preceding the date of a complete application:

- (1) basic appraisal principles, 30 hours;
- (2) basic appraisal procedures, 30 hours;
- (3) the 15-hour National USPAP course or its equivalent, 15 hours;
- (4) general appraiser market analysis and the principle of the highest and best use of the property, 30 hours;
- (5) statistics, modeling, and finance, 15 hours;
- (6) general appraiser sales comparison approach, 30 hours;
- (7) general appraiser site valuation and cost approach, 30 hours;
- (8) general appraiser income approach, 60 hours;
- (9) general appraiser report writing and case studies, 30 hours;
- (10) appraisal subject matter electives, 30 hours.

(c) An applicant for certification as a residential real estate appraiser must document satisfactory completion of 200 creditable classroom hours of instruction that meet the requirements in 12 AAC 70.140 with emphasis on appraisal of residential properties, and a bachelor's degree or higher in any field from an accredited college or university.

(d) An applicant for the Appraiser Qualification Board examination for certification as a residential real estate appraiser shall document satisfactory completion of 200 creditable classroom hours as specified in the following core curriculum, of which at least 100 hours must be completed not later than five years immediately preceding the date of a complete application:

- (1) basic appraisal principles, 30 hours;
- (2) basic appraisal procedures, 30 hours;
- (3) the 15-hour national USPAP course or its equivalent, 15 hours;
- (4) residential market analysis and the principle of the highest and best use of the property, 15 hours;
- (5) residential appraiser site valuation and cost approach, 15 hours;
- (6) residential sales comparison and income approaches, 30 hours;
- (7) residential report writing and case studies, 15 hours;
- (8) statistics, modeling and finance, 15 hours;
- (9) advanced residential applications and case studies, 15 hours;
- (10) appraisal subject matter electives, 20 hours.

(e) In this section, "residential property" means property with one to four residential units.

Authority: AS 08.87.020 AS 08.87.110

12 AAC 70.120. APPLICATION FOR CERTIFICATION BY ENDORSEMENT. (a) The board may issue a certification by endorsement to practice as a general real estate appraiser or residential real estate appraiser to an applicant who meets the requirements of AS 08.87.110(h) and this section.

(b) An applicant for certification under this section must

- (1) submit a completed application, on a form provided by the department; the completed application must include the personal identification information requested on the form; and
- (2) pay any fees required in 12 AAC 02.370.

Authority: AS 08.87.020 AS 08.87.110

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

(b) An applicant for certification under this section must

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

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

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

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

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

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

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

Authority: AS 08.87.020 AS 08.87.310

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

(b) An applicant for certification under this section must

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

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

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

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

Authority: AS 08.87.020 AS 08.87.310

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

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

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

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

Authority: AS 08.87.020 AS 08.87.110

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

(1) a member organization of the Appraisal Foundation;

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

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

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

(5) a state or federal agency or commission;

(6) a proprietary school; or

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

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

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

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

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

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

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

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

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

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

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

(B) a minimum of two classroom hours;

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

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

(6) has received approval

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

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

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

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

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

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

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

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

Authority: AS 08.87.020 AS 08.87.110 AS 08.87.310

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

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

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

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

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

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

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

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

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

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

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

(1) a completed application form for course approval;

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

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

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

(5) a course syllabus;

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

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

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

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

(A) name;

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

(C) professional designations and affiliations; and

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

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

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

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

Authority: AS 08.87.020 AS 08.87.110 AS 08.87.310

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

Authority: AS 08.87.020

ARTICLE 2. CONTINUING EDUCATION REQUIREMENTS.

Section

200. Application for continuing education course or seminar approval

210. Approved continuing education courses and seminars

215. Approved online courses

220. Hours of continuing education required

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

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

(2) any fees required in 12 AAC 02.370;

(3) the following information:

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

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

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

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

(E) a copy of the attendance policy and a description of the procedures used for keeping a record of attendance;

(F) a course syllabus;

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

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

(i) name;

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

(iii) professional designations and affiliations.

(b) An applicant for renewal may petition the board for approval of a course or seminar that the applicant believes will meet the requirements of 12 AAC 70.210.

(c) The board will award up to 10 hours of continuing education credit for nonstudent participation in an educational program as provided for in AS 08.87.120(b)(2). To receive credit under this subsection, an applicant for renewal shall provide the documentation necessary to substantiate the applicant's participation and experience, including

(1) information on the topics covered and the hours spent in the program; and
(2) documentation that the applicant's involvement in the program was in the technical and professional aspects of real estate appraisal and that the primary focus of the program was directly related to the theories, concepts, principles, practices, techniques, methods, or problems applicable to one or more aspects of real property appraisal.

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

Authority: AS 08.87.020 AS 08.87.120

12 AAC 70.210. APPROVED CONTINUING EDUCATION COURSES AND SEMINARS. (a) To be approved by the board, the primary focus of a continuing education course or seminar must be directly related to the theories, concepts, principles, practices, techniques, methods, or problems applicable to one or more aspects of real property appraisal.

(b) The board will approve a course or seminar on the following topics if the course or seminar meets the requirements of (a) of this section:

- (1) *repealed 9/14/2012*;
- (2) construction cost estimating;
- (3) ethics and standards of professional appraisal practice;
- (4) land use planning, zoning, and taxation;
- (5) property development;
- (6) real estate appraisal (including valuations and evaluations);
- (7) real estate financing and investment;
- (8) real estate law;
- (9) real estate litigation;
- (10) real estate appraisal related computer applications;
- (11) other topics related to real estate appraisal that are approved by the board.

(c) In addition to the courses approved by the board under 12 AAC 70.200, the following courses are approved for continuing education when they are consistent with (a) of this section and an application provided by the department for course approval is submitted with the appropriate application fee and is approved by the board:

- (1) courses offered by a member organization of The Appraisal Foundation;
- (2) courses offered by a regionally accredited junior college, college, or university; or
- (3) courses approved by the Appraiser Qualifications Board Course Approval Program of the Appraisal Foundation.

(d) To be approved by the board, a continuing education course or seminar must include a minimum of two classroom hours, that meet the requirements of (a) of this section.

(e) The board will award continuing education credit for completion of a course by distance education if the course meets the requirements of 12 AAC 70.140(f).

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

Authority: AS 08.87.020 AS 08.87.120

12 AAC 70.215. APPROVED ONLINE COURSES. (a) To be approved by the board to meet the continuing education requirements of 12 AAC 70.220, the primary purpose of an online course must be directly related to the theories, concepts, principles, practices, techniques, methods, or problems applicable to one or more aspects of real property appraisal.

(b) The board will approve an online course on the following topics if the online course meets the requirements of (a) of this section:

- (1) *repealed 6/28/2015*;
- (2) construction cost estimating;
- (3) ethics and standards of professional appraisal practice;
- (4) land use planning, zoning, and taxation;
- (5) property development;
- (6) real estate appraisal, including valuations and evaluations;
- (7) real estate financing and investment;
- (8) real estate law;
- (9) real estate litigation;
- (10) real estate appraisal related computer applications;
- (11) other topics related to real estate appraisal that are approved by the board.

(c) In addition to the online courses approved by the board under (b) of this section, the following online courses are approved for continuing education if they are consistent with (a) of this section:

- (1) courses presented by a regionally accredited junior college, college, or university that offers distance education programs in other disciplines;
- (2) *repealed 1/16/2005*;
- (3) distance education courses approved by the Appraiser Qualifications Board Course Approval Program of the Appraisal Foundation;
- (4) *repealed 6/28/2015*.

Authority: AS 08.87.020 AS 08.87.120

12 AAC 70.220. HOURS OF CONTINUING EDUCATION REQUIRED. (a) At the time of certificate renewal, an applicant for renewal who has been certified for

- (1) 24 months or more shall document satisfactory completion of at least 28 hours of continuing education;
- (2) at least 185 days, but less than 24 months, shall document satisfactory completion of at least 14 hours of continuing education;
- (3) less than 185 days is not required to meet continuing education requirements for that renewal.

(b) The board will not recognize continuing education hours claimed by an applicant for renewal for taking the same, or substantially identical, course more than once during a certification period.

(c) Except as provided in (d) of this section, credit is given for classroom and examination hours only and not for hours devoted to class preparation or completion of assignments. A classroom hour is defined in 12 AAC 70.910.

(d) Up to one-half of the hours required by this section may be obtained through distance education approved under 12 AAC 70.210 or online courses approved under 12 AAC 70.215.

(e) As part of the requirements of (a)(1) of this section, an applicant for renewal of a certificate shall document satisfactory completion of a seven-hour National USPAP Update Course, taught by an Appraiser Qualifications Board certified instructor who is a certified appraiser. The board will accept courses determined as equivalent by the Appraiser Qualifications Board Course Approval Program of the Appraisal Foundation. Completion of the 15-hour national USPAP course used for certification under 12 AAC 70.115 may not be used to satisfy the continuing education renewal requirements of the seven-hour USPAP Update Course required in this subsection.

Authority: AS 08.87.020 AS 08.87.120

Editor's note: A list of certified instructors by the Appraisal Foundation, Appraiser Qualification Board, may be obtained from the Appraisal Foundation, 1155 15th Street, N.W., Suite 1111, Washington, D.C. 20005.

ARTICLE 3. LIMITED CERTIFICATION.

Section

- 300. Scope of limited real estate appraiser (*Repealed*)**
- 310. Qualifications for limited real estate appraiser certification (*Repealed*)**

12 AAC 70.300. SCOPE OF LIMITED REAL ESTATE APPRAISER. (*Repealed 4/15/94*)

12 AAC 70.310. QUALIFICATIONS FOR LIMITED REAL ESTATE APPRAISER CERTIFICATION. (*Repealed 4/15/94*)

ARTICLE 4. GENERAL PROVISIONS.

Section

- 900. Standards of practice**
- 910. Definition of classroom hours**
- 920. Courtesy License**
- 930. Federal Registry**
- 935. Supervision of trainee appraisers**
- 940. Retention of records**
- 990. Definitions**

12 AAC 70.900. STANDARDS OF PRACTICE. The standards of practice for certified real estate appraisers practicing in the state are those specified in AS 08.87.200(3).

Authority: AS 08.87.020 AS 08.87.200

Editor's note: *The standards of practice referred to in 12 AAC 70.900 (Uniform Standards of Professional Appraisal Practice) are available from the Appraisal Foundation, publications department, 1029 Vermont Avenue, N.W., Suite 900, Washington, DC 20005-3517. Phone no. (202) 347-7722.*

12 AAC 70.910. DEFINITION OF CLASSROOM HOUR. For the purposes of this chapter,

- (1) except as provided in 12 AAC 70.145(d)(2)(A) and 12 AAC 70.220(c), one classroom hour equals a minimum of 50 minutes of instruction;
- (2) one academic semester credit hour equals 15 classroom hours; and
- (3) one academic quarter credit hour equals 10 classroom hours.

Authority: AS 08.87.020 AS 08.87.110 AS 08.87.120

12 AAC 70.920. COURTESY LICENSE. (a) The board or the board's designee in the department will issue a courtesy license to a nonresident who is a certified or credentialed real estate appraiser in another state and who meets the requirements of this section.

(b) *Repealed 12/13/94.*

(c) A courtesy license is valid for one appraisal assignment, not to exceed 180 consecutive days. However, upon request the board will grant one 30-day extension. A person may be issued no more than two courtesy licenses in a 12-month period.

(d) An applicant for a courtesy license shall submit

- (1) a completed application on the forms provided by the department;
- (2) any fees required in 12 AAC 02.370;
- (3) evidence of a certificate or an applicant's credentials as a real estate appraiser in good standing from another state; and
- (4) an address for service of process.

(e) A courtesy license holder shall submit to the board a copy of the report prepared for the appraisal assignment for which the courtesy license was issued within 30 days of the completion of the assignment.

(f) The board's designee in the department shall issue a courtesy license within five days after receipt of the materials and fees required in (d) of this section unless those application materials indicate disciplinary action in another state.

(g) The board's designee in the department shall forward any courtesy license application and accompanying materials that indicate disciplinary action in another state to the board for its consideration to grant or deny the courtesy license.

(h) In compliance with 12 U.S.C. 331-3351 (Title XI, Financial Institutions Reform, Recovery and Enforcement Act of 1989), the board or the board's designee in the department will issue a courtesy license to a credentialed nonresident of this state for the purpose of providing appraisal services for federally-related transactions in this state.

(i) In this section, "credentialed" means a licensed or certified appraiser in good standing in another state.

Authority: AS 08.01.062 AS 08.87.020

12 AAC 70.930. FEDERAL REGISTRY. (a) In compliance with 12 U.S.C. 3338 (Financial Institutions Reform, Recovery, and Enforcement Act of 1989), the board will annually send to the Federal Financial Institutions Examination Council, Appraisal Subcommittee,

- (1) a roster of all real estate appraisers certified in Alaska at that time; and
- (2) an amount equal to the amount collected from each certified real estate appraiser listed on the roster identified in paragraph (1) of this section.

(b) At the time of initial certification and at the time of certificate renewal, a certified real estate appraiser shall submit to the department any annual federal registry fee established in 12 AAC 02.

Authority: AS 08.01.065 AS 08.87.100 AS 08.87.110

12 AAC 70.935. SUPERVISION OF TRAINEE APPRAISERS. (a) A supervisory appraiser shall

(1) be in good standing in this state and not subject to any disciplinary action within any jurisdiction within the last three years that affects the supervisory appraiser's legal eligibility to engage in appraisal practice; a supervisory appraiser subject to a disciplinary action is in good standing three years after the successful completion or termination of the sanction imposed against the appraiser;

(2) have been a state-certified appraiser for at least three years before being eligible to become a supervisory appraiser; and

(3) comply with the Competency Rule of the Uniform Standards of Professional Appraisal Practice for the property type and geographic location for which the trainee supervisor is being supervised.

(b) A supervisory appraiser may not supervise more than three trainee appraisers at one time.

(c) A supervisory appraiser shall be responsible for the training, guidance, and direct supervision of the trainee appraiser by

(1) accepting responsibility for a trainee appraiser's appraisal reports by signing each report and certifying that the report is in compliance with the Uniform Standards of Professional Appraisal Practice;

(2) reviewing the trainee appraisal reports; and

(3) personally inspecting each appraised property with the trainee appraiser until the supervisory appraiser determines that the trainee appraiser is competent, in accordance with the Competency Rule of the Uniform Standards of Professional Appraisal Practice, for the property type; the supervisory appraiser shall make the determination of competency in writing on a form provided by the department and shall submit the determination to the department not later than 10 days after the date of the determination.

(d) A trainee appraiser shall report to the department, on a form provided by the department, the identity of any supervisory appraiser. A trainee appraiser may have more than one supervisory appraiser. If a trainee appraiser has more than one supervisory appraiser, the trainee appraiser shall report the identity of each supervisory appraiser as required under this subsection.

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

(f) The supervisory appraiser and the trainee appraiser shall jointly maintain an appraisal log that for each appraisal includes at least

(1) identification of the type of property;

(2) the date of the report;

(3) the address of the appraised property;

(4) a description of work performed by the trainee appraiser and the scope of the review and supervision of the supervisory appraiser;

(5) the number of actual work hours by the trainee appraiser on the assignment; and

(6) the signature and state certification number of the supervisory appraiser; separate appraisal logs shall be maintained for each supervisory appraiser, if applicable.

(g) Before supervising a trainee appraiser, a supervisory appraiser shall complete a course that

(1) complies with the specifications for course content established by the Appraiser Qualifications Board of the Appraisal Foundation; and

(2) is specifically oriented to the requirements and responsibilities of supervisory appraisers and trainee appraisers.

(h) The course that an applicant for certification under 12 AAC 70.125 as a trainee appraiser must take

(1) must

(A) comply with the specifications for course content established by the Appraiser Qualifications Board of the Appraisal Foundation; and

(B) be specifically oriented to the requirements and responsibilities of supervisory appraisers and trainee appraisers; and

(2) is not eligible towards the 75 hours of qualifying education required under 12 AAC 70.125.

Authority: AS 08.87.020 AS 08.87.310

12 AAC 70.940. RETENTION OF RECORDS. (a) An appraiser must prepare a work file for each appraisal, appraisal review, or appraisal consulting assignment. A work file must be in existence before the issuance of a written or oral report. A written summary of an oral report must be added to the work file within a reasonable time after the issuance of the oral report.

(b) The work file must include

(1) the name of the client and the identity, by name or type, of any other intended users;

(2) true copies of any written reports, documented on a type of media; a photocopy or an electronic copy of the entire signed report transmitted to the client satisfies the requirements of a true copy;

(3) summaries of any oral reports or testimony, or transcripts of testimony, including the appraiser's signed and dated certification; and

(4) all other data, information, and documentation necessary to support the appraiser's opinions and conclusions and to show compliance with USPAP, or reference to the locations of the documentation.

(c) An appraiser must retain the work file for a period of at least five years after preparation or at least three years after final disposition of any judicial proceeding in which the appraiser provided testimony related to the assignment, whichever period expires later.

(d) An appraiser must have custody of the appraiser's work file, or make appropriate work file retention, access, and retrieval arrangements with the party having custody of the work file.

(e) An appraiser having custody of a work file must allow other appraisers with work file obligations related to an assignment appropriate access and retrieval for the purpose of

(1) submission to state appraiser regulatory agencies;

(2) compliance with due process of law;

(3) submission to a duly authorized professional peer review committee; or

(4) compliance with retrieval arrangements.

Authority: AS 08.87.020

AS 08.87.300

12 AAC 70.990. DEFINITIONS. In this chapter and in AS 08.87

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

(2) “board” means the Board of Certified Real Estate Appraisers;

(3) “certified real estate appraiser” means a real estate appraiser who is certified in Alaska under AS 08.87; it does not include persons certified by another licensing jurisdiction or organization;

(4) “department” means the Department of Commerce, Community, and Economic Development;

(5) “holds out as a certified real estate appraiser in any way” includes anyone who performs appraisal services on real estate located in Alaska;

(6) “transaction value” means the amount of the federally-related transaction and is not necessarily the value of the property being appraised;

(7) “institutional real estate appraiser” means a real estate appraiser employed full-time by a financial institution with an office in the state subject to the limitations set out in AS 08.87.110(e) - (g);

(8) “complete application” means an application that includes all documentation and fees required for certification in this chapter;

(9) “distance education” means an educational process where a geographical separation exists between the provider and student;

(10) “CLEP” means the College-Level Examination Program;

(11) “USPAP” means the Uniform Standards of Professional Appraisal Practice, developed by the Appraisal Foundation.

Authority: AS 08.87.020