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# Appraisal Subcommittee

*Federal Financial Institutions Examination Council*

January 7, 2003

William Pastuszek, Jr.  
Chairman  
Board of Registration of Real Estate  
Appraisers  
c/o Division of Professional Licensing  
239 Causeway Street  
Boston, Massachusetts 02114

Dear Mr. Pastuszek:

Thank you for your staff's assistance in the November 13-14, 2002 Appraisal Subcommittee ("ASC") review of Massachusetts' appraiser regulatory program ("Program"). As a result of our review, we believe Massachusetts' Program to be substantially compliant with Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as amended ("Title XI"). We complement the Division and the Board of Registration of Real Estate Appraisers ("Board") on their efforts to improve the Program since our previous review in April 2000.

- **The Complaint Investigation and Resolution Process**

The Board and the Division's Investigative Unit respond to complaints in a timely manner, usually making case determinations in less than a year. However, we noted that after the Board voted to take action on a complaint, often it would be months before the Program Coordinator or the Legal Department completed their responsibilities for the complaint. We noted that unexecuted consent agreements lingered in the Legal Department, and the Program Coordinator delayed providing disciplinary notifications to appraisers.

Efforts by Program Coordinator Neal Fenno and Chief Counsel Gail Gabriel have resulted in more timely and completed resolutions to complaints. Their efforts, which include establishing a meaningful tracking system, provide a more effective complaint investigation and resolution system. The Division needs to assure that the improvements implemented by Mr. Fenno and Ms. Gabriel are continued and that necessary resources continue to be devoted to this critical aspect of the State's Program.

- **Statute and Regulations**

During our review, we noted that the Board's regulations have been rewritten to implement the 2003 Appraiser Qualifications Board Criteria changes and to make other improvements. We encourage you to send the draft regulations to the ASC for review and comment regarding compliance with Title XI. We can provide such a review in a relative short time period.

Please respond to our findings and recommendations within 60 days from the date of this letter. Until the expiration of that time period or the receipt of your response, we consider this field review to be an open matter. After receiving your response or the expiration of the 60-day response period, whichever is earlier, this letter, your response and any other correspondence between you and the ASC regarding this field review become releasable to the public under the Freedom of Information Act and will be made available on our Web site.

If you have any questions, please contact us.

Sincerely,

Steven D. Fritts  
Chairman

cc: Neal Fenochietti, Associate Director  
Board of Registration of Real Estate Brokers and Salespeople