

June 18, 2025

Via Email

Deanna E. Jurius, Executive Director
Division of Administration
Office of Professional Licensure and Certification
7 Eagle Square
Concord, NH 03301
Deanna.E.Jurius@oplcnh.gov

RE: ASC Compliance Review of New Hampshire's Appraiser Regulatory Program

Dear Deanna E. Jurius:

The Appraisal Subcommittee (ASC) staff conducted an ASC Compliance Review (Review) of the New Hampshire appraiser regulatory program (Appraiser Program) on August 6-8, 2024, to determine the Appraiser Program's compliance with Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as amended.¹

The ASC considered the preliminary results of the Review and the State's response to those results. The Appraiser Program is given an ASC Finding of "Not Satisfactory." The final ASC Compliance Review Report (Report) of the New Hampshire Appraiser Program is attached.

The ASC identified the following areas of non-compliance:

- States must, at a minimum, adopt and/or implement all relevant AQB Criteria.²
- State requirements for trainee appraisers and supervisory appraisers must meet or exceed the AQB Criteria.³
- States must issue temporary practice permits within five business days of receipt of a completed application or notify the applicant and document the file as to the circumstances justifying delay or other action;⁴
- States must reconcile and pay registry invoices in a timely manner;⁵
- States must ensure the accuracy of all data submitted to the Appraiser Registry;⁶
- States must ensure the accuracy of all data submitted to the Appraiser Registry;⁷

¹ 12 U.S.C. §§ 3331-3356.

² 12 U.S.C. § 3345; 12 U.S.C. § 3347; Policy Statement 1 C, D.

³ 12 U.S.C. § 3345; 12 U.S.C. § 3347; Policy Statement 1 C.

⁴ 12 U.S.C. § 3351; Policy Statement 2 B.

⁵ 12 U.S.C. § 3347; 12 U.S.C. § 3338; Policy Statement 3 B.

⁶ 12 U.S.C. § 3347; Policy Statement 3 A, D.

⁷ 12 U.S.C. § 3347; Policy Statement 3 A, D.

- States must maintain adequate documentation to support verification of all claimed education;⁸
- States must use a reliable means of validating appraiser experience claimed on all initial or upgrade applications for appraiser credentialing;⁹
- States must ensure that appraiser education courses are consistent with AQB Criteria;¹⁰
- States must track all complaints on a complaint log containing the required information;¹¹ and
- States must maintain relevant documentation to enable understanding of the facts and determinations in the matter and the reasons for those determinations.¹²

The ASC recognizes that the State has undergone significant restructuring and experienced considerable turnover since the last Compliance Review. In addition, the State has taken steps to modify its practices and procedures to address areas of non-compliance moving forward.

For example, the State has promised to pursue an amendment to their statutes to address the deficiencies noted regarding the need to adopt and implement all relevant AQB Criteria regarding continuing education requirements and requirements related to trainee appraisers and supervisory appraisers.

The State informs that a regulation that permitted licensure by operation of law has since been amended to exempt licensing conducted by the State Appraiser Program from this provision. This is significant as this regulation and its effect led to the issuance of a credential without the appropriate documentation supporting that the applicant met all requirements.

In addition, the State recognized and immediately implemented changes in tracking Temporary Practice Permits and provides appropriate documentation, timely communication with applicants, and other safeguards to ensure timely issuance. The State also reports that it has already made changes to its verification processes and procedures to ensure that accurate information is submitted to the Appraiser Registry, as well as pointing to a more transparent and thoughtful process of approving continuing and qualifying education to ensure that course approvals are based upon appropriate content that supports alignment with AQB Criteria.

The meaningful steps above, combined with the ASC staff's increased monitoring and follow-up, will allow the opportunity and cooperative effort necessary to address the remaining areas of non-compliance cited in the Compliance Review Report. ASC Staff priorities will include verifying that the steps taken by the State and those actions underway promote the State's overall compliance with Title XI as evaluated based on the ASC Policy Statements.

After notifying the State, ASC staff will conduct a Follow-up Review to confirm that appropriate corrective actions have been taken. New Hampshire will be moved to a one-year Review Cycle.

⁸ 12 U.S.C. § 3345; 12 U.S.C. § 3347; Policy Statement 4 B, C.

⁹ 12 U.S.C. § 3347; Policy Statement 4 D.

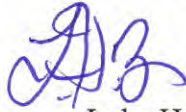
¹⁰ 12 U.S.C. § 3345; 12 U.S.C. § 3347; Policy Statement 6 A.

¹¹ 12 U.S.C. § 3347; Policy Statement 7 B.

¹² 12 U.S.C. § 3347; Policy Statement 7 B.

This letter and the attached Report are public records and available on the ASC website. Please contact us if you have any questions about this Report.

Sincerely,



Luke H. Brown
Acting Chair

Attachment

cc: Heather Kelley, Director of Operations, Division of Administration

Heather.A.Kelley@oplc.nh.gov

Bethany A. Cottrell, Director, Division of Licensing and Board Administration

Bethany.A.Cottrell@oplc.nh.gov

ASC Finding Descriptions

ASC Finding	Rating Criteria	Review Cycle*
Excellent	<ul style="list-style-type: none"> State meets all Title XI mandates and complies with requirements of ASC Policy Statements State maintains a strong regulatory Program Very low risk of Program failure 	2-year
Good	<ul style="list-style-type: none"> State meets the majority of Title XI mandates and complies with the majority of ASC Policy Statement requirements Deficiencies are minor in nature State is adequately addressing deficiencies identified and correcting them in the normal course of business State maintains an effective regulatory Program Low risk of Program failure 	2-year
Needs Improvement	<ul style="list-style-type: none"> State does not meet all Title XI mandates and does not comply with all requirements of ASC Policy Statements Deficiencies are material but manageable and if not corrected in a timely manner pose a potential risk to the Program State may have a history of repeated deficiencies but is showing progress toward correcting deficiencies State regulatory Program needs improvement Moderate risk of Program failure 	2-year with additional monitoring
Not Satisfactory	<ul style="list-style-type: none"> State does not meet all Title XI mandates and does not comply with all requirements of ASC Policy Statements Deficiencies present a significant risk and if not corrected in a timely manner pose a well-defined risk to the Program State may have a history of repeated deficiencies and requires more supervision to ensure corrective actions are progressing State regulatory Program has substantial deficiencies Substantial risk of Program failure 	1-year
Poor	<ul style="list-style-type: none"> State does not meet Title XI mandates and does not comply with requirements of ASC Policy Statements Deficiencies are significant and severe, require immediate attention and if not corrected represent critical flaws in the Program State may have a history of repeated deficiencies and may show a lack of willingness or ability to correct deficiencies High risk of Program failure 	Continuous monitoring

*Program history or nature of deficiency may warrant a more accelerated Review Cycle.

**An ASC Finding of “Poor” may result in significant consequences to the State. See Policy Statement 5, Reciprocity; see also Policy Statement 12, Interim Sanctions.



ASC State Appraiser Program Compliance Review Report

ASC Finding: Not Satisfactory

Final Report Issue Date: June 18, 2025

New Hampshire Appraiser Regulatory Program (State)			
New Hampshire Real Estate Appraiser Board	PM: T. Lewis	ASC Compliance Review Date: August 06-08, 2024	Review Period: July 2022 to June 2024
Umbrella Agency: Office of Professional Licensure and Certification	Number of State Credentialed Appraisers on Appraiser Registry: 672		Review Cycle: One Year

Applicable Federal Citations	Compliance (YES/NO) Areas of Concern (AC)			ASC Staff Observations	State Response	Required/Recommended State Actions	General 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.)				The AQB Criteria provides that up to 1/2 of an appraiser's Continuing Education (CE) requirement may be granted for participation, other than as a student, in such activities as teaching or authoring a textbook. The State's statute is inconsistent with this requirement and does not limit the amount of CE that may be acquired from these types of activities.	On November 21, 2024, the State reported that Administrative Rule Rab 403.03(b) implements the referenced AQB criteria. The State noted, "Rules and regulations promulgated by administrative agencies pursuant to a valid delegation of authority have the force and effect of laws." The State, therefore, notes that because the administrative rule is a valid, enforceable rule with the effect of law that cannot be waived, it respectfully asks for reconsideration of the preliminary indication that it was not in compliance.	The State must amend its Statute to bring it into compliance with AQB Criteria and provide ASC staff with a copy once finalized.	During the next Compliance Review, ASC staff will pay particular attention to this area for compliance.
Statutes, Regulations, Policies and Procedures (continued):		X					
State requirements for trainee appraisers and supervisory appraisers must meet or exceed the AQB Criteria. (12 U.S.C. § 3345; 12 U.S.C. § 3347; Policy Statement 1 C.)				The AQB Criteria require Supervisory Appraisers not to have been subject to any disciplinary action within any jurisdiction within the 3 years prior to Supervisory Appraiser approval. The State provides for only 2 years, which is inconsistent with this requirement.	On November 21, 2024, the State reported that its administrative rules require that a supervisor must be in good standing for the preceding 3 years in any jurisdiction in which he or she holds licensure or certification. Here again the State considers the administrative rule a valid, enforceable rule with the effect of law that cannot be waived.	The State must amend its Statute to bring it into compliance with AQB Criteria and provide ASC staff with a copy once finalized.	During the next Compliance Review, ASC staff will pay particular attention to this area for compliance.



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Applicable Federal Citations	Compliance (YES/NO) Areas of Concern (AC)			ASC Staff Observations	State Response	Required/Recommended State Actions	General Comments
	YES	NO	AC				
Temporary Practice:		X					
States must issue temporary practice permits within five business days of receipt of a completed application or notify the applicant and document the file as to the circumstances justifying delay or other action. (12 U.S.C. § 3351; Policy Statement 2 B.)				The State failed to process 7 requests for temporary practice permits within 5 business days of receipt of a completed application.	On November 21, 2024, the State reported it had addressed this situation by adjusting its policies and practices, including maintaining timely communication with applicants and ensuring appropriate file documentation.	The State must monitor its new processes to ensure temporary practice permits are issued within 5 business days of receipt of a complete application.	During the next Compliance Review, ASC staff will pay particular attention to this area for compliance.
National Registry:			X				
States must ensure that staff authorization information provided to the ASC is updated and accurate. (12 U.S.C. § 3338; 12 U.S.C. § 3347; Policy Statement 3 A, C.)				The State failed to notify the ASC to deactivate 3 individuals' Registry access.	On November 21, 2024, the State reported that staff turnover resulted in a failure to comply during the period under review. Before the Compliance Review, the State updated the list of authorized users and provided an internal policy to ensure compliance going forward.	The State should monitor the new internal process to ensure that the authorization information provided to the ASC is updated and accurate.	During the next Compliance Review, ASC staff will pay particular attention to this area for compliance.
National Registry(continued):		X					
States must reconcile and pay registry invoices in a timely manner. (12 U.S.C. § 3347; 12 U.S.C. § 3338; Policy Statement 3 B.)				The State failed to reconcile and pay 1 Registry invoice within 45 days after the invoice date.	On November 21, 2024, the State reported that an invoice tracking spreadsheet was implemented to ensure no past-due invoices are missed.	The State must monitor its new process of reconciling National Registry invoices to ensure payment in a timely manner.	Through off-site monitoring and during the next Compliance Review, ASC staff will pay particular attention to this area for compliance.



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	YES	NO	AC				
National Registry(continued):		X					
States must ensure the accuracy of all data submitted to the Appraiser Registry. (12 U.S.C. § 3347; Policy Statement 3 A, D.)				The State failed to ensure accuracy of all data submitted to the National Registry.	On November 21, 2024, the State reported that at the time these 2 appraisers were renewed, their license system was not in place and that the appraisers in question were renewed without meeting the CE requirements.	Within 60 days, the State must adopt written policies and procedures that ensure the accuracy of all data submitted to the National Registry.	During a Follow-up Review and the next Compliance Review, ASC staff will pay particular attention to this area for compliance.
National Registry(continued):		X					
States must ensure the accuracy of all data submitted to the Appraiser Registry. (12 U.S.C. § 3347; Policy Statement 3 A, D.)				The State reported 1 appraiser to the National Registry that did not meet the experience and exam requirements necessary for the initial issuance of their credential and qualify to be included on the National Registry.	On November 21, 2024, the State reported the applicant was licensed by operation of law that required issuance when no action was taken on the application within 60 days. The State notes that this law has since been amended to exempt the Board from this provision. Additionally, the State is in the process of drafting a policy to ensure timely review and processing of all licensing applications under applicable rules and statutes.	An examination of the current licensing record for this appraiser found that the State subsequently determined the applicant satisfied the AQB Criteria. Within 60 days, the State must provide ASC staff with a copy of its new policy to ensure timely review and processing of all licensing applications.	During a Follow-up Review and the next Compliance Review, ASC staff will pay particular attention to this area for compliance.



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	YES	NO	AC				
Application Process:		X					
States must maintain adequate documentation to support verification of all claimed education. (12 U.S.C. § 3345; 12 U.S.C. § 3347; Policy Statement 4 B, C.)				The State issued 2 appraiser credentials without verifying the applicants met the AQB Criteria required CE.	On November 21, 2024, the State reported that at the time these 2 appraisers were renewed, their license system was not in place and that the appraisers in question were renewed without meeting the CE requirements.	Within 60 days, the State must provide ASC staff sufficient documentation to show that the two appraisers met all the requisite CE; or that the State took appropriate action. Within 60 days, the State must adopt written policies and procedures that ensure applicants have completed all CE hours consistent with the AQB Criteria.	During a Follow-up Review and the next Compliance Review, ASC staff will pay particular attention to this area for compliance.
Application Process (continued):		X					
States must use a reliable means of validating appraiser experience claimed on all initial or upgrade applications for appraiser credentialing. (12 U.S.C. § 3347; Policy Statement 4 D.)				1 application file did not contain adequate documentation to support experience claims on an initial application for appraiser credentialing.	On November 21, 2024, the State reported the applicant was licensed by operation of law that required issuance when no action was taken on the application within 60 days. The State notes that this law has since been amended to exempt the Board from this provision. Additionally, the State is in the process of drafting a policy to ensure timely review and processing of all licensing applications under applicable rules and statutes.	An examination of the current licensing record for this appraiser found that the State subsequently determined the applicant satisfied the AQB Criteria. Within 60 days, the State must provide ASC staff with a copy of its new policy to ensure timely review and processing of all licensing applications.	During a Follow-up Review and the next Compliance Review, ASC staff will pay particular attention to this area for compliance.
Reciprocity:	X						
				No compliance issues noted.	N/A	None	None




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	YES	NO	AC				
Education:		X					
States must ensure that appraiser education courses are consistent with AQB Criteria. (12 U.S.C. § 3345; 12 U.S.C. § 3347; Policy Statement 6 A.)				AQB Criteria requires CE courses to cover real property related appraisal topics. The State approved a CE course without sufficient documentation in the file to determine the appropriateness of the content.	On November 21, 2024, the State reported that it has developed a consistent process to address this issue. The State has developed a multi-stage review to prevent future occurrences.	The State must monitor the results of its revised process to ensure all courses approved are compliant with AQB Criteria.	During a Follow-up Review and the next Compliance Review, ASC staff will pay particular attention to this area for compliance.
Enforcement :		X					
States must track all complaints on a complaint log containing the required information. (12 U.S.C. § 3347; Policy Statement 7 B.)				States must track complaints of alleged appraiser misconduct or wrongdoing using a complaint log. The State was unable to provide such a log.	On November 21, 2024, the State reported that it experienced personnel issues that were discovered shortly before the Review. The State further notes that software problems resulted in unforeseen complications when providing the complaint log. The State has since addressed the personnel issues and is in the process of having its technology division troubleshoot the software issue, creating the required log.	The State must send a complaint log to ASC staff within 15 days from the date of this report. The ASC Program Manager assigned to the State will work with the State staff to determine the log details.	After reviewing the complaint log, ASC staff will determine if an onsite Follow-up Review is necessary.

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		YES	NO	AC			
Enforcement (continued):			X				
States must maintain relevant documentation to enable understanding of the facts and determinations in the matter and the reasons for those determinations. (12 U.S.C. § 3347; Policy Statement 7 B.)					ASC staff requested closed complaint files for review. The State was unable to provide any files or documentation for closed complaints.	On November 21, 2024, the State reported that it experienced issues with the software it had recently purchased to maintain electronic enforcement documentation. The issues affected all boards, preventing the State from supplying the documentation in time for the Review. The State has since created a system for the filing and documentation of closed complaints.	Within 60 days, the State must develop a plan to ensure that disposition of case resolution is consistent, appropriate and equitable; and the complaint process is well documented and available to ASC staff during the on-site portion of the Review.
							During a Follow-up Review and the next Compliance Review, ASC staff will pay particular attention to this area for compliance.