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Appraisal Subcommittee
Federal Financial Institutions Examination Council

VIA EMAIL

March 12, 2009

The Honorable Representative David E. Nathan
Banking and Financial Services Committee
N 0690 House Office Building
P.O. Box 30014
Lansing, MI 48909-7514

Dear Rep. Nathan:

The Appraisal Subcommittee of the Federal Financial Institutions Examination Council (ASC) is a federal government agency responsible, among other things, for overseeing state real estate appraiser regulatory programs under Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as amended (Title XI), 12 U.S.C. 3310 and 12 U.S.C. 3331, et seq. In exercising our oversight, we perform periodic on-site reviews of each state's program to monitor compliance with Title XI.

Under Title XI, each state, among other things, must ensure that persons issued certified residential or certified general real estate appraiser credentials meet the Appraiser Qualifications Board's (AQB) minimum examination, education, and experience qualifications criteria for those credential levels (criteria). In 2004, the AQB adopted significant changes to these criteria, which became effective January 1, 2008.

We understand that HB 4234 repeals Section 2629 of the occupational code, 1980 PA 299, MCL 339.2629. This section of Michigan law is in conflict with AQB criteria. Subsection (2) was specifically identified as conflicting during Michigan's last Field Review by the ASC. Subsection (1), although not in direct conflict with AQB criteria, depending on the process used for its implementation, could be interpreted to require that a credential expired more than three years could be reactivated by examination only without the requisite continuing education. The most recent changes to the AQB criteria require appraisers whose credential becomes inactive or expired to complete the continuing education that would have been required if the credential had remained active. Therefore the ASC encourages the repeal of the aforementioned code and supports the passage of HB 4234.

Please contact us if you have further questions or need further assistance.

Sincerely,

Denise Graves
Deputy Executive Director