

[DELETION]

April 19, 2006

Marc Weinberg, Esq.
General Counsel
The Appraisal Subcommittee 2000
K Street, N.W., Suite 310
Washington, D.C. 20006

APR 24 2006

Mr. Ben Henson
Executive Director
The Appraisal Subcommittee 2000
K Street, N.W., Suite 310
Washington, D.C. 20006

[DELETION]

Dear Messrs. Weinberg and Henson:

I have reviewed Mr. Henson's letter of April 12, 2006.

In the letter, Mr. Henson states that it was not inappropriate for OREA to request sample work products for review. He fails to take any position on whether it is appropriate to use work samples submitted in support of an upgrade of an appraisal license to start disciplinary proceedings, in the absence of any public complaints, against an appraiser. As I pointed out in my March 28, 2006 letter to Mr. Weinberg, My research with respect to other states shows that if an appraisal sample is submitted as part of an upgrade application and the appraisal sample is deemed inadequate by the licensing agency, that is sent back to the appraiser seeking the upgrade and then he is asked to reapply. You are aware that in my case my appraisal sample was not merely sent back with a request that I reapply but in fact unnecessary and inappropriate disciplinary proceedings were held by OREA, with the authorization and approval of Acting Director Tony Majeski against me in the presence of an administrative law judge.

My letter of March 28, 2006 to Mr. Weinberg also addressed the fact that I am a real estate appraiser with over 30 years of experience and had no disciplinary record at the time that the disciplinary proceedings were held against me and the public reproof imposed against me. In his letter, Mr. Henson did not address the issue of a whether the standard for imposing a public reproof against an appraiser with over 30 years of experience and no complaints from the general public should be higher than that for an

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appraiser with significantly less experience and with significant complaints from the general public.

It should also be noted that Section 1118 of Title XI of the Financial Institutions Recovery, Reform, and Enforcement Act of 1989 (FIRREA) (12 U.S.C. Section 3347) states in relevant part as follows:

(a) *In general.* The Appraisal Subcommittee shall monitor State appraiser certifying and licensing agencies for the purpose of determining whether a State agency's policies, practices, and procedures are consistent with this title. The Appraisal Subcommittee and all agencies, instrumentalities, and federally recognized entities under this title shall not recognize appraiser certifications and licenses from States whose appraisal policies, practices, or procedures are found to be inconsistent with this title.

It should further be noted that Section 1118 of Title XI of FIRREA allows the Appraisal Subcommittee to disapprove the standards adopted by state appraiser Certification agencies, such as OREA.

While Mr. Henson states in his letter of April 12, 2006 that the Appraisal Subcommittee is not authorized to investigate civil rights types of concerns, he is undoubtedly aware of the need of OREA to comply with federal and California civil rights laws. It is clear that failure to comply with civil rights laws by OREA is sufficient for the Appraiser Subcommittee to withdraw its approval of OREA's operational standards. It should be noted that in Section 1122 (d) of FIRREA (12 U.S.C. 3351 (d)), there is a prohibition against discrimination based on membership Or lack of membership in an appraiser organization. You should note that I am the [DELETION] and have seen its [DELETION] for many years. You should note that the [DELETION] is a primarily black organization.

It is clear that the concerns that I discussed in my letter of November 4, 2005 to Mr. Weinberg and in my letter of March 28, 2006 to Mr. Weinberg have not been addressed,

Please respond no later than May 1, 2006 as to the status of this matter.

Sincerely,

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cc: U.S. Senator Dianne Feinstein
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