

□ □ □ □ □ □

Appraisal Subcommittee

Federal Financial Institutions Examination Council

March 8, 2006

Anthony F. Majewski, Acting Director
Office of Real Estate Appraisers
1102 Q Street, Suite 4100
Sacramento, CA 95814

Dear Mr. Majewski:

This letter responds to your February 7, 2006 letter regarding the potential impact of the Avian flu on the Title XI of the Federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (“Title XI”)-based appraiser regulatory structure. You stated that the Governor of California has directed the State’s executive branch agencies to begin preparing for the effects of a flu pandemic.

You stated that, “In the event that absentee rates among OREA [Office of Real Estate Appraisers] staff meet or exceed 35 percent, it likely would become necessary for us to modify operations in both the licensing and enforcement units. Critical timelines established by the Appraisal Subcommittee [(“ASC”)] could be missed and some application and complaint review processes might need to be modified to ensure that overall operations continue.”

Specifically, you asked what, if any, specific relief regarding the requirements of Title XI the ASC would grant in the event of such a pandemic.

Federal law, to our knowledge, does not provide for any relief from Title XI’s requirements due to an Avian flu pandemic or similar types of health-related issues. Therefore, we cannot provide specific guidance at this time. It is likely, however, that the Congress, the Office of the President, or other authorized Federal source would provide guidance to Federal agencies should such an event occur. At that time, the ASC would consider appropriate actions based on that guidance.

Sincerely,

Ben Henson
Executive Director