



DEPARTMENT OF BUSINESS & PROFESSIONAL REGULATION

Lawton Chiles, Governor

Richard T. Farrell, Secretary



May 22, 1998

Ben Henson, Executive Director
Appraisal Subcommittee
Federal Financial Institutions Examination Council
2100 Pennsylvania Ave., N. W. Suite 200
Washington, D. C. 20037

Dear Mr. Henson:

In accordance with the "Instructions to State Regulatory Officials" received in my office by FAX on 5/13/98, I have instructed the legal staff to provide your agency with a disk of Disciplinary penalties levied by the Florida Real Estate Appraisal Board which is inclusive of all actions dating from 4/93. You now will continue to receive an updated disciplinary list once appeal time has run, thus making the disciplinary actions final.

It has been as a result of a misunderstanding by the Legal Section of this Division that Florida has not been reporting these actions in a separate and different format than it has been accomplishing for the other boards within this state. I was unaware that the ASC has a different site for the public to retrieve such information. This Division has been publishing these matters via the website since 9/97 when it went on-line. It was my understanding that the Appraisal Subcommittee would retrieve the actions from there. Site being: <http://www.state.fl.us/dbpr/html/re/freab/pr9712.htm-d>.

Also as a point of information, Ms. Hattaway has continuously provided your agency with a copy of the Appraisal Report, a newsletter periodically printed by the FREAB which carries the disciplinary matters in detail.

I do have two concerns:

1) What is the unique identification number assigned by the ASC ("a"-on the list)? I would like clarification on this matter. Therefore, I have replaced this column with a BPR (Department of Business and Professional Regulation) Index number--this number is used for indexing all Final Orders of the FREAB and when a member of the public has access to the disciplinary website all that is needed for one to receive a copy of the final Order and

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Administrative complaint with exhibits, would be to contact the Department's agency clerk in Tallahassee at (850) 921 0342. I have placed the above information in a footnote to the chart that I am sending you.

You will also note that there are some BPR numbers missing that is due to fact that the Agency Clerk's office was not indexing during that time.

2) According to the codes # 4 - probation designates a more severe punishment than # 3 which is your fines-- your definition says that it is a restriction imposed regarding the permitted scope of practice and/or the oversight of a licensed or certified appraiser's work for a specified period of time. To Florida, probation is used as a vehicle to take education and not normally a discipline standing alone. i.e., if an appraiser is subject to taking a specific course of USPAP then probation is put in place within which to complete the course and the order will further indicate that probation will be ended once this agency receives proof of having complied with the education.

On the chart that I have provided to you in hard copy, you will note the column under Ending Date of Probation or Suspension does not have very many dates filled in --if a disciplined appraiser does not formally request the reinstatement of his/her certification (which could possibly be never) then there will be no date in that column.

If you have any questions please contact Jennie Jones, Regulatory Program Administrator and Deputy Clerk for the FREAB at 407 481 5632.

Sincerely,



Henry M. Solares,
Div. Director

HMS.jj
cc: Charlotte Hattaway
Steven D. Fieldman