



**GEORGIA
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Real Estate Commissioner

FEB 16 1999

February 10, 1999

Mr. Herbert S. Yolles, Chairman
Appraisal Subcommittee
Suite 310, 2000 K Street, N. W.
Washington, D.C. 20006

Dear Mr. Yolles

Thank you for your letter of January 15 and its enclosed November 3, 1998, "Decision" of the Controller General. As we read that "Decision," it only rejects (1) the ASC's requirement that a state send to the ASC multiple year fees that it collects in behalf of the ASC at the time that they are collected and (2) the ASC's contention that registry fees states collect for it are "federal fees" at the time of collection. It does not address Georgia's initial licensing fee program.

Georgia sends the ASC every dollar that it collects in the ASC's name the same month that it is collected. As I explained in my appearance before the Subcommittee last September, we collect \$25.00 for every year that an appraiser is classified and send it to the ASC. The ASC suffers no financial loss based on our handling of our initial licensing periods. The "Decision" does not address that issue.

We see nothing in the federal statute (or the "Decision") that allows the ASC to dictate state licensing periods. If ASC believes that the "Decision" controls our initial licensing fee program, then it must abandon its own definition of "annual" that already includes more than a calendar year. We find no reason why our program can not be appropriately accommodated in what the ASC calls "an administrative grace period."

Relying on a "Decision" that does not directly address our particular program reflects bad faith treatment of our position. The ASC has accepted our initial licensing system since 1991, it has worked well in our state for 30 years, and it results in no loss of revenue to the ASC. Asking us to change it now reflects the kind of bureaucratic contempt that the ASC has often voiced its intent to avoid. Why abandon that positive, flexible attitude in this area?

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As I indicated to the Subcommittee in my September presentation to it, the cost to modify our system to accommodate the ASC's arbitrary definition of "annual" will be at least \$10,000.00. If the ASC insists on its arbitrary definition of "annual," we can implement the changes in our system within six months of our receipt of the ASC's \$10,000.00 payment.

Please advise how you prefer that we proceed.

FOR THE BOARD

A handwritten signature in black ink, appearing to read 'CLC/K', written in a cursive style.

Charles Clark
Real Estate Commissioner

CC: wjs