

## ATLANTIC APPRAISAL SERVICES, INC.

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November 25, 2003

Mr. Steven D. Fritts, Associate Director  
Risk Management Policy  
Division of Supervision and Consumer Protection  
**Federal Deposit Insurance Corporation**  
550 17th Street, NW Room F6074  
Washington, DC 20429

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Dear Honorable Steven Fritts:

We did miss you at the ARRO Conference and I sincerely hope your wife had a very happy and enjoyable birthday. I am in receipt of the new Guidelines established by the Appraisal Foundation Sixth Exposure Draft for Appraisal Qualifications. I am very concerned with the actions of the Appraisal Foundation and its stand regarding the states rights, which I have found n& authority in the U.S. Constitution or Title XI for their actions.

Under section 1116(a) of Title XI it states that State Certified real estate appraiser means any individual who has satisfied the requirements for State certification in a State or territory whose criteria for certification as a real estate appraiser "**currently**" meets the minimum criteria for certification issued by the Appraiser Qualification Board of the Appraisal Foundation. The word "**currently**" as defined by the Oxford American College Dictionary means "**at the present time**", which would imply the date of Title XI being 1989. I have found no place in the Title XI that provides the Appraisal Foundation any additional authority for education of any means. I also am aware that you have a Legal Advisory Group (LAG) opinion regarding Title XI and the Appraisal Foundations responsibility. I would like for you to note that this is not law but Title XI is. There is yet to be a court case, which would establish that LAG opinion to be correct. Title XI does not give any authority as implied by LAG.

Regarding testing: section 1116(b) provides that the state or territory provides that the state or territory provide an examination consistent with and equivalent to the Uniform State Certification Examination issued "or" endorsed by the Appraiser Qualifications Board of the Appraisal Foundation. No where in Title XI have I found any authority for the Appraisal Foundation to demand, have access or request any information regarding State test, yet it is a well known fact that they have requested and implied that they have the authority to obtain this type of information, citing again Title XI. If a State or territory desires to use a AQB test they may do so without this applying to all other States and territories, but is not a requirement of any state or territory to use a AQB test (see copy of attached letter). Nowhere in Title XI is there any mention or implied authority given to the Appraisal Foundation to establish courses, approve instructors and distance education for any courses, which they attempt to pass off to the States. The Appraisal Foundation is

operating under IRS Code 501-C3, which is education and if they desire to provide training within a State they would have to be approved by the respective states as any other educational provider. They do not have the authority to establish State Standards for qualifications other than those that were in place in 1989, which provide a platform for States to begin their Appraisal Standards according to retired Congressman Douglas Barnard. I would like to have a reply in writing regarding the above.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles S. Wood". The signature is written in a cursive style with a large, sweeping initial "C".

Charles S. Wood

enclosures: as cc: Congressman Douglas Barnard and others