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# Appraisal Subcommittee

*Federal Financial Institutions Examination Council*

November 18, 2003

Nicholas Rhoad, Director  
Indiana Real Estate Appraiser Licensure and Certification Board  
Indiana Professional Licensing Agency  
402 W. Washington Street, Room W072  
Indianapolis, IN 46204

Dear Mr. Rhoad:

Thank you for providing for our review a copy of the proposed rule changes to 876 IAC. The proposed rules seek to incorporate the 2008 Qualification criteria changes and to bring your temporary practice regulations into compliance with Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as amended, (“Title XI”) and ASC Policy Statement 5.

We have reviewed the proposal and have the following comments:

1. The word “class room” needs to be combined into “classroom” in 876 IAC § 3-3-4(o)(1) to be consistent with “classroom” in other portions of the rules;
2. In March 1991, an Interpretation to the Appraiser Qualifications Board (“AQB”) qualifications criteria became effective that does not allow education to be substituted for experience. You need to amend 876 IAC §§ 3-3-4(s), 3-3-5(s), 3-3-11(d)(9), and 3-3-12(d)(9) to conform to this Interpretation;
3. 876 IAC §§ 3-3-3(l)(2), 3-3-4(x)(2), and 3-3-5(x)(2) correctly state that an instructor of the 15-hour National USPAP Course must be an AQB Certified USPAP Instructor and a State certified appraiser. The proposal, however, further states that, “if the course is taught by two (2) instructors, only one (1) is required to have been a state certified residential or certified general real estate appraiser.” Please change, “to have been” to “to be”;
4. 876 IAC § 3-3-21(g) allows a temporary practitioner to apply for an extension of a temporary practice permit and to “pay a fee required by 876 IAC 3-2-7(b)(15).” We must caution you that, under ASC Policy Statement 5, Indiana must provide temporary practitioners with “in “an effortless method of obtaining” such an extension. Second, the proposal allows Indiana to charge a separate extension fee and refers to an apparently non-existent subsection in your fee schedule in 876 IAC 3-2-7. That fee schedule, at subsection (b)(12), already includes a temporary practice fee of \$150. That amount is the maximum allowable temporary practice permit fee under ASC Policy Statement 5. If you charge an additional extension fee, permit fees will exceed that maximum. Therefore, please eliminate the fee language in § 3-3-21(g) or reduce your initial temporary practice

fee to take into consideration the amount of any extension fee, keeping in mind that those fees cannot exceed \$150; and

5. 876 IAC § 3-5-1.5 requires appraisers to have “[se]ven (7) hours of Uniform Standards of Professional Appraisal Practice” as mandatory continuing education. That reference should read, “7-hour National USPAP Update Course, or its equivalent, as determined by the AQB.” A similar change also needs to be made to subsection (c);

Please contact us if you have any questions.

Sincerely,

Ben Henson  
Executive Director