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# Appraisal Subcommittee

*Federal Financial Institutions Examination Council*

December 12, 2003

Medana C. Davis  
Staff Counsel  
Health Professions Bureau and Indiana Professional Licensing Agency  
402 West Washington Street, Room W066  
Indianapolis, Indiana 46204

Dear Ms. Davis:

Thank you for providing a copy of the proposed rule changes to 876 IAC 3-2-7 and 876 IAC 3-5-2.5. The proposed rule seeks to increase the fee for temporary practice permits from \$50.00 to \$200.00 and sets forth the criteria for approving continuing education courses. We have reviewed the proposal and have the following comments.

The proposed changes to 876 IAC 3-2-7(b)(12) would increase the fee for a temporary practice permit from \$50 to \$200. Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as amended, (“Title XI”) prohibits States from imposing excessive fees for temporary practice permits and authorizes the ASC with determining what fees are excessive. As provided in ASC Policy Statement 5, the ASC determined that fees exceeding \$150 per assignment are excessive. The proposed section needs to be changed accordingly.

We have no comments specific to adding proposed rule 876 IAC 3-5-2.5 regarding criteria for approving continuing education courses. After reading the proposal, together with other rules addressing continuing education, the rules appear not to address the Appraiser Qualifications Board (“AQB”) requirement that certified appraisers take the 7-hour National USPAP Update Course, or its equivalent, every 24 months. (This change became effective January 1, 2003.) Proposed 876 IAC 3-5-1.5(a)(1) (version b) provides that for every renewal period the appraiser must take “Seven (7) hours of Uniform Standards of Professional Appraisal Practice” but does not specify that the course must be the 7-hour National USPAP Update Course, or its equivalent. If not otherwise addressed, the current effort to revise the rules might be an opportune time to correct this deficiency. We note that the related AQB criterion regarding AQB Certified USPAP Instructors is addressed in 876 IAC 3-5-1(c).

Please contact us if you have any questions.

Sincerely,

Ben Henson  
Executive Director