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Kentucky Real Estate Appraisers Board

October 29, 2002

Mr. Ben Henson, Executive Director
Appraisal Subcommittee
2000 K Street NW, Ste. 310

Washington, D.C. 20006

Re: Complaint Process

Dear Ben,

Our complaint process is as follows: When a complaint is received it's logged in, assigned a number and sent out for an answer. Once the answer is received it's sent to an investigator. When the investigation is complete, the Board is given the complaint, answer and the investigation. At this time the Board dismisses the complaint, issues a letter of admonishment or files a formal complaint and sets the case for a hearing.

Herein lies the problem. Even if the Board dismisses the case, the respondent must state on their E and O insurance policy they previously had a complaint filed against them. In court testimony, when asked if they have ever had a complaint filed against them, they must answer yes and then state it was dismissed. What Kentucky would like to do is treat the initial complaint as a "Statement of Grievance." It will be answered, investigated and presented to the Board for their review and consideration. Should the Board vote to dismiss the grievance, no formal complaint is filed and no complaint reported against the appraiser. Cases disposed of in this manner would be retained for ASC review. Should the Board deem sufficient evidence exists to warrant filing a formal complaint, a complaint shall be filed and the final determination reported to the ASC and published for review.

Most professions are governed by those that have been aggrieved, as opposed to the appraisal profession allowing a practitioner to govern their competition. We believe this to be a fair and equitable procedure for handling complaints whereby the innocent are not aggrieved and the guilty receive their just due.

Your Thoughts

Sam E. Blackburn
Executive Director

