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# Appraisal Subcommittee

*Federal Financial Institutions Examination Council*

July 10, 2013

Mr. Brad Janoush, Chairman  
Idaho Real Estate Appraiser Board  
Bureau of Occupational Licenses  
700 West State Street  
P O Box 83720  
Boise, ID 83720-0063

RE: ASC Compliance Review of Idaho's appraiser regulatory program

Dear Mr. Janoush:

The Appraisal Subcommittee (ASC) staff conducted an ASC Compliance Review (Review) of the Idaho appraiser regulatory program (Program) on February 4 - 6, 2013. This is the final ASC Compliance Review Report (Report) on that Review.

The ASC has considered the preliminary findings regarding the Review and the State's response. The ASC has determined the Program is not in substantial compliance with Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as amended. The ASC identified the following area of non-compliance:

- States should resolve all complaints filed against appraisers within one year, except for special documented circumstances.<sup>1</sup>

ASC staff will confirm corrective actions have taken place and are appropriate during the next Review. Idaho will remain on a two-year Review Cycle.

This letter and the attached Report are public record and available on the ASC website in accordance with the Freedom of Information Act.

Please contact us if you have any questions.

Sincerely,



Arthur Lindo  
Chairman

Attachment

cc: Ms. Tana Cory, Bureau Chief  
Ms. Maria Brown, Technical Records Specialist II

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<sup>1</sup>Title XI § 1118 (a), 12 U.S.C. 3347; ASC Policy Statements.

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## **“ASC Finding” Defined for ASC Compliance Review Report**

### **1. IN SUBSTANTIAL COMPLIANCE**

Applies when no issues of non-compliance or violations of Title XI, ASC Policy Statements or AQB Criteria are identified.

### **2. NOT IN SUBSTANTIAL COMPLIANCE**

Applies when there are one or more issues of non-compliance or violations of Title XI, ASC Policy Statements and/or AQB Criteria but the concerns do not rise to the level of “not in compliance.”

### **3. NOT IN COMPLIANCE**

Applies when the number, seriousness, and/or repetitiveness of the Title XI, ASC Policy Statements and/or AQB Criteria violations warrant this finding.

## ASC Compliance Review Report

ASC Finding: Not In Substantial Compliance

Final Report Issue Date: July 10, 2013

**Idaho Appraiser Regulatory Program (Program)**

Idaho Real Estate Appraiser Board/Decision Making

PM: K. Klamet

ASC Compliance Review Date: February 4-6, 2013

Review Period: February 2011 to February 2013

Umbrella Agency: Bureau of Occupational Licenses

Number of State Credentialed Appraisers on National Registry: 762

Review Cycle: Two Year

Requirement/Guidance	Compliance (YES/NO) Areas of Concern (AC)			ASC Staff Observations	State Response	Required State Actions	Recommended State Actions	General Comments
	YES	NO	AC					
<b>Idaho Statutes, Regulations, Policies and Procedures:</b>	X			No compliance issues noted.	N/A	None	None	None
<b>Temporary Practice:</b>	X			No compliance issues noted.	N/A	None	None	None
<b>National Registry:</b>	X			No compliance issues noted.	N/A	None	None	None
<b>Application Process:</b>	X			No compliance issues noted.	N/A	None	None	None
<b>Reciprocity:</b>	X			No compliance issues noted.	N/A	None	None	None
<b>Education:</b>	X			No compliance issues noted.	N/A	None	None	None
<b>Enforcement:</b>		X		No compliance issues noted.	N/A	None	None	None
States should resolve all complaints filed against appraisers within one year, except for special documented circumstances. (Title XI § 1118 (a), 12 U.S.C. 3347; ASC Policy Statement 10E.)				Idaho had 19 outstanding complaints of which 7 were unresolved for more than 1 year. Of the complaints outstanding for more than one year, 1 falls under the exception for special documented circumstances.  All of the cases outstanding for more than 1 year were in various stages of the disciplinary process.	On March 20, 2013, the Board reported to ASC staff that the 2013 Idaho Legislature approved an increase in the Bureau of Occupational Licenses appropriation for legal services which will provide additional prosecutorial resources to the Board.	Idaho must continue to submit quarterly complaint logs to ASC staff. Staff will analyze each log. If progress is not made, the ASC may place additional requirements upon the State.	None	Although Idaho is still out of compliance in enforcement, the ASC commends Idaho's continued progress toward complaint resolution.  Through off-site monitoring and during the next Review, ASC staff will pay particular attention to this area for compliance with ASC Policy Statements.