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Appraisal Subcommittee

Federal Financial Institutions Examination Council

December 13, 2019

Mr. Gabe Gilman, General Counsel
Office of Professional Regulation
89 Main Street, 3rd Floor
Montpelier, VT 05620

RE: Appraisal Subcommittee Staff Follow-Up Review of Vermont's Appraiser Regulatory Program

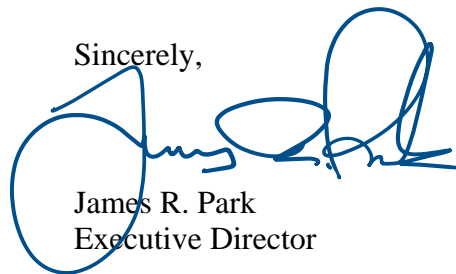
Dear Mr. Gilman:

Thank you for your cooperation and your staff's assistance in the September 26, 2019, Appraisal Subcommittee (ASC) staff Follow-up Review of the Vermont appraiser regulatory program (Appraiser Program). This was a Follow-up Review of the July 30-August 1, 2018, ASC Compliance Review of the Vermont Appraiser Program.

As detailed in the attached Follow-up Report (Report) of the Vermont Appraiser Program, Vermont made progress in 2 of the 3 non-compliance areas identified in the December 10, 2018 Appraiser Program Report. We commend the Vermont Appraiser Program for its efforts and the progress made in these 2 areas. However, Vermont remains non-compliant in the area of timely complaint resolution. ASC staff will continue with off-site monitoring of the Vermont Appraiser Program as outlined in the attached Report.

This letter and the attached Follow-up 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,



James R. Park
Executive Director

Attachment

cc: Ms. Judith Roy, Licensing Administrator

ASC Staff Follow-Up Report: 2018 Compliance Review

Vermont Appraiser Regulatory Program (State)		
Board of Real Estate Appraisers (Board)	Follow-Up Review Date: September 26, 2019	Follow-Up Report Issue Date: December 13, 2019
Umbrella Agency: Office of Professional Regulation	ASC Compliance Review Date: July 30-August 1, 2018	PM: K. Klamet
Follow-Up of Compliance Review Report Dated: December 10, 2018	ASC Finding: Needs Improvement	

Applicable Federal Citations	ASC Staff Assessment			Required/Recommended State Actions from the December 10, 2018 Compliance Review Report	Status as of September 26, 2019 Follow-Up	Further Required Actions/Comments
	Compliance (YES/NO)	Areas of Concern (AC)				
	Yes	No	AC			
Temporary Practice:	X					
States must issue temporary practice permits within five business days of receipt of a completed application, or notify the applicant and document the file as to the circumstances justifying delay or other action. (12 U.S.C. § 3351; Policy Statement 2.)				The State must provide, within 60 days of issuance of this Report, a plan on how the State will ensure temporary practice permits are issued within 5 days of application receipt.	The State implemented the plan and a new web-based licensing platform. All correspondence pertaining to temporary practice permit applications are uploaded to the relevant licensing file. ASC staff reviewed temporary practice permits, issued since the last Review, and found no instances of delay or lack of documentation.	Further Required Actions: None Comments: ASC staff will pay particular attention to this area for compliance with Title XI and ASC Policy Statement 2 during the next Review.
Enforcement:		X				
States must resolve all complaints filed against appraisers within one year (12 months) of the complaint filing date in the absence of special documented circumstances. (12 U.S.C. § 3347; Policy Statement 7 B.)				The State must provide, within 60 days of issuance of this Report, a written plan on how the State will address the backlog of outstanding complaints and how it will facilitate more timely complaint disposition in the future.	Effective July 1, 2019, State law was amended to move the State from a board-based model to an advisor-based model. The State believes complaint resolution will improve as the Director of Professional Regulation will be able to make substantial executive decisions without awaiting a board meeting. In addition, the State added an additional prosecutor to its Enforcement Unit. At the time of the Follow-up review, the State had 14 outstanding complaints of which 2 were unresolved for more than 1 year and 4 were unresolved for more than 2 years. The cases were in various stages of the investigative and disciplinary process.	Further Required Actions: The State must 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. Comments: Through off-site monitoring, as well as during the next Compliance Review, ASC staff will pay particular attention to this area for compliance with Title XI and ASC Policy Statement 7.
Enforcement continued:	X					
States must track all complaints on a complaint log containing the required information. (12 U.S.C. § 3347; Policy Statement 7 B.)				The State must provide, within 60 days of issuance of this Report, a plan on how the State will ensure that it has an effective process to identify and monitor all complaints.	The State implemented a new web-based platform that appears to generate an accurate complaint log report. ASC staff was provided with a complaint log containing all of the required information.	Further Required Actions: None Comments: ASC staff will pay particular attention to this area for compliance with Title XI and ASC Policy Statement 7 during the next Review.