



ALABAMA REAL ESTATE APPRAISERS BOARD

P. O. Box 304355
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Bob Riley
Governor

Lisa Brooks
Executive Director

June 11, 2007

Ms. Virginia M. Gibbs, Chairman
Appraisal Subcommittee
2000 K Street NW
Suite 310
Washington, D.C. 20006

Dear Ms. Gibbs:

I received your letter dated April 20, 2007 in which you requested Board's response to the findings and recommendations in connection with the March 2007 ASC review. In addition you requested a written plan of action describing in detail how our Board will reduce its backlog of outstanding complaint cases and also how it will ensure that future complaints are investigated and resolved in a timely manner.

Herewith are those requested responses. We appreciate the opportunity to offer these comments.

FINDING #1:

Alabama's complaint investigation and resolution program does not comply with Title XI and ASC Policy Statement 10 E. because complaints are not investigated and resolved in a timely manner.

BOARD RESPONSE:

As discussed with Policy Managers during this review, since 2005 we have had two vacancies in our investigative department with only one investigator bearing the sole responsibility of investigating complaints statewide. We have now filled one of the two vacant investigator positions giving us two active investigators one located in the northern section of the state and the other located in the southern section. In addition to only having one investigator since 2005 our agency has had two turnovers in the Executive Director position. The Board now employs a full time Executive Director.

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At the time of this review our records indicated 118 unresolved complaints with 44 of those complaints having been outstanding for more than one year. As of this date of the 44 outstanding complaints 16 have been closed, hearings have been completed on 4, hearings have been set for 6 and Consent Settlement Orders have been issued on 2. This leaves a total of 15 outstanding, which have been reviewed by the Discipline Committee and assigned to investigators for investigation.

BOARD PLAN OF ACTION:

The Board has implemented a 180-investigation/due-process timeline for all investigations. Once a complaint has been assigned the investigator is given 90 days to investigate. At 60 days the attorney will meet with the investigator and determine progress and report to the Executive Director. Once the 90 days has expired in investigation or when an investigation is complete, which ever comes first, the attorney has 90 days for due process. As you know there will be exceptions to this process in some cases. Also our Disciplinary Committee, which consists of three Board members, looks at complaints to determine if Probable Cause to investigate exists. If Probable Cause does not exist the committee member will recommend to the Board to dismiss, issue Letter of Counsel or issue Letter of Warning. In some cases the committee will suggest a scope of investigation to aid in a timely resolution of a complaint.

Please let me know if you have any questions or need additional information.

Sincerely,



Lisa Brooks
Executive Director

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