

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OCCUPATIONAL AND PROFESSIONAL LICENSING ADMINISTRATION
941 NORTH CAPITOL STREET, N.E., SUITE 7W50, WASHINGTON, D.C. 20002
(202) 442-4340

BOARD OF APPRAISERS



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JUN 30 2003

Mr. Steven D. Fritts, Chairman
Appraisal Subcommittee
2000 K Street, NW, Suite 310
Washington, DC 20006

Dear Mr. Fritts:

Thank you for the opportunity to respond to the concerns and deficiencies identified by the staff of the Appraisal Subcommittee ("ASC") while on recent review of the District of Columbia Appraiser Program. In general the Board has addressed those areas which can be dealt with immediately through our administrative attention. The legislative changes will take longer, however we have started the process.

Below you will find our responses and I would be happy to address any additional questions that you may have.

QUESTION

- **The Program has been seriously hindered by the failure of the Board to meet (i.e., achieve a quorum).**

Agency Response:

The Department of Consumer and Regulatory Affairs is working with the Mayor's office on Boards and Commissions to send out a notice to all eligible appraisers residing in the District to inform them of the Board's vacancies and to encourage their participation in serving as a member.

In addition, we have been informed by the Mayor's office that there are two nominees pending at the DC Council. We will have a full board if these two nominees are approved.

QUESTION

- **Because the Board has not met, the District has not adopted the Appraiser Qualifications Criteria ("Criteria") changes that became effective January 1, 2003.**

Agency Response:

The D.C. Appraiser Board met on February 26 2003 to officially adopt the Appraiser Qualifications Criteria changes. However in November 2002 staff mailed out a massive mail out to inform all licensed appraisers in the District of Columbia of the pending changes. The notice that your staff reviewed was not published as draft legislative changes but was intended to serve as a notice to all of our licensees. Now that the Board has adopted the AQB criteria changes the Department will go forward to make the necessary changes through our regular rulemaking process.

QUESTION

- **The Board has not fully investigated and resolved complaints filed within the last three years.**
- ***More than half of the cases being held within the Department were awaiting directions from the Board***
- ***Complaints submitted to the Office are not being investigated.***
- ***The Department does not have a method to track filed complaints.***

Agency Response

The Board has authorized the staff to move forward in establishing a pool of outside appraiser contractors to assist with the investigation of our complaints. As required by the procurement process the Board will establish the criteria and contract appraisers will be hired on an as needed basis.

The staff will develop an internal compliant tracking system to be implemented immediately.

QUESTION

- **The Board's failure to meet and take action has permitted at least one appraiser convicted of fraud to remain an active licensed appraiser in the District**

Agency Response

Because of the pace of the approval process for new board members by the City Council, the board of Real Estate Appraisers (Board) has only recently achieved a full complement of membership, which allowed it to have a quorum whereby official action could be taken on any matter. Further more, pursuant to D. C. Code §§ 2-509(a) and 47-2853.22)2001 ed.)and Title 17 Section 3315 of the District of Columbia Municipal Regulations, [DELETED], was given official notice by the Board of its intent to take disciplinary action against his license, to wit Revocation.

QUESTION

- ***Some reciprocal applicants were incorrectly granted Certified General credentials.***

AGENCY RESPONSE

There were two (2) General Appraisers files where Ms. Ledbetter was concerned about their reciprocity from Maryland. One of the two was also licensed in New York and appears to be correct. The other, [DELETED], was licensed in Maryland only and a thorough review showed that he failed to meet the DC Criteria for the license issued to him. Promissor sent a certified return-receipt letter to [DELETED], and he returned the General Appraiser license back to Promissor That returned license is marked void and is filed in the application file. The General Appraiser license record for [DELETED] was deleted from the system to prevent any possibility of renewal or reprinting of the license.

1. Effective immediately upon determination of the 180 requirement, Promissor updated our procedures, adding:

- *Check all state certifications for CE hours completed*
- *If the hours taken as shown in the foreign state certification are less than the DC- required 180 classroom hours, a deficiency letter is sent to the applicant, and*
- *The application is forwarded to the DC board for review and final determination of qualification prior to licensure.*

2. After December 2002, there have been no licenses issued with less than 180 classroom hours taken.

QUESTION

- *The Statute and regulations inappropriately provide for automatic approval of courses from Appraisal Foundation sponsors, and Promissor lacks adequate direction regarding the review of educational courses.*

AGENCY RESPONSE

It is not clear to me what the issue is in this statement. Our law has been in effect since 1990 and Pursuant to D. C. Appraiser Act of 1990 Section 2. Definitions. (a) (4) "Appraisal Qualifications Board mean the Appraisal Qualifications Board that is part of the Appraisal Foundations. According to Chapter 23 of our rules Section 2303 §2303.5 All courses endorsed by the Appraiser Qualifications Board of the Appraisal Foundation shall be acceptable for credit.

The staff at the DCRA is responsible for review and approval of educational courses. Our understanding is that if the AQB approves a course than it is acceptable by our Board. All sponsors of courses whether approved by AQB or not must pay application fee of \$50.

QUESTION

- ***Temporary practice permits are not valid for six months, and no "easy" extension is provided by statute or regulation.***

Temporary practice permits are valid for six months or for the length of the project. If the project is not completed within six months, the applicant MAY apply for an extension. We will work with our legal advisor to determine if legislative changes are necessary.

QUESTION

- ***The District does not permit the use of the ASC Web site's license history report feature.***

AGENCY RESPONSE

This matter was brought to our attention by your staff during the Audit.

We are still awaiting the access code which I understand is issued by your office so that we may begin implementing this process.

If you have any additional questions please do not hesitate to contact the Board Contact Representative Dorothy Thomas or me at the Appraiser Board Office on 202-442-4472. Again, thank you for this opportunity to response.

Sincerely,

Gregory Syphax/Chair

**Gregory Syphax, Chair
DC Appraiser Board**