

Appraisal Subcommittee
Federal Financial Institutions Examination Council

May 23, 1997

George Junnier, Chairman
Georgia Real Estate Appraiser Board
Cain Tower - Suite 1000
229 Peachtree Street, NW
Atlanta, Georgia 30303-1605

Dear Mr. Junnier:

Thank you for your cooperation and your staff's assistance during the March 20-21, 1997 Appraisal Subcommittee ("ASC") review of the Georgia appraiser regulatory program ("Program") performed under § 1118 of Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 ("Title XI"). We found the Program to be thorough, well managed and in substantial compliance with Title XI. However, we do want to clarify our position regarding your requirements for nonresident applicants, as stated in § 43-39A-9 of Georgia's Real Estate Appraiser Classification and Regulation Act.

Georgia currently administers a temporary practice program under this section of the act and has adopted an "Application For Temporary Practice and Classification By Reciprocity" form. The form is simple in design, requests basic information and ensures State jurisdiction over the actions of the applicant. In sum, it is not burdensome. The process, however, does not generate a temporary practice permit. Rather, it provides applicants with a permanent certificate or license. Georgia's procedures for providing such certifications or licenses are swift, efficient and reasonable.

Section 1122(a) of Title XI requires States to provide for temporary practice and prohibits State appraiser regulatory agencies from imposing excessive fees or burdensome requirements as determined by the ASC. The ASC, in recently amended Policy Statement 5, defined as burdensome a State's requiring temporary practitioners to obtain a permanent certification or license in the State of temporary practice. Because Georgia requires temporary practitioners to obtain a permanent certification or license, Georgia's practices technically are inconsistent with Title XI and Policy Statement 5.

Nevertheless, we are waiving this technical inconsistency. Georgia's non-residents application program, and, more specifically, the way the temporary practice portion of that program is administered, functions well and meets the intent of Title XI and Policy Statement 5. Although permanent certifications or licenses are required, Georgia's current temporary practice procedures are not lengthy, expensive or otherwise unduly burdensome. If those procedures were to become restrictive, we will revise our position.

Please do not hesitate to contact us if you have any questions.

Sincerely,

Herbert S. Yolles
Chairman

cc: Charles Clark, Real Estate Commissioner