



CHRIS CHRISTIE
Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
State Real Estate Appraisers Board
124 Halsey Street, 3rd Floor, Newark, NJ 07102



JOHN J. HOFFMAN
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November 25, 2013

ERIC T. KANEFSKY
Director

James R. Park
Executive Director
Appraisal Subcommittee
1401 H Street, NW
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Dear Mr. Park:

I appreciate your concern expressed to me about the fee credit issued by the Board. Based on the governing law of the Uniform Enforcement Act, 45:1-3.2, states board fees "shall be established. . . to such extent . . . as to defray all proper expenses incurred by the board . . . but such charges shall not be fixed at a level that will raise amounts in excess of the amount estimated to be so required." In other words, the Boards may not collect more or less than what is needed to support program expenses. That being said, regular fee reviews are conducted approximately 1 year prior to the renewal period to ensure that the revenue collected during the renewal period will be adequate to support the anticipated program expenses.

When the anticipated revenue is higher than what is needed to support the anticipated program costs, a fee credit is issued to ensure the Division is in compliance with the law. When the anticipated revenue is less than what is needed, a fee increase is recommended. The Board itself does not make this determination as the analysis is performed by the Budget office. The most recent analysis conducted revealed the necessity of the fee credit rendered.

Please note that our legal resource issues stem from the fact that the Division of Law's Deputy Attorney Generals (DAGs) are limited in number and provide client services for 47 Boards. The Division of Law determines which DAGs are available for each Board based on several factors. The Board of Real Estate Appraisers is provided the services of two DAGs whereas some larger Boards only receive the services of one DAG. Unfortunately, at times, this may not be sufficient to address the significant workload of the Board. Again, the Board does not determine the number of DAGs that will provide services to the Board.

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

Very truly yours,
New Jersey State Real Estate Appraisers Board

Charles Kirk
Acting Executive Director

cc: Jenny Tidwell, Policy Manager