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Appraisal Subcommittee

Federal Financial Institutions Examination Council

December 23, 2013

Mr. Charles Kirk, Acting Executive Director
New Jersey Board of Real Estate Appraisers
P O Box 45032
Newark, NJ 07102

Dear Mr. Kirk:

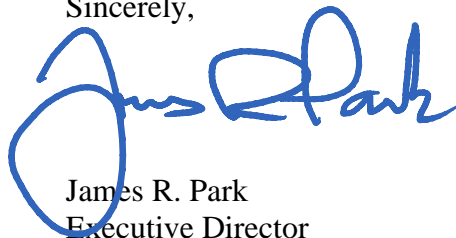
Thank you for your November 25, 2013 letter responding to Appraisal Subcommittee (ASC) staff's inquiry regarding the fee credit issued by the New Jersey Board of Real Estate Appraisers (Program). You stated that governing law mandates New Jersey Boards may not collect more or less than what is needed to support program expenses and the New Jersey Budget Office determines what is required to support the program.

The Program was cited in the 2010 and 2012 ASC Compliance Reviews for not having sufficient funding and staffing to carry out its Title XI requirements. Specifically, the Program was not processing complaints of appraiser misconduct within one year of the complaint filing date. In your letter, you noted that the Program's legal resource issues stem from the limited number of Deputy Attorney Generals (DAGs) available to the Board and that the number of DAGs assigned to the Program is determined by the New Jersey Division of Law.

Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (Title XI) requires States to have an effective appraiser regulatory program that includes the investigation of complaints, and enforcement actions against appraisers. ASC Policy Statement 7 requires that States must resolve all complaints filed against appraisers within one year of the complaint filing date, with certain limited exceptions. Additionally the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act) amended Title XI to require the ASC to determine whether States have sufficient funding and staffing to enable the State to meet its Title XI obligations. ASC staff is concerned New Jersey's DAG and Budget offices may not be considering the unique Federal oversight of the Program when earmarking resources for the Program.

Please contact ASC Policy Manager Claire Brooks at (202) 595-7580 if you have any questions or if you would like to discuss this further.

Sincerely,



James R. Park
Executive Director

cc: Mr. Eric T. Kanefsky, Director of Consumer Affairs
Ms. Denise M. Siegel, Board President