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Appraisal Subcommittee

Federal Financial Institutions Examination Council

TO: State Appraiser Regulatory Officials

FROM: Jim Park, Executive Director

DATE: September 25, 2020

RE: COVID-19 Relief – Additional Guidance for Continuing Education (CE) and Qualifying Education (QE) delivery

The ASC received the attached September 21, 2020 letter from Mark A. Lewis, Chairman of the Appraiser Qualifications Board (AQB) of The Appraisal Foundation extending the relief for traditional classroom CE offerings to be converted and taught via distance education through December 31, 2021.

The AQB also recommends QE offerings be allowed to be converted to a synchronous platform in the same manner as CE. The examination requirement for QE under Generic Education Criteria, III.E.7. remains unchanged.

The ASC's COVID-19 Health Emergency Frequently Asked Questions (FAQs) has been updated (attached). The FAQs regarding CE and QE is as follows:

- Is there any way we can approve online appraiser Continuing Education (CE) courses without IDECC approval?

During this Health Emergency, the Appraiser Qualifications Board (AQB) of The Appraisal Foundation has recommended CE offerings, including new offerings, that are approved to be presented in a traditional classroom setting may be converted to synchronous delivery and offered, through December 31, 2021, without the delivery mechanism approval set forth in Generic Education Criteria, III.D.3. of the Real Property Appraiser Qualification Criteria (Criteria), subject to the following:

1. The educational offering under consideration is approved for traditional classroom presentation;
2. The platform utilized for distance education is live and interactive;
3. The instructor verifies photo identification of the students; and
4. The instructor maintains an attendance roster, which includes verifying 100% classroom attendance by, for example, taking attendance at various established times during the course.

The AQB has extended this relief to Trainee/Supervisory courses.

The State may choose to allow CE classroom offerings to be converted to synchronous delivery and offered until December 31, 2021, and document the files accordingly.

- Is there any way we can approve online appraiser Qualifying Education (QE) courses without IDECC approval?

During this Health Emergency, and effective September 22, 2020, the AQB has recommended QE offerings, including new offerings, that are approved to be presented in a traditional classroom setting may be converted to synchronous delivery and offered, through December 31, 2021, without the delivery mechanism approval set forth in Generic Education Criteria, III.D.3. of the Real Property Appraiser Qualification Criteria (Criteria), subject to the following:

1. The educational offering under consideration is approved for traditional classroom presentation;
2. The platform utilized for distance education is live and interactive;
3. The instructor verifies photo identification of the students;
4. The instructor maintains an attendance roster, which includes verifying 100% classroom attendance by, for example, taking attendance at various established times during the course; and
5. The examination required for QE under Generic Education Criteria, III.E.7. remain in place as written. It states: "Courses intended for use as qualifying education must include a written, closed-book final examination (proctored by an official approved by the college or university, or by the sponsoring organization). The term "written" as used herein refers to an exam that might be written on paper or administered electronically on a computer workstation or other device. Oral exams are not acceptable."

The State may choose to allow QE classroom offerings to be converted to synchronous delivery and offered until December 31, 2021, and document the files accordingly.

If you have any questions, please contact your assigned ASC Policy Manager.

Attachments

2020.09.21 AQB Letter to ASC

COVID-19 Health Emergency Frequently Asked Questions of the ASC



The Appraisal FOUNDATION

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APPRAISER QUALIFICATIONS BOARD

September 21, 2020

Mr. James R. Park
Executive Director
Appraisal Subcommittee
1325 G Street, NW, Suite 500
Washington, DC 20005

Dear Jim,

As you know The Appraiser Qualifications Board (AQB) of The Appraisal Foundation has issued recommendation letters dated March 18, 2020, May 15, 2020, and June 19, 2020 regarding Continuing Education (CE) during this COVID-19 emergency. The latest letter from the AQB recommended extension of the ASC discretion for continuing education through the end of 2020. It was the AQB's sincere hope that by the end of 2020, the emergency would abate and the appraisal profession could be returning to normal. However, it now appears the appraisal profession may be in for an even more protracted recovery which is putting strains on individuals and providers offering Qualifying Education (QE).

The following summarize the AQB's observations and concerns.

- The feedback received from both students and providers has been overwhelmingly positive with the conversion of CE from classroom to synchronous platforms.
- A substantial amount of Qualifying Education for new entrants into the appraisal profession have historically been in-person classroom offerings. In most cases, these classroom QE offerings have been suspended leaving the only option available for obtaining QE credit is by asynchronous platform courses.
- The AQB desires to continue to remove unnecessary roadblocks for those working toward entering the appraisal profession.
- It is the AQB's opinion, based on the positive feedback received, that synchronous education offerings are substantially equivalent to traditional in-person classroom offerings.

Based on the above observations and concerns, the AQB recommends the ASC exercise regulatory discretion, effective immediately, as follows.

1. The AQB recommends further extension of the discretion outlined in the March 18 letter through the end of 2021 for continuing education courses to be approved and taught synchronously.
2. Any approved classroom qualifying education offering be allowed to be converted to the synchronous platform in the same manner as continuing education.
3. The examination required for qualifying education under III. Generic Education Criteria, E.7. remain in place as written.



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APPRAISER QUALIFICATIONS BOARD

The AQB greatly appreciates the continued support of the ASC to assist the appraisal profession during this difficult time.

Respectfully,

Mark A. Lewis
Chair, Appraiser Qualifications Board



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Updated 9/25/20

COVID-19 Health Emergency Frequently Asked Questions of the Appraisal Subcommittee (ASC)

Disclaimer: The responses/opinions below are provided by ASC staff in response to common inquiries from State Appraiser and AMC Regulatory Agencies during the COVID-19 Health Emergency, and do not represent the responses/opinions of the Appraisal Subcommittee.

Appraiser Program Questions

Temporary Practice:

- What if we cannot process temporary practice applications within five business days?

ASC Policy Statement 2 requires State Appraiser Programs to issue temporary practice permits within five business days of receipt of a completed application. However, it also allows flexibility as long as the State documents* the file as to the circumstances justifying the delay or other action. Please contact your assigned ASC Policy Manager if you have specific questions.

- Our State requires fingerprinting background checks for temporary practice applicants. We have been notified that fingerprinting is not available at this time. What can we do?

Fingerprint background checks are a State requirement, not federal. You could consult with your attorney to see if you have the ability to waive or defer this type of background check in lieu of a different type of background check or self-reporting.

Appraiser Registry:

- What if we cannot submit updates to the Appraiser Registry?

Contact your assigned ASC Policy Manager. ASC IT will help the States keep the Registries updated, including adding information for the State.

- What if we cannot pay the ASC invoices?

Contact your assigned ASC Policy Manager. The ASC will work with States if they are unable to process invoices during this emergency.

Education:

- Is there any way we can approve online appraiser Continuing Education (CE) courses without IDECC approval?

During this Health Emergency, the Appraiser Qualifications Board (AQB) of The Appraisal Foundation has recommended CE offerings, including new offerings, that are approved to be presented in a traditional classroom setting may be converted to synchronous delivery and offered, through December 31, 2021, without the delivery mechanism approval set forth in



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Generic Education Criteria, III.D.3. of the Real Property Appraiser Qualification Criteria (Criteria), subject to the following:

1. The educational offering under consideration is approved for traditional classroom presentation;
2. The platform utilized for distance education is live and interactive;
3. The instructor verifies photo identification of the students; and
4. The instructor maintains an attendance roster, which includes verifying 100% classroom attendance by, for example, taking attendance at various established times during the course.

The AQB has extended this relief to Trainee/Supervisory courses.

The State may choose to allow CE classroom offerings to be converted to synchronous delivery and offered until December 31, 2021, and document the files accordingly.

- Is there any way we can approve online appraiser Qualifying Education (QE) courses without IDECC approval?

During this Health Emergency, and effective September 22, 2020, the AQB has recommended QE offerings, including new offerings, that are approved to be presented in a traditional classroom setting may be converted to synchronous delivery and offered, through December 31, 2021, without the delivery mechanism approval set forth in Generic Education Criteria, III.D.3. of the Real Property Appraiser Qualification Criteria (Criteria), subject to the following:

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The State may choose to allow QE classroom offerings to be converted to synchronous delivery and offered until December 31, 2021, and document the files accordingly.

Applications:

- Our board meetings have been cancelled due to the COVID-19 Health Emergency until further notice. We may have trouble meeting timelines for processing applications. Will we be out of compliance?

ASC Policy Statement 4 states that applications for credentialing should be timely processed by State agencies (within 90 calendar days after receipt of a completed application). However, it also allows flexibility if the files are sufficiently documented* to explain the basis for the delay.

- Will there be any allowances made for CE requirements due to the COVID-19 Health Emergency situation?

Section III.F.13 “Criteria Specific to Continuing Education” of the Criteria includes provisions for States agencies impacted by a State, or federally declared disaster, to allow credential holders an additional 90 days to complete their required continuing education. The current National Emergency is a federally declared disaster, and therefore qualifies for State agencies to use the 90-day extension during this crisis. Please contact your assigned ASC Policy Manager if you know you are planning to extend appraiser credentials.

- What if our State Governor issues executive orders relating to renewal of licenses, and other orders that may result in our State Program being out of compliance with Title XI requirements?

Please contact your assigned ASC Policy Manager to discuss. The ASC will work with a State in these instances.

- Is the AQB offering any relief regarding Trainee/Supervisory appraiser course delivery?

The AQB temporary relief to allow CE education offerings originally designed for traditional classroom settings to be offered remotely includes the Trainee/Supervisory appraiser course.

- Because of the COVID-19 Health Emergency, we have applicants that may not meet the AQB required 24-month time frame to pass the examination or become credentialed after passing the exam. Will there be any allowances made to the timeline due to the COVID-19 Health Emergency?

Yes. AQB Criteria IV. “Generic Examination Criteria” states: “A new applicant not currently licensed or certified and in good standing with another jurisdiction shall have up to 24 months, after approval by the state, to take and pass an AQB-approved qualifying examination for the credential. Successful completion of the examination is valid for a period of 24 months.”



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During this Health Emergency, the AQB recommended extending the 24-month time frames noted in the above text for 90 days after the State officially ends their COVID-19 related emergency declaration, or until such time as the AQB rescinds its recommendation, whichever date comes first.

Reciprocity:

- Our State requires letters of good standing from each State that a reciprocal applicant is currently credentialed in before we issue a reciprocal credential. We may have an issue receiving those letters from the other States. What should we do?

The ASC encourages States to rely on the private side of the Appraiser Registry to verify a reciprocal applicant's current status instead of asking for letters of good standing from other State appraiser programs. This is always an option available to the States.

- Our State requires fingerprinting background checks for appraiser applicants. We have been notified that fingerprinting is not available at this time. What can we do?

Fingerprint background checks are a State requirement, not federal. You could consult with your attorney to see if you have the ability to waive or defer this type of background check in lieu of a different type of background check or self-reporting.

Enforcement:

- Our disciplinary hearings and board meetings have been cancelled and will be held in abeyance until the state of emergency in our State has lifted. This will likely affect the timeliness of complaint/enforcement case resolution. Will we be out of compliance if these cases take over one year to resolve?

ASC Policy Statement 7 allows for exemptions to the one-year timeline for special documented circumstances. Special documented circumstances are those extenuating circumstances beyond the control of the State agency that delays normal processing of a complaint. This National Emergency qualifies as a special circumstance that could delay the processing of complaints. Please document* the basis for delay in the files.

AMC Program Questions

AMC Registry:

- What if we cannot submit updates to the AMC Registry?

Contact your assigned ASC Policy Manager. ASC IT will help the States keep the Registries updated, including adding information for the State.

- What if we cannot pay the ASC invoices?



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Contact your assigned ASC Policy Manager. The ASC will work with States if they are unable to process invoices.

Enforcement:

- Our disciplinary hearings and board meetings have been cancelled and will be held in abeyance until the state of emergency has lifted. This will likely affect the timeliness of AMC complaint/enforcement case resolution. Will we be out of compliance if these cases take over one year to resolve?

ASC Policy Statement 10 allows for exemptions to the one-year timeline for special documented circumstances. Special documented circumstances are those extenuating circumstances beyond the control of the State agency that delays normal processing of a complaint. This National Emergency qualifies as a special circumstance that could delay the processing of complaints. Please document* the basis for delay in the files.

USPAP Questions

- Are appraisers required to perform interior inspections of real property during a national health emergency?

Please access the Appraisal Foundation Q&A page for USPAP information.

https://appraisalfoundation.org/imis/TAF/Standards/Q_As/TAF/QAs.aspx?hkey=29db1bf8-827d-4f7b-b525-06ac9f596637

*Note: Documentation can simply be a note to the file(s) regarding the basis for delay, or an overall written policy providing staff relief from having to meet timelines due to the Program's adherence with the State and Federal guidelines during this National Emergency.