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Appraisal Subcommittee

Federal Financial Institutions Examination Council

January 19, 2010

Mr. R. Gregg Mitchell, Chairman
Nebraska Real Property Appraiser Board
301 Centennial Mall South, Lower Level
Lincoln, NE 68509-4963

Dear Mr. Mitchell:

The Appraisal Subcommittee (ASC) staff conducted an ASC Compliance Review (Review) of Nebraska's appraiser regulatory program on August 18-20, 2009. This is the final ASC Compliance Review Report (Report) on that Review.

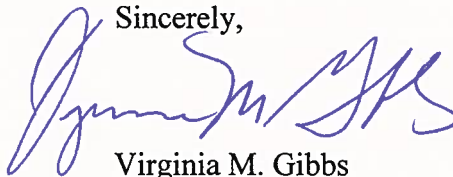
The ASC has considered the staff's preliminary findings regarding the Review and the State's response. The ASC has determined that the Program is in substantial compliance with Title XI of the Financial Institutions, Reform, Recovery, and Enforcement Act of 1989, as amended (Title XI). However, the ASC did identify the following issues:

- Nebraska must adopt and/or implement all of the relevant Real Property Appraiser Qualification Criteria.¹
- Nebraska must submit all disciplinary actions for inclusion on the National Registry.²

In the response, the State indicated it has taken corrective actions, which are detailed in the attached Report. During the next Review, ASC staff will confirm that these corrective actions have taken place and are appropriate. Please also be advised that this letter and the attached Report are public record and available on the ASC website in accordance with the Freedom of Information Act.

Please contact us if you have any questions.

Sincerely,



Virginia M. Gibbs
Chairman

Attachment

cc: Ms. Katherine Policky, Director

¹ Title XI § 1116 (a), 12 U.S.C. 3345; Title XI § 1118 (a), 12 U.S.C. 3347; AQB Real Property Appraiser Qualification Criteria

² Title XI § 1118 (a), 12 U.S.C. 3347; ASC Policy Statement 9A

ASC Compliance Review Report

Finding: In Substantial Compliance

Nebraska Appraiser Regulatory Program (Program)									
Nebraska Real Property Appraiser Board (Board)						ASC Compliance Review (Review) Date: August 18-20, 2009		Review Period: 07/2007 to 08/2009	
Independent Agency			PM: K. Klamet			Number of State credentialed appraisers on National Registry: 732		Issue Date: January 19, 2010	
Requirement/Guidance	Compliance (YES/NO) Areas of Concern (AC)			ASC Staff Observations	State Response	Required State Actions	Recommended State Actions	General Comments	
	YES	NO	AC						
Nebraska Statutes, Regulations, Policies and Procedures:									
States must adopt and/or implement all of the relevant Real Property Appraiser Qualification Criteria. (Title XI § 1116 (a), 12 U.S.C. 3345; Title XI § 1118 (a), 12 U.S.C. 3347; AQB Real Property Appraiser Qualification Criteria.)	X			Nebraska State statute allows the Board to waive or extend continuing education. AQB Criteria does not allow a waiver or extension of continuing education to be granted to credential holders who have failed to meet continuing education requirements. In practice, however, the Board was complying with AQB Criteria.	On December 15, 2009, the Board provided a copy of the proposed amended statute and advised that it has been submitted for adoption during the upcoming legislative session.	None	To strengthen the Program, Nebraska should continue the process of amending its statute to reflect what is required by AQB Criteria.	Please provide ASC a copy of the final amended statute.	
Nebraska Statutes, Regulations, Policies and Procedures Continued:									
States must adopt and/or implement all of the relevant Real Property Appraiser Qualification Criteria. (Title XI § 1116 (a), 12 U.S.C. 3345; Title XI § 1118 (a), 12 U.S.C. 3347; AQB Real Property Appraiser Qualification Criteria.)	X			Board regulations allow qualifying education credit for teaching. AQB Criteria does not allow teaching as qualifying education. In practice, however, the Board was complying with AQB Criteria.	On December 15, 2009, the Board provided a copy of the proposed revised regulations and advised that they will be submitted for promulgation after the adoption of the proposed statute changes noted above.	None	To strengthen the Program, Nebraska should continue the process of amending its regulations to reflect what is required by AQB Criteria.	Please provide ASC a copy of the final amended regulations.	
Temporary Practice:	X			No compliance issues noted.	N/A	None	None	None	
National Registry:									
States must submit all disciplinary actions for inclusion on the National Registry. (Title XI § 1118 (a), 12 U.S.C. 3347; ASC Policy Statement 9A.)	X			Disciplinary actions resulting from consent agreements were not being reported until the terms of the agreements were completed.	On December 15, 2009, the Board reported their process has changed and the Board is now reporting disciplinary actions resulting from consent agreements when the agreements are executed rather than when they are completed.	None	None	None	
Application Process:	X			No compliance issues noted.	N/A	None	None	None	

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	YES	NO	AC					
Reciprocity:	X			No compliance issues noted.	N/A	None	None	None
Education:	X			No compliance issues noted.	N/A	None	None	None
Enforcement:	X			No compliance issues noted.	N/A	None	None	None