



Real Estate Appraisal Administration Division

March 9, 2001

Ben Henson, Executive Director
Appraisal Subcommittee
2000 K Street, NW
Suite 310
Washington, DC 20006

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Dear Mr. Henson:

This letter is in response to your last letter to this office dated January 30, 2001. It appears that in some instances we were not as clear as we could have been and wish to clarify the remaining ambiguities. In the interest of clarity, I will address your points as they were numbered in your 10/30/01 letter:

1. Please accept this letter as an affirmation of our commitment not to issue any appraisal credentials to any applicant based upon non-conforming experience. This policy will remain in effect until such time as the new legislation becomes effective, whereupon our informal policy will be superseded by state law.
2. Attached is a list of 24 Illinois licensed appraisers who had received experience credit for non-conforming experience.
3. Of the 24 listed appraisers, only 5 are problematic. Three of the five [DELETION], clearly do not meet AQB requirements. Two of the five appraisers [DELETION] did not respond to our request for information. Attached are formal complaints that have been filed against these two appraisers. If either or both of them fail to file a formal answer and are held to be in default, they will be summarily revoked. If either or both attempt to restore any time prior to our new legislation taking effect we will not restore them unless their experience level fully meets AQB requirements.
4. The list of Certified appraisers is identified on the attached list.
5. All of the 19 appraisers listed in Exhibit 1 now have the requisite experience.
6. We are not aware of any legal theory, mechanism or procedure that would allow us to summarily accomplish the action that you propose without subjecting this agency to significant liability for violations of state and federal due process (42 U.S.C. 1983). We have researched and explored this request thoroughly and do not know how we can legally accomplish your request. Illinois law simply does not grant an administrative

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agency the right to cancel or revoke a professional license that has been properly issued. Our legal staff is willing to discuss this request with your legal staff if necessary. In the alternative please direct us to whatever state or federal law you think would allow this agency to either summarily or via a formal complaint disenfranchise these three licensees from licenses that were properly issued to them under then existing state law.

7. We will advise you of the progress of the [DELETION] formal complaints. The remaining confusion can be explained by way of clarification. I should have stated in my 12/07/00 letter that since my installation as Director in January 2000, no applicant has received experience credit for non-conforming experience. The five previously identified appraisers are the only appraisers in the State of Illinois who have been issued credit for non-conforming experience.

Finally, your request for monthly reports is noted. However, there is nothing more pending at this time other than our report to you on the default proceedings of [DELETION]. If they default, there will be three remaining appraisers who we are prevented by statute from taking any action against.

Sincerely,



Michael Brown

Director of Appraisal Administration