



GOVERNMENT OF THE VIRGIN ISLANDS
OF THE
UNITED STATES

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Department of Licensing and Consumer Affairs
V.I. Real Estate Appraisers Board

File rec'd 12-2-98

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December 1, 1998

Ben Henson
Executive Director
Appraisal Subcommittee
2100 Pennsylvania Avenue, Ste. 200
Washington, DC 20037

Re: Action on Appraisal Subcommittee Recommendations

Dear Mr. Henson:

As communicated to Ms. Victoria Ledbetter during her recent visit, following are actions taken in response to the recommendations made following Appraisal Subcommittee review of our operations.

BOARD REGULATIONS: Ms. Pat O'Reilly, District Counsel with the Department of Licensing and Consumer Affairs (DLCA), has reviewed Appraisal Subcommittee comments with the Board, and offered guidance for changes to the draft regulation. The Board discussed several problem areas detailed below, and have resolved most aspects. Final decisions on the treatment of government contractors vis-a-vis temporary practice permits, and the experience provisions will be discussed and (hopefully) resolved in our December meeting.

Like revisions to the V.I. Code, regulations must also be presented to the Governor and Legislature prior to adoption. The Board will attempt to accomplish both at once. This is recommendable since the proposed regulations would need to conform to the revisions to the V.I. Code which the Subcommittee is urging the Board to change. Target date for adoption of the law and regulations is March 1999.

TEMPORARY PRACTICE PERMITS: The Board has agreed to reduce the fee for the temporary practice permit to One Hundred and Fifty (\$150.00) dollars. Administratively, once a complete application is received, decisions on approval of temporary practice permits are made by the Assistant Commissioner of Boards and Commissions at DLCA¹.

Persons employed under contract to work exclusively for the Government of the Virgin Islands has been a particular problem for the Board. Heretofore, the Board issued these individuals a temporary practice permit. This resulted in temporary permits being renewed year after year.

¹ Ms. Lisa Davis. presently serves as Director of Boards and Commissions.

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Agents of the U.S. or Virgin Islands government are exempt from business license requirements². To solve this dilemma, the Board will vote in our December meeting on the following proposal. Provided the government contractor is licensed in another state which adheres to the Appraisal Subcommittee's Appraiser license standards, the Board will allow these individuals to *register* with the Office of Boards and Commissions, and exempt them from being required to procure a license. Once these contractors begin to do non-government jobs or lose their status as exclusive government contractors, they will then be required to procure a Virgin Islands Appraiser license.

TESTING: In October of this year, we wrote the North Carolina Board of Appraisers, asking if they would allow us to purchase their Appraiser exam. We await their response. Communications have also been sent to the states of New York and Mississippi seeking to get a copy of their exam for use by the V.I. Board. They too have not yet responded to our inquiry.

RECIPROCITY: The V.I. Board has decided to recognize reciprocity for licensees of other jurisdictions that maintain and adhere to the Appraisal Subcommittee Appraiser license standards.

BACKDATING OF LICENSES: In the territory, delays in license issuance is largely due to delay in procuring a tax clearance letter from the Bureau of Internal Revenue. By law, a license cannot be issued without a tax clearance letter or letter evidencing a tax payment agreement with the Bureau³. An aggressive letter campaign has been initiated to alert licensees to procure their tax clearance letter early to enable processing of the business license prior to expiration.

Persons who fail to get a tax clearance letter on time will have their license fee pro-rated, and their license issued from the date all documents and fees are received through the end of the calendar year.

NATIONAL REGISTRY: Ms. Lisa Davis, Assistant Commissioner for Boards and Commissions, has submitted the requested information. Information will be sent on a monthly basis from now on. Efforts are being undertaken to establish a more efficient system between DLCA and the Department of Finance to release the funds needed for registration on a timely basis.

2-5 YEAR EXPERIENCE REQUIREMENT: This matter has not been resolved by the Board. My personal view is that the five (5) year experience requirement is not onerous. I suggest that the experiential requirement remain at five years, but allow for appraisal related experiences to satisfy the experience credit requirement- i.e. appraisal review, teaching, etc. This matter will also be discussed by the Board at our December 11, 1998 meeting.

² See Title 27 V.I.C. § 306 (1997).

³ See Title 27 V.I.C. § 304 (j), (k) (1997)

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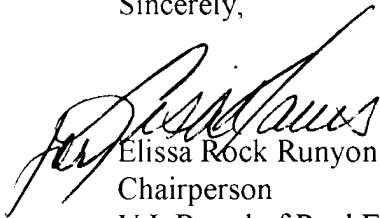
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ADEQUATE FUNDING: The Board receives funding based on the Governor's recommendation, and the V.I. Legislature's action to approve or slash. We have no control over our funding. Wish we did.

I trust that this communique will convey the action taken thus far to address the concerns communicated in previous correspondence. Matters not discussed herein, will be addressed in our December 11th meeting. As always, your comments are indeed appreciated.

Sincerely,



Elissa Rock Runyon

Chairperson

V.I. Board of Real Estate Appraisers

cc: Victoria Ledbetter
Appraisal Policy Manager
Appraisal Subcommittee