



STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
BOARD OF REAL ESTATE APPRAISERS
35 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0035

JOHN ELIAS BALDACCI
GOVERNOR

ANNE L. HEAD
DIRECTOR

November 15, 2005

Virginia M. Gibbs
Chairman
Appraisal Subcommittee
2000 K Street, NW
Suite 310

Dear Ms. Gibbs:

This letter responds to your letter of September 16, 2005 regarding the Appraisal Subcommittee's review of Maine's appraiser regulatory program.

Two matters have been noted as items needing the Board's attention. The first item is as follows: **"The Board issued transitional licenses that are not differentiated from licenses or certifications that authorize holders to perform appraisals in federally related transactions (FRTs)."** To address this item, you recommended that the licenses for these individuals be stamped stating, "Not eligible to Appraise Federally Related Transactions" and that the same statement appear on the Department's web site. Finally, you encouraged the Board to seek legal advice regarding the continued renewal of these licenses.

In response to item #1, the Board has prepared and mailed a replacement license (Sample enclosed) with a cover letter (enclosed) to the 18 licensed real estate appraisers who formerly held a transitional license. In addition, the Board has directed the IT staff to add the statement "Not Eligible to be Listed on the National Registry of the Appraisal Subcommittee" to the web site listing for these same 18 licensees. As of this date, this work order request has not been completed. Finally, the Board has contacted the Attorney General's office regarding this matter.

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Item #2 noted in the review is as follows: **“Several sections of Maine’s regulations are inconsistent with AQB criteria.”** Specifically, that the Board has not amended its regulations to reflect the need for certified appraisers to take the 15-hour **National USPAP** course and the 7-hour **USPAP Update** course (emphasis added) and that the Board has not defined the distance education method permitted, by rule, for continuing education courses. You advised that the Board needs to amend its regulations to address these matters.

In response to item #2, the Board has submitted proposed legislation (DRAFT legislative proposal enclosed) to implement the criteria changes effective January 1, 2008, included in the proposed legislation is a reference to the USPAP courses as noted above. The proposed legislation will require the Board to adopt rules to implement the statutory changes. The Board anticipates amending the education rules, including distance education standards for continuing education, at that time. As noted in the September 16 letter, the Board, in practice, follows the AQB’s distance education certification criteria and requires persons seeking initial certification or renewal to take the appropriate USPAP courses. The Board will continue to enforce these standards until the changes noted above are made in statute or rule.

Please note that the enclosed DRAFT legislative proposal, referenced above, is a copy of the document filed with the legislative office. It is anticipated that the legislative document to be prepared from this DRAFT will not be available until sometime in December.

Thank you for the opportunity to respond to the items noted in the September 16 letter. Please contact me if you have questions.

Sincerely,

Carol J. Leighton
Administrator