



STATE OF NEW YORK  
DEPARTMENT OF STATE

ELIOT SPITZER  
GOVERNOR

LORRAINE A. CORTÉS-VÁZQUEZ  
SECRETARY OF STATE

October 30, 2007

Ms. Virginia M. Gibbs  
Chairperson  
Appraisal Subcommittee  
2000 K Street NW  
Suite 310

NOV 05

Dear Ms. Gibbs:

I am in receipt of your September 17, 2007 correspondence concerning the review that was undertaken by the Appraisal Subcommittee of New York State's regulatory program.

Your letter addressed the need for the Licensing Division to implement a policy that would insure compliance with Title XI concerning the processing and issuance of requests for temporary practice permits within five business days of receipt of a completed application.

The review that was performed during the June 26-28, 2007 period disclosed that New York issued 56 temporary practice permits during the period under study. Your staff determined that New York failed to comply with the five-day requirement in 17 instances.

As our staff indicated during the review, when the Licensing Division received an application it was automatically date stamped. During the processing period if applications were considered to be incomplete, in need of further information or documentation, our staff would call the applicants in an attempt to solve the problem quickly and efficiently by personal contact. On many occasions Licensing staff had to wait several days while documentation was being forwarded by the applicant. Even though it appeared that we were not in compliance with the five-day requirement, in most cases we did not have a complete application until the requested material was forwarded to our office. Unfortunately we neglected to change the date on the application upon receipt of the new documentation.

As a result of your findings, the Department of State has implemented procedural changes to ensure that all temporary practice permits are timely issued.

The Licensing Division now returns all temporary practice applications that are considered to be in need of additional information. When the completed application is once again received, another date stamp will be affixed and processing will be completed the day it is received.

This procedural change will ensure our compliance with Title XI of the Financial Institution Reform, Recovery and Enforcement Act of 1989.

If you need any further information, please do not hesitate to contact my office.

Sincerely,

Daniel Shapiro  
First Deputy Secretary of State

cc: Matthew Smith, Chair, Board of Real Estate Appraisal  
Joseph Amello, Director, Department of State  
Kathleen McCoy, Assistant Director, Department of State