

***Annual Report***  
***Fiscal Year 2011***

**BOARD OF CERTIFIED REAL ESTATE  
APPRAISERS**

***July 2011***



**DIVISION OF CORPORATIONS, BUSINESS  
AND PROFESSIONAL LICENSING**

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This Annual Performance Report is presented in accordance with Alaska Statute 08.01.070(1) and Alaska Statute 37.07.080(b). Its purpose is to report the accomplishments, activities, and the past and present needs of the licensing program.

**ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS  
FY 2011 ANNUAL REPORT**

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**ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS**  
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**IDENTIFICATION OF BOARD**

<b><u>Board Member</u></b>	<b><u>Date Appointed</u></b>	<b><u>Term Expires</u></b>
<b>Gene Shafer - Chair</b> Residential Appraiser 1823 Kennedy Street Fairbanks, AK 99709	<b>March 1, 2004</b>	<b>March 1, 2012</b>
<b>Richard (Butch) Olmstead – Vice Chair</b> Mortgage Banking Executive 2030 Sea Level Drive, Suite 100 Ketchikan, AK 99901	<b>December 15, 2005</b>	<b>March 1, 2013</b>
<b>April Moore</b> Public 925 3 <sup>rd</sup> Avenue Fairbanks, AK 99701	<b>March 1, 2007</b>	<b>March 1, 2015</b>
<b>Clint Lentfer</b> General Appraiser 8740 Sultana Drive Anchorage, AK 99516	<b>March 1, 2010</b>	<b>March 1, 2014</b>
<b>Donna Rulien</b> General Appraiser 2810 W. 33 <sup>rd</sup> Avenue Anchorage, AK 99517	<b>March 1, 2010</b>	<b>March 1, 2014</b>

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**IDENTIFICATION OF STAFF**

**Jan Mays, Licensing Examiner**

Division of Corporations, Business & Professional Licensing  
Department of Commerce, Community and Economic Development  
P.O. Box 110806  
Juneau, AK 99811-0806  
Work: (907) 465-5470  
Fax: (907) 465-2974

**Cori Hondolero, Records and Licensing Supervisor**

Division of Corporations, Business & Professional Licensing  
Department of Commerce, Community and Economic Development  
P.O. Box 110806  
Juneau, AK 99811-0806  
Work: (907) 465-2588  
Fax: (907) 465-2974

**Margo Mandel, Investigator**

Division of Corporations, Business & Professional Licensing  
Department of Commerce, Community and Economic Development  
Atwood Building  
550 West 7<sup>th</sup> Avenue, Suite 1500  
Anchorage, AK 99501-3567  
Work: (907) 269-8124  
Fax: (907) 269-8195

**ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS**  
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**NARRATIVE STATEMENT**

The Board of Certified Real Estate Appraisers met four times in FY 2011: on October 8, 2010, January 19, 2011, May 9, 2011 (teleconference) and May 26 and 27, 2011.

The Board continued its review and approval (as appropriate) of education classes for both initial certification and continuing education. In addition the Board reviewed and approved four applications for General Appraiser Certification, eight applications for Residential Appraiser Certification, five applications for Registered Trainee and twenty one applications for Courtesy licenses. Other applications for appraisal certification were denied for lack of required education and/or documented appraisal experience.

The Board continues to review complaints and issues brought before it. Ms. Margo Mandel, the assigned investigator to the Board has been helpful in providing information to the Board regarding complaint investigations and recommending appropriate disciplinary actions when required.

The Appraisal Qualifications Board of the Appraisal Foundation conducted an audit of Alaska's administration of appraisal certification in May of 2011. Although the written findings of the audit was not made available to the State of Alaska at the time of the writing of this narrative, the auditors met with the Board on May 27, 2011 and provided the Board with their oral preliminary findings. The auditors stated to the Board that all of the corrective actions previously identified by the auditors as needing corrective action by the Board had been adequately resolved.

All Board meetings are public-noticed and a copy of the agenda is forwarded to interested parties.

**ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS  
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BUDGET RECOMMENDATIONS FOR FY 2012**

Hold two Board meetings per year at approximately \$1400 each	\$8,400
<b>TOTAL COSTS</b>	<b>\$8,400</b>

**ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS  
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RECOMMENDATIONS FOR PROPOSED LEGISLATION FOR FY 2012**

The Board of Certified Real Estate Appraisers has no recommendations for proposed legislation at this time.

**ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS  
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REGULATION RECOMMENDATIONS FOR FY 2012**

The Board of Certified Real Estate Appraisers has no has no regulation recommendations or regulation projects going on at this time.

# ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS

## FY 2011 ANNUAL REPORT

### GOALS AND OBJECTIVES FOR FY 2012

The primary goals for this coming year are to investigate revisions to statutes and regulations to enhance consistency with the policy of the Appraisal Subcommittee. The Board's goals and objectives for FY 2012 are as follows:

1. Review recommendations changes and modify current statutes and regulations to include changes as needed and encourage their implementation.
2. Seek comments/input from other organizations that are involved in our use of appraisal services in Alaska.
3. Circulate the Board meeting dates to appraisal organizations, interested individuals, and users of appraisal services.
4. Provide public notice of all meetings in the newspaper.
5. Continue to make listings of approved, denied, and expired initial certification and continuing education courses/seminars available to certified individuals.
6. Look into the set up and notice-giving possibilities of disseminating Appraiser Board activities through email database addresses of licensed appraisers.
7. At the time of initial certification, the Board is to review the appraiser's application along with one appraisal report completed by the applicant, in accordance with 12 AAC 70.110 (e).
8. To have at least two face-to-face meetings per year.
9. To encourage and develop dialog promotional education in the State of Alaska for the state certified appraisers.

**ALASKA STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS**

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**SUNSET AUDIT RECOMMENDATIONS**

**AUDIT: OCTOBER 30, 2009**

**Recommendation No. 1**

The Board of Certified Real Estate Appraisers (BCREA) and the Department of Commerce, Community, and Economic Development (DCCED) should take timely corrective action in response to Appraisal Subcommittee (ASC) findings.

ASC conducted a monitoring inspection of Alaska's real estate appraiser regulatory program in 2007. As part of the assessment, ASC reviewed 42 applications for certification. Of the 42 applications reviewed, three certificates (seven percent) were issued to applicants that failed to meet Appraiser Qualifications Board's (AQB) experience or education criteria. The inspection cited an inadequate application review process as the reason for the deficiencies. ASC directed DCCED and the board to contact the improperly certified appraisers and request further documentation. If the appraisers continue to fail to meet requirements, DCCED and the board were directed to downgrade the certification credentials within 90 days. DCCED and BCREA must resolve the finding in order to come into compliance with the Title XI of the 1989 Financial Institutions Reform, Recovery, and Enforcement Act, as amended.

DCCED's Division of Corporations, Business and Professional Licensing sent out letters to the three applicants notifying them of the deficiency detected through the ASC review. The division requested each appraiser submit additional documentation showing the appraisers met certification requirements. Only one of the three appraisers responded. BCREA failed to downgrade certification credentials for the two appraisers still out of compliance. Until proper documentation is submitted, the two appraisers affected are not qualified to practice as certified appraisers in accordance with federal law.

As discussed under the Background Information section of this audit, ASC is the entity responsible for monitoring the State certification process for compliance with federal law. Federal agencies and federal financial institutions may not accept appraisals from BCREA certified appraisers if ASC finds that:

- BCREA has failed to recognize and enforce the standards, requirements, and procedures of Title XI;
- BCREA does not have enough authority to carry out its functions under Title XI; or
- BCREA does not make decisions on appraisal standards and qualifications or supervise appraiser practices in a method that carries out the purposes of Title XI.

We recommend that the board and DCCED take timely corrective action in response to ASC findings – including the downgrade of certificates that do not meet AQB experience or education criteria.

**Recommendation No. 2**

The division's professional licensing administrative officer should take steps to improve administrative support.

Unqualified staff and a lack of documented procedures led to several deficiencies in division administrative support. Specifically:

- Seven of 11 BCREA meetings were not posted on the State's online public notice system. One meeting was not posted in either the online public notice system or the *Anchorage Daily News*.
- Support for the FY 05 and FY 06 fee analyses was not maintained.
- FY 06 and FY 07 annual reports contained errors in license statistics.
- Allocation rates for indirect costs were inaccurate for FY 05 through FY 08.

- Fines of \$3,000 in FY 03 and \$2,500 in FY 07 were inappropriately recorded as BCREA revenue.
- Indirect costs for the division were treated inconsistently between fiscal periods.

The division's professional licensing section is responsible for performing various administrative tasks to support board activities. Per AS 08.01.050, duties include collecting and recording fees; maintaining records and files; compiling and maintaining a current register of licensees; arranging for printing and advertising; and providing inspection, enforcement, and investigative services to occupational boards. The division is also responsible for annually reviewing fee levels of the occupational boards to determine whether the regulatory costs of an occupation are approximately equal to fee collections for that occupation. Alaska Statute 08.01.070 requires BCREA to submit an annual performance report to DCCED stating the board's accomplishments, activities, and needs. Professional licensing's policy is to produce a single annual report incorporating both board and division information requirements.

The deficiencies in administrative support were caused by a key administrative staff member that was unqualified and untrained for the position. This was further exacerbated by a lack of accounting and reporting procedures. Staff turnover caused the oversight in posting public notices. Inadequate administrative support hampers BCREA's ability to fulfill its responsibilities and may provide policymakers with misleading information. Failure to publish notice of public meetings violates statute and may keep interested persons from providing valuable input into the regulation process. We recommend professional licensing's administrative officer take steps to improve administrative support.

### **Recommendation No. 3**

**BCREA and staff within the Office of the Governor should work together to increase the pool of qualified applicants available for board appointments to ensure full representation.**

In FY 05 and FY 06, the board position of mortgage banker was vacant for over nine months. In FY 08, the board position of residential appraiser was vacant for over seven months. Vacancies were due to a lack of applicants.

Alaska Statute 08.87.010 requires BCREA be composed of five members. Four of the five members must consist of the following: a certified general real estate appraiser; a certified residential real estate appraiser; an executive in a mortgage banking entity, and a member of the general public. BCREA cannot fully serve its purpose or the public interest with extended vacancies in board positions. Full representation provides balance and prevents undue bias toward the profession being regulated.

We recommend that BCREA and staff within the Office of the Governor work together to increase the number of qualified applicants available for appointments to the board to ensure full representation.

### **Action Plan for Recommendation No.1**

The Board has proposed changes to the Administrative Code to conform to USPAP and other federal law. Corrective Action has been taken with regard to two of the three applications identified by the Appraisal Subcommittee Audit. The third is still under investigation by the division's investigative unit.

### **Action Plan for Recommendation No. 2**

The support staff position was vacant for a period of time. This position has now been filled and support to the Board is back on track.

### **Action Plan for Recommendation No. 3**

Although appointments to the Board have at times been slow, AS 08.01.035 provides that a member of the Board serves until a successor is appointed. Hence, the Board of Certified Real Estate Appraisers has not been without its full complement of five members.

# FISCAL YEAR 20\_\_\_\_ STATISTICAL OVERVIEW

Program: \_\_\_\_\_

AS 08. \_\_\_\_\_

12 AAC \_\_\_\_\_

Name of Individual Completing Report: \_\_\_\_\_

Date: \_\_\_\_\_

CATEGORY	NEW-ISSUED FY 20__	TOTAL AS OF 6/30/____	EXAMINATION/ CREDENTIAL
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**A. Current Active Licenses, Endorsements, Permits, Exam Fees, Course Approval Fees**

*(student, locum tenens, limited, courtesy licenses)*

**List type and if issued by examination or credential, as applicable**

*(Do not list "temporary permits" or "temporary licenses")*

Example: License Type	10	250	Exam: 6 Credentials: 4
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
<b>TOTAL</b>			

**B. Current Inactive Licenses (not lapsed licenses)**

*(Only Medical, Chiropractic, CPA, and Real Estate)*

CATEGORY	TOTAL AS OF 6/30/____
1.	
2.	
3.	
4.	
<b>TOTAL</b>	

