

Approved

Thomas J. Walker
Date 3-22-90

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Representative Thomas F. Walker at
Chairperson

9:00 a.m./p.m. on Wednesday, March 21, 1990 in room 522-S of the Capitol.

All members were present except:

Committee staff present:

Avis Swartzman - Revisor
Carolyn Rampey - Legislative Research
Jackie Breyemeyer - Committee Secretary

Conferees appearing before the committee:

Jeffrey Sonnich - Kansas-Nebraska League of Savings Institutions
Courtley Jackson - Society of Real Estate Appraisers
Jim Maag - Kansas Bankers Association
Jean Duncan - Kansas Real Estate Commission
James H. Irish - Office of Thrift Supervision, Department of the Treasury

Chairman Walker called the meeting to order and stated the minutes of the previous meeting would stand approved at the end of the meeting if there were no corrections or additions.

SB 755 - state certified real estate appraisers act

Jeff Sonnich was first to appear on the bill. (Attachemnt 1) He stated the bill was introduced to comply with provision enacted under the Financial Institutions Refor, Recovery and Enforcement Act (FIRREA). Title XI under FIRREA requires states to establish requirements for the regulation of real estate appraisers who perform appraisals in connection with any federally related transaction. By July 1, 1991, all Kansas banks, savings associations, and credit unions will be required to use certified appraisers for appraisals used in connection with real estate related loans. In January FIERRA issued guidelines to help states establish certification procedures. Although the guidelines were of a general nature with regard to individual requirements, they were specific regarding the structure the states must follow to ensure an independent state regulatory agency. Grandfathering of existing appraisers would not be allowed. The state regulatory agency must be separate from any other state agency. All appraisers applying for certification would have to meet the criteria established by this state regulatory agency. Mr. Sonnich went on to define SB 755. It creates a seven member appraisal board, appointed by the governor and confirmed by the Senate. Requirements for certification would be set by rules and regulations. Board membership would be comprised of three appraisers, two financial institution members, and one public member. It would approve all applications for certification, set appropriate fee levels and establish education and experience requirements necessary to comply with federal law. Two classes of certification are required. They are: state certified residential and state certified general real estate appraisers. Other classes could be created, if necessary. The state certified residential appraiser would appraise residential real property, agricultural real property and small commercial property; the state certified general appraiser would appraise all types of real property. Each federal regulatory agency will make the final determination as to the class of appraiser needed for different loans. Both classes would be required to meet appropriate educational, experience and examination requirements before receiving certification. Also, both would have to renew certification annually and meet continuing education requirements set by the board.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

room 522-S, Statehouse, at 9:00 a.m./p.m. on Wednesday, March 21, 1990

Courtley Jackson appeared next on the bill. (Attachment 2)

Mr. Jackson was present to represent the Society of Real Estate Appraisers. (Attachments 2, 3, 4, and 5.) Last fall, FIRREA was passed into federal law. Title XI of the act mandated that states have certified appraisers by July 1, 1991. Mr. Jackson urged the committee to act swiftly to ensure Kansas will meet the July 1, 1991 deadline. Two amendments were suggested. The first amendment deals with the addition of another appraiser on the board. This would bring the number to four. The second amendment deals with the deletion of Section 3(b) dealing with certification on a temporary basis for an appraiser from another state. Since all certified appraisers will be listed on a national register, this language will not be necessary. Mr. Jackson distributed a glossary of terms to define several terms that were related to the bill. His other two attachments dealt with guidelines regarding composition of the appraisal board.

Jim Maag, Kansas Bankers Association, addressed the bill. Mr. Maag defined what the bill does. His testimony reflected that each of the federal regulatory agencies for banks has now published guidelines on what will be acceptable as appraisals on bank loans involving real estate. Any such loan in excess of \$15,000 must be appraised by a state certified appraiser. The vast majority of loans would require a certified appraiser. Mr. Maag stated the biggest concern of the industry is whether there would be a sufficient number of qualified appraisers in the sparsely populated areas of the state to handle residential, agricultural and small business loans. The certification process will be costly and time-consuming. Federal regulators realize there will be a price to pay for new federal mandates. Federal law leaves no alternative but to put some type of certification and regulation process in place quickly at the state level. Mr. Maag also requested favorable and rapid consideration of the bill. (Attachment 6)

Jean Duncan, Kansas Real Estate Commission, spoke next to the bill. (Attachment 7) Ms. Duncan said the board does not make any provision for start-up funds. Start-up funds will be necessary for needed expenditures. The commission does not feel these funds should be borrowed from the real estate fund. The commission wanted the committee to be aware of their position that start-up funds should come from the general fund. Ms. Duncan referred to the fiscal note on the bill that estimates \$39,000 administrative impact for FY 1991.

Jim Irish was last to address the bill. He spoke from testimony by L. E. Gardner, who was unable to attend the meeting. He also distributed an Appraiser Qualifications Criteria, Residential Certification Classification attachment. (Attachments 8 and 9) Mr. Irish said his office stands ready to assist in compliance with FIRREA. It is a professionally good bill. Chairman Walker told Mr. Irish that due to time constraints the Committee would have to adjourn. Possible final action will be taken at a later date. The meeting was adjourned.



Jeffrey D. Sonnich, Vice-President

Suite 512
700 Kansas Avenue
Topeka, Kansas 66603
(913) 232-8215

March 21, 1990

TO: HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION
FROM: JEFFREY SONNICH
RE: S.B. 755 (STATE CERTIFIED REAL ESTATE APPRAISERS ACT)

My name is Jeff Sonnich, Vice President of the Kansas Nebraska League of Savings Insitiutions. We appreciate the opportunity to appear before the House Governmental Organization Committee in support of Senate Bill 755.

This bill was introduced to comply with provisions enacted under the Financial Institutions Reform, Recovery and Enforcement Act (FIRREA). Title XI of FIRREA requires states to establish requirements for the regulation of real estate appraisers who perform appraisals in connection with any federally related transaction. What this essentially means is that by July 1, 1991 all Kansas banks, savings associations, and credit unions will be required to use certified appraisers for appraisals used in connection with real estate related loans. I do want to emphasize that this bill does not cover appraisals that are made in connection with estate settlements, third party transfers or divorce settlements.

In January the Federal Financial Institutions Examination Council issued guidelines to help states establish certification procedures. The guidelines were somewhat general with respect to the individual requirements for certification, however they were specific in addressing the structure states must follow to ensure an independent state regulatory agency. The state appraisal regulatory agency must be separate from any other state agency. The guidelines further stated that "grandfathering" of existing appraisers would not be allowed. All appraisers applying for certification would have to meet the criteria established by the state regulatory agency. Also, the guidelines require states to provide for two classes of appraisers. S.B. 755, as drafted, would comply with the federal guidelines.

Attachment 1
J.D.
3/21/90



House Committee on Governmental Organization
March 21, 1990
Page 2

S.B. 755 would create an independent seven member appraisal board, appointed by the Governor and confirmed by the Senate, that would set by rules and regulations the requirements for certification. The appraisal board would be composed of at least three appraisers, two financial institution members, and one public member. The board would approve all applications for certification, set the appropriate fee levels and establish the educational and experience requirements necessary to comply with federal law. All of the Administrative duties would be carried out by the Kansas Real Estate Commission.

The bill creates two classes of certification state certified residential and state certified general real estate appraisers. The bill contains a provision that would allow other classes to be created if necessary to comply with the federal law. Those that qualify as a state certified residential real estate appraiser would generally be able to perform appraisals for one to four unit residential real property, agricultural real property, and small commercial property. State certified general real estate appraisers would be able to perform appraisals for all types of real property. Each federal regulatory agency will make the final determination as to the class of appraiser needed for different loans. Both classes would be required to meet the appropriate educational, experience and examination requirements before they would receive their certification. Additionally, both classes would have to renew their certification annually and meet the continuing education requirements set by the board.

S.B. 755 was reported favorably by the Senate Federal and State Affairs Committee and approved by the full Senate by a 40-0 vote. Accordingly, we request the House Committee on Governmental Organization report S.B. 755 favorably for passage.

Jeffrey Sonnich, Vice President
Kansas-Nebraska League of Savings Institutions

JDS:bw

KANSAS APPRAISERS FOR CERTIFICATION

P.O. BOX 48102
WICHITA, KS 67201-8102

American Institute of
Real Estate Appraisers

American Society of Farm Managers
and Rural Appraisers

American Society of
Real Estate Appraisers

International Association of
Assessing Officers

International Right-of-Way
Association

National Association of
Independent Fee Appraisers

National Association of
Master Appraisers

National Association of
Real Estate Appraisers

National Society of
Real Estate Appraisers

Society of Real Estate Appraisers

Courtley A. Jackson, SRA
517 S. Market
Wichita, KS 67202
(316) 265-7880

David Craig, MAI
1420 Bank IV Tower
Topeka, KS 66003
(913) 233-2072

Date: March 21, 1990

Governmental Organization Committee
Tom Walker, Chairman

RE: SB 755

I am Courtley Jackson, SRA . I represent the Society of Real Estate Appraisers. I have also been elected to be the spokesperson for the Kansas Appraisers for Certification. This group is a coalition formed this past year of the ten appraisal organizations who are known to have appraisers in Kansas, plus one one appraiser representing those who do not belong to any appraisal organization.

Last fall FIRREA, which is commonly known as the Savings and Loan Bailout Bill, was passed into Federal Law. Title XI of this act mandated that states have certified appraisers by July 1, 1991.

Last year we introduced a bill very similar to SB 755 but it did not progress due to the lack of a federal mandate and some disagreement between the appraisal organizations. However, FIRREA was passed and the various appraisal organizations in Kansas have formed this coalition to work out our differences. SB 755 is the result of this effort. All of the appraisal organizations in Kansas support SB 755 and urge this committee to act swiftly to ensure Kansas will meet the deadline for certified appraisers.

The appraisal coalition would like to suggest two possible amendments to this bill. First, the composition of the appraisal board and second, Section 3 (B).

After SB 755 was introduced to the Senate Federal and State Affairs Committee, the appraisal subcommittee revised their guidelines regarding the composition of the appraisal board (see handout). This change allows appraisers to dominate the Appraiser Board. In Kansas, our research indicated that most all Boards are dominated by their respective industries. SB 755 now reads that at least three appraisers should be appointed to the seven member board. The appraisers believe that the Appraisal Board should consist of four appraisers in addition to the three other members.

Our second possible amendment would be to delete Section 3 (B), which refers to the board recognizing on a temporary basis a certified/licensed appraiser issued from another state. We believe this is not necessary since all certified/licensed appraisers will be listed on a national registry and will only result in more paperwork.

In conclusion, we support SB 755 and urge this committee to take immediate action.

Attachment 2
H.O.

The representatives of the above groups do not necessarily speak for their National Organizations.

3/21/90

GLOSSARY

FIRREA (Financial Institutions Reform, Recovery, And Enforcement Act) (Saving & Loan Bailout Bill)

Title XI of this act which was signed into law in September of 1989 establishes an Appraisal Subcommittee under FFIEC to monitor State appraisal certification and licensing systems: monitor appraisal standards and determinations regarding which Federally related transactions will require the use of certified appraisers and which licensed appraisers.

FFIEC (Federal Financial Institutions Examinations Council) Representatives from Comptroller of the Currency, Federal Reserve, Federal Deposit Insurance Corporation, Office of Thrift Supervision and National Credit Union Administration Board.

Title XI states that "State Certified Appraiser" means any individual who has satisfied the requirements for State certification as a real estate appraiser currently meeting the minimum criteria for certification issued by the Appraiser Qualification Board of the Appraisal Foundation.

Title XI states that not later than July 1, 1991, all appraisals performed in connection with federally related transactions shall be performed only by individuals certified or licensed in accordance with the requirements of this title.

Title XI states that "The Appraisal Subcommittee shall monitor State appraiser certifying and licensing agencies for the purpose of determining whether a State agency's policies, practices, and procedures are consistent with this title."

Appraisal Board An initial 7 member board appointed by the Governor which will by rules and regulations establish the type of educational experience, appraisal experience and equivalent experience that will meet the requirements of the Appraisal Subcommittee; establish examination specifications; approve applications for certification and renewal; continuing education requirements; review standards for the development and communication of real estate appraisals; suspend and revoke certifications.

OTS (Office of Thrift Supervision) The agency under the Department of the Treasury which regulates Thrifts. (Formerly the examination staff of the Federal Home Loan Bank Board.)

Attachment 3
H.O.
3/21/90

INDEPENDENCE FROM AFFECTED INDUSTRIES

If the agency is directed by an individual, that person should not be actively engaged in the appraisal business or any other affected industry for the term of appointment or employment, and for a reasonable period thereafter.

If the agency is directed by a board or commission, the members of that board should represent the broad public interest, and the statute, regulation, or order creating that body should not permit a majority of the board to come from or be dominated by any one industry or profession. Moreover, after its initial establishment, the composition of the board should continue to remain free from domination by any one industry or profession.

INDEPENDENCE OF DECISION MAKING

Decisions as to whether to license and certify, to discipline or to de-license or de-certify appraisers should not be made by the same state officials whose responsibilities include realty related activities.

Decisions of the state appraiser regulatory agency regarding whether to license or certify, to discipline or to de-license or de-certify appraisers should be final administrative action subject only to appropriate judicial review.

Attachment 4
Y.O.
3/21/90



February 28, 1990

The Appraisal Subcommittee of the Federal Financial Institutions Examination Council today clarified and expanded aspects of its guidelines for state licensing and certification of real estate appraisers.

Since January 18, when the guidelines were released, the Subcommittee has received numerous comments and inquiries from states and other interested parties concerning the guidelines' limitations on the composition of state appraiser boards. The legislative history of Title XI of the Financial Institutions Reform, Recovery and Enforcement Act indicates that states should adopt an organizational structure for implementing state appraiser licensing, certification and supervision functions that avoids potential conflicts of interest. With this objective in mind, the guidelines indicated that a state appraisal regulatory board should not be dominated by any industry or profession.

The Appraisal Subcommittee recognizes that a significant representation on the appraisal boards by members of the appraisal industry can help to ensure that the Boards have adequate expertise and knowledge to carry out their critical functions. The Subcommittee also notes that other

Board of Governors of the Federal Reserve System, Federal Deposit Insurance Corporation, National Credit Union Administration, Office of the Comptroller of the Currency, Office of Thrift Supervision

MAR 01 '90 17:50 REAL ESTATE APPRAISE

14/9

regulatory boards of many states are comprised of a majority of practitioners from their respective fields. In response to comments and inquiries received, and because many states are currently in process of enacting legislation to establish appraiser certification and licensing agencies, the Subcommittee has determined that an appraiser board that is comprised of a majority of individuals from the appraisal industry would not likely result in disapproval or rejection of a state's appraisal regulatory system based solely on that fact.

Rather, the Subcommittee has indicated that it intends to evaluate a state's system for certifying and licensing appraisers in its entirety, including the adequacy of safeguards to prevent conflicts of interest, before considering any adverse action against a particular state's appraisal regulatory system.

The Appraisal Subcommittee continues to believe that as a matter of sound public policy, state appraisal boards or commissions should adequately represent the broad public interest and that they should have meaningful public representation. In this regard, domination or majority control of appraisal boards by representatives of the real estate sales/brokerage, promotion, development, or financing industries -- or by their licensing or regulatory agencies -- would not be appropriate or consistent with the principles outlined in the Appraisal Subcommittee's guidelines and the legislative history of Title XI.

Attachment 5
H.O.
3/21/90



The KANSAS BANKERS ASSOCIATION
A Full Service Banking Association

March 21, 1990

TO: House Committee on Governmental Organization
RE: **SB 755** - Certification of Real Estate Appraisers

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to discuss this vital issue with the Committee. Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 has given each state until July 1, 1991, to establish state law providing for the certification, licensing, and regulation of real estate appraisers who are involved in appraisals rendered in connection with "federally related" transactions. **SB 755** would fulfill that provision of the federal law.

Each of the federal regulatory agencies for banks has now published guidelines on what will be acceptable as appraisals on bank loans involving real estate. Generally, these guidelines require that any such loan in excess of \$15,000 must have the appraisal work done by a state-certified appraiser. This obviously would mean that the vast majority of real estate loans would require a certified, rather than a lesser-qualified, appraiser. The biggest concern of our industry is whether there will be a sufficient supply of qualified appraisers in the more sparsely populated areas of Kansas to handle, in addition to residential loans, agricultural and small business loans involving real estate. This is why we do not want the certification requirements to be so onerous that they discourage people in our industry from becoming qualified. On the other hand, we know that any law which you, the Legislature, enact must be acceptable to the Appraisal Subcommittee of the Federal Financial Institutions Examination Council (FFIEC).

We believe **SB 755** contains, on the whole, the best possible provisions we can get for Kansas and still comply with federal law. There is no doubt that the certification process required by this bill will be costly and time-consuming for every bank in Kansas and those costs will ultimately have to be passed on to the bank's customers in some form. Even the federal regulators recognize that there will be a price to pay for these new federal mandates. Nevertheless, the federal law leaves us no alternative but to put some type of certification and regulation process in place quickly at the state level. The sooner the Legislature approves this measure the sooner we can begin the huge task of getting people certified prior to July 1, 1991, when the appraisal provisions become effective.

Therefore, Mr. Chairman and Committee members, we would request that you give rapid and favorable consideration to **SB 755**.


James S. Maag
Senior Vice President

Attachment 6
H. O.
3/21/90

House Governmental Organization Committee
March 21, 1990
Senate Bill 755

Mr. Chairman and members of the committee:

My name is Jean Duncan, and I am the administrative officer for the Kansas Real Estate Commission. At their meeting yesterday, the commission discussed the matter of start-up funds. The bill does not make any provisions for start-up funds for the appraisal board.

While application and certification fees will be received prior to July 1, 1991, start-up funds will be necessary for needed expenditures before that time. The commission does not feel that those funds should be borrowed from the real estate fee fund, especially in view of the fact that the fund is facing declining balances.

Once the bill is finalized, we will be working with Julian Efird and Cindy Gilpin to prepare the request for the omnibus bill. The commission just wanted you to be aware of their position that start-up funds should come from the general fund.

Attachment 7
H.O.
3/21/90

Jan Tenstein
Chairman

Miles M. Etter
Vice Chairman

Raymond A. Leshner

James H. Pritchett

Otis L. Thorpe

Appraiser Qualifications Board of The Appraisal Foundation

1029 Vermont Ave. N.W. • Suite 900 • Washington, DC 20005 • (202) 347-7722 • FAX: (202) 347-7727

APPRAISER QUALIFICATIONS CRITERIA RESIDENTIAL CERTIFICATION CLASSIFICATION

The Residential Certification Classification would apply to the appraisals of one to four units and up to twelve units when a net income capitalization analysis is not required.

Applicants must meet the following education, experience and continuing education requirements:

Examination

Successful completion of the Appraiser Qualifications Board endorsed Uniform State Certification Examination or its equivalent.

Prerequisite for Examination

Education:

College degree; or,

75 classroom hours of courses in subjects related to real estate appraisal which shall include coverage of the Uniform Standards of Professional Appraisal Practice.

Experience

Equivalent of two years full time experience within the previous five years. The experience must be supported by adequate written reports or file memoranda.

Continuing Education

The purpose of Continuing Education is to ensure that the appraiser participates in a program that maintains and increases their skill, knowledge and competency in real estate appraising.

The equivalent of 10 classroom hours of instruction in courses or seminars for each year during the period preceding the renewal, providing the original certification was obtained by meeting the aforementioned requirements. (For example, a two-year certification term would require 20 hours; these hours may be obtained anytime during the two-year term.)

There are two alternatives to the classroom hours of instruction:

1. The completion of educational programs or study determined to be equivalent for continuing education purposes; or,
2. Participation other than as a student in educational processes and programs including, but not limited to, teaching, program development, preparation of textbooks, etc.

12/15/89

Attachment 8
G.O.
3/21/98

Jan Feinstein
Chairman

Miles M. Etter
Vice Chairman

Raymond A. Leshner

James H. Pritchett

Otis L. Thorpe

Appraiser Qualifications Board of The Appraisal Foundation

1029 Vermont Ave. N.W. • Suite 900 • Washington, DC 20005 • (202) 347-7722 • FAX: (202) 347-7727

APPRAISER QUALIFICATIONS CRITERIA GENERAL CERTIFICATION CLASSIFICATION

The General Certification Classification would apply to the appraisals of all types of real property.

Applicants must meet the following education, experience and continuing education requirements:

Examination

Successful completion of the Appraiser Qualifications Board endorsed Uniform State Certification Examination or its equivalent

Prerequisite for Examination

Education:

College degree or

165 classroom hours of courses in subjects related to real estate appraisal which shall include coverage of the Uniform Standards of Professional Appraisal Practice.

Experience

Equivalent of two years full time experience within the previous five years. The experience must be supported by adequate written reports or file memoranda.

Continuing Education

The purpose of Continuing Education is to ensure that the appraiser participates in a program that maintains and increases their skill, knowledge and competency in real estate appraising.

The equivalent of 10 classroom hours of instruction in courses or seminars for each year during the period preceding the renewal, providing the original certification was obtained by meeting the aforementioned requirements. (For example, a two-year certification term would require 20 hours; these hours may be obtained anytime during the two-year term.)

There are two alternatives to the classroom hours of instruction:

1. The completion of educational programs or study determined to be equivalent for continuing education purposes; or,
2. Participation other than as a student in educational processes and programs including, but not limited to, teaching, program development, preparation of textbooks, etc.

12/15/89



L. E. GARDNER, INCORPORATED

601 N. BROADWAY WICHITA, KANSAS 67214 AREA CODE 316 264-9181

REAL ESTATE SERVICES

March 16, 1990

Mr. Tom Walker, Representative
State House, Room 115 South
Topeka, Kansas 66612

Dear Rep. Walker:

I am writing this letter to address concerns I have about Senate Bill 755 as revised by the Senate, which is to be heard by the House Governmental Organization Committee on March 21, 1990.

The first issue is that in its present form, a majority of a quorum is sufficient to: promulgate and amend the rules & requirements for appraisers, discipline appraisers on the subjective judgement of negligence or incompetence, and revoke certifications. These could be accomplished without the vote of any appraiser on the board. These three specific Board actions should require either a five member vote as a substantial majority, or the vote of at least one appraiser, to insure that appraisers are guaranteed some measure of peer review. This could either be stated in a new Section 27 at the end of the Bill or, indicate a 2/3rds vote as being 5 persons, in a Section 4. (i), and then placing a required 2/3rds vote of the entire Board in the relevant subsections: Sec. 5 (b) (1), Sec. 5 (b) (6), Sec. 18 (a), and also budget approval.

The second issue is the budget. While allowing the Commission to handle administrative activities will reduce the need to hire new administrators, Sec. 7 (e), gives the authority to approve vouchers to the Director of the Commission. This should be amended to read, "in accordance with the adopted budget.", and a Sec. 5 (b) (8) should be added that states one of the Boards actions shall be, "to approve an annual budget to be submitted by the Director of the Commission to the Department of Administration, requiring a 2/3rds vote." If a check of this nature is not provided, it would appear to be within the authority of the Director of the Commission to approve expenditures which may not meet with the Boards approval. This would vary widely from the intent of FIRREA guidelines to insulate the Board from the discretionary actions of the Real Estate Commission.

The third issue is continuing education. Annual requirements for continuing education for recertification are rather severe. The changes in methods of appraisal do not occur rapidly enough to warrant annual reeducation. A period of 2 years, like is currently required for real estate brokers would be adequate. A subordinate clause that indicated, "...or as stipulated by Federal Law.", would make annual continuing education a requirement if FIRREA thought it

Attachment 9
Y.O.
3/21/90


was prudent. Also under any continuing education requirement, we would like to have excess hours carried over for a period of one year, as many courses would exceed the exact number of hours required as may be stipulated. Additionally, education hours qualifying for appraisers recertification, should also qualify for brokerage license renewal.

The fourth issue is that Sec. 18 (a) (8) which allows revocation of certification for negligence or incompetence is a subjective judgement process and should require factual findings of significant magnitude to support the conclusion and require the vote of at least two of the appraisers on the Board.

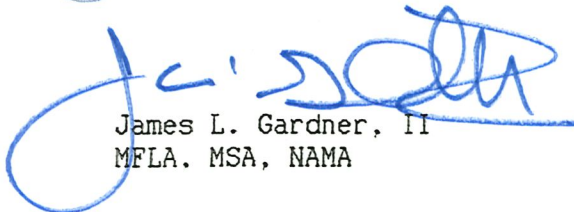
The fifth issue is that if the Board has the authority to inspect and copy any records maintained by the appraisers (Sec. 23. (c)), then confidentiality of the appraiser's work and records must be recognized in principal and protected from abuse or unreasonable access. A statement of specific cause or need should be required, detailing the specific work to be reviewed, and wholesale access to the balance of the appraisers work prohibited. The Board should be required to hold this data confidential, except those specific portions relevant to disciplinary action. And these should be able to be seen outside the Board only as entered in evidence to a Court. We would like to see a Sec. 23. (d). that stipulates this issue. The intent is simply to prevent the type of bureaucratic inquisition and harassment that might otherwise occur.

Otherwise, we have no grievance with the general intent of the legislation and find it to be responsible in content and compliance. The issues addressed above are intended to maintain relevant peer review, and to provide protection against erosion of control by the real estate commission.

Sincerely,
L. E. Gardner


James L. Gardner


Forrest W. Weirick.
RM. AIREA


James L. Gardner, II
MFLA. MSA, NAMA


Grant B. Gardner
MSA. NAMA