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From the SDREC Director, Melissa Miller

The 2013 Legislature is in full swing and our bills have passed through the Senate and will soon be moving through the House. The Commission has four bills on the calendar that I will be lobbying and testifying for. Here is the link to LRC - http://legis.state.sd.us - if you would like to follow the bills and this year's Legislative Session. Please see the article in this newsletter for an explanation of these bills. I will give you any further updates on these bills in the next newsletter.

The Commission’s Spring Caravan is just around the corner. Please set aside time to attend.

I am hoping and praying for some snow yet this winter and a wet spring.

Legislative Update

The SDREC office has four bills currently making their way through the 2013 legislative session. All of the bills are designed to delete obsolete terminology or clarify existing language so that licensees and the general public have a better understanding of what the statutes require. None of the proposed bills will result in changes to what is currently required of real estate licensees.

Senate Bill 7 clarifies the existing requirement that each licensee must designate a business address with the SDREC office. The proposed bill more clearly defines that the place of business is where the work files are physically maintained and where official communication may be sent.

Senate Bill 64 would provide a definition of a broker price opinion/comparative market analysis and add it to the list of duties that may be performed by a broker/broker associate/salesperson to better differentiate BPOs/CMAs from appraisals. The proposed bill would also clarify that if a real estate licensee is performing appraisals, the licensee shall comply with standards set forth by the SD Appraiser Certification Program (Chapter 36-21B).

Senate Bill 65 deletes obsolete and cumbersome language from the statute that lists the exemptions from the real estate licensing requirements. The proposed bill will also clarify that persons or companies who collect compensation solely to publish real estate listings in print, electronic or other media do not need real estate licenses to do so.

Senate Bill 66 will clarify/simplify the language in multiple statutes:

- It will move some of the existing definitions from one statute to another and change gender-specific language (salesman to salesperson, etc.).

- The definition of an inactive licensee in 36-21A-9 will be revised to fully encompass all of the situations in which a license is placed on inactive status. The current statute defines an inactive licensee as someone who has sent his or her license to the Commission office. This definition only addresses individuals who choose to go to an inactive status. The new language will include the situations whereby the SDREC office MUST place the licensee on inactive status because the licensee has not met the requirements already mandated by law to have an active license, such as lapse of E&O insurance, failure to meet continuing education requirements, etc. Again, this will not change any laws regarding what is required to maintain an active license – it will simply provide a better explanation of the situations where a license is placed on inactive status. When a license is placed on inactive status by the SDREC office, commission staff will continue to notify the licensee of the deficiency, in writing, as it has done so in the past. The proposed bill will not change this practice.

- The bill will also delete outdated language and clarify the requirements for individuals needing to upgrade a salesperson license to broker associate. As South Dakota eliminated the resident salesperson license and required resident licensees to upgrade to broker associate more than a decade ago, this law only affects nonresident salespersons who are moving into South Dakota or South Dakota residents who still hold an inactive salesperson license and have not yet upgraded that license. The bill will not change the current requirements; it will just make the statute easier to understand.

HUD Issues Updated Lead Guide (Used with permission from the South Dakota HUD Office)

HUD’s Office of Healthy Homes and Lead Hazard Control published new Guidelines on how to identify and control lead-based paint and related hazards in housing, and to help property owners, government agencies, and private contractors sharply reduce exposure to lead without unnecessarily increasing the cost of renovation.

This 2nd edition replaces the edition issued by HUD in 1995. The Residential Lead-Based Paint Hazard Reduction Act of 1992 was passed by Congress 20 years ago to protect young children and families from exposure to lead in paint, dust, and soil.
HUD and the Environmental Protection Agency require people selling or renting homes built before 1978 to notify the buyers or renters about lead-based paint and its hazards before the sale or lease occurs. The EPA requires renovation, repair, or painting contractors to notify families living in these older homes of the hazards associated with the work before such work begins. HUD requires homes that receive federal housing assistance be evaluated and cleaned up for lead-based paint under its Lead Safe Housing Rule.

**SDREC Calendar**

- **Wednesday, January 30 - Commission Meeting, Pierre**
- **Thursday, January 31 - Commission Meeting, Pierre**
- **Monday, February 18 - Presidents’ Day Holiday - SDREC Office Closed**

**2013 Spring Caravan Dates - Mark Your Calendars!**

The South Dakota Real Estate Commission is proud to bring Len Elder of Course Creators back to South Dakota for the 2013 Spring Education Caravan. This course will cover South Dakota license law from the Commission's perspective as well as how to make the SDREC website work for you! The caravan dates are as follows:

- **Wednesday, April 24 - Spearfish**
- **Thursday, April 25 - Rapid City**
- **Friday, April 26 - Pierre**
- **Monday, April 29 - Aberdeen**
- **Tuesday, April 30 - Watertown**
- **Wednesday, May 1 - Sioux Falls**
- **Thursday, May 2 - Sioux Falls**

Complete course information along with a registration form will be mailed to licensees in March. Online registration will also be available. Look for more information in the March/April edition of the Real Estate VIEW Newsletter.

**Commission Actions**

The following actions by the Commission have become effective since the last report in the newsletter. A **Stipulation and Assurance of Voluntary Compliance** is a settlement agreement between licensees and the Real Estate Commission and constitutes neither an admission nor a denial of any violation. A **Consent Agreement and Order** is an admission of violation and voluntary acceptance of the terms determined by the Commission in lieu of a formal hearing. A suspension held "in abeyance" is one where the Commission has set aside the suspension provided the licensee comply with all of the other terms of the agreement.

- **David Schultz, Sioux Falls, Home Inspector.** Consent agreement. Violation of ARSD 20:74-06:01 and ARSD 20:74-06:09(1)(e)(i)-(iii) for failing to test smoke detectors and not satisfactorily testing GFCI outlets despite marking "Satisfactory" on the home inspection report. Administrative fine of $300 and completion of six hours of education in home inspection.

- **Ramona Flaig, Custer, Broker.** Consent agreement. Violation of SDCL 36-21A-71(1), 36-21A-132 and ARSD 20:69:14:11 for failing to provide requested documents and failing to make a full accounting of deposit and rental money to a client's legal representative. Completion of three hours of education in license law and three hours in property management.

- **Craig Olson, Larchwood, IA, Broker.** Consent agreement. Violation of SDCL 36-21A-71(1) & (12), 36-21A-72. ARSD 20:69:06:06 and 20:69:06:09 for paying compensation to unlicensed individuals taking bids at an auction, failing to disclose the firm in which Mr. Olson was associated, failing to disclose in an advertisement that a property to be auctioned was owned by Mr. Olson, failing to disclose the minimum price that was set for a property to be auctioned, creating a false impression among buyers and bidders when yelling "sold" at the end of an auction even though each property was not sold until the seller approved of the maximum bid price. Administrative fine of $2500 and completion of six hours of education in license law in agency and six hours in contracts. Suspension of license for 90 days, to be held in abeyance provided all terms of the consent agreement are met.

- **Robert Corsini, Sioux Falls, Home Inspector.** Consent agreement. Violation of SDCL 36-21C-11 and ARSD 20:74:04:07 failing to comply with continuing education requirements and performing home inspections while the license was on inactive status. Administrative fine of $250.

- **David Graham, Sioux Falls, Broker.** Consent agreement. Violation of SDCL 26-21A-71(1) and 36-21A-52 for failing to inform the Commission of his change of business address within ten requested. Administrative fine of $1000.

- **Kyle Lalim, Watertown, Broker Associate.** Consent agreement. Violation of SDCL 26-21A-71(1), (11) and (30) for failing to provide copies of a signed listing agreement to the client when requested. Administrative fine of $1000 and completion of three hours of education in license law, three hours in agency and three hours in contracts.

- **Peggy Haugan, Watertown, Broker.** Consent agreement. Violation of SDCL 36-21A-71(1) and 36-21A-79 for failing to properly supervise the real estate actions of Broker Associate Lalim. Completion of a 15-hour Responsible Broker course.

**Active License Nonrenewals**

The following is the current list of individuals who held active real estate licenses at the end of 2012 but HAVE NOT RENEWED for the 2013/2014 license cycle. These individuals may not engage in the practice of real estate until the license has been reinstated:

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<thead>
<tr>
<th>Name</th>
<th>License Type</th>
<th>City, State</th>
<th>Email</th>
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<tbody>
<tr>
<td>Adams, Chase R - Broker</td>
<td>Broker</td>
<td>Sioux Falls</td>
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<td>Anderson, Verdelle F - Broker Associate</td>
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<td>Archambau, Laura - Property Manager, Beresford</td>
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<td>Bailey, Mark A - Home Inspector, Sioux Falls</td>
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<td>Bergstrom, Brad L - Salesperson, Sioux City, IA</td>
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<td>Boyd, Scott - Broker Associate, Sioux Falls</td>
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<td>Buhl, Kim J - Broker Associate - Pierre</td>
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<td>Burlis, Steven P - Home Inspector - Sioux Falls</td>
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<td>Chicoine, Lindsay M - Broker Associate - Brookings</td>
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<td>Clark, Lary J - Broker, Missouri Valley, IA</td>
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<td>Cole, Robert W - Home Inspector, Rapid City</td>
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<td>Collins, Stacy A - Residential Rental Agent, Brookings</td>
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<td>Crull, Jeffery L - Salesperson, Sioux City, IA</td>
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<td>Daly, Gerard M - Salesperson, Omaha, NE</td>
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<td>Dockler, Chad A - Broker Associate, Watertown</td>
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<td>Dover, Ann B - Salesperson, Norfolk, NE</td>
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<td>Dover, Robert E - Broker, Norfolk, NE</td>
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<td>Drapeaux, Bruce - Home Inspector, Spearfish</td>
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<td>Ebberg, Charles A - Broker, Boulder, CO</td>
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<td>Elliott, Michael - Broker, Bozeman, MT</td>
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<td>Fox, Michael C - Broker, Spearfish</td>
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<td>Gabriel, Lowell G - Salesperson, Alden, MN</td>
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<td>Gardner, Kirby L - Home Inspector, Watertown</td>
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<td>Graff, Ill. Gordon - Broker, Sioux Falls</td>
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<td>Harklau, Rod - Home Inspector, Humboldt, IA</td>
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<td>Heyer, Raymond J - Broker, Sioux Falls</td>
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<td>Hoffman, Andrew J - Broker, Atkinson, NE</td>
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<td>Homan, Ralph D - Broker, Mitchell</td>
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<td>Kinstad, Lester A - Broker, Sioux Falls</td>
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<td>Knutzon, Jaima M - Broker Associate, Rapid City</td>
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<td>McAmis, Melissa &quot;Missy&quot; - Broker, Hulett, WY</td>
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<td>Merchen, Jacob D - Property Manager, Sturgis</td>
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<td>Miller, Scott A - Salesperson, Sioux City, IA</td>
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<td>Rix, Kimberly A - Salesperson, Mitchell</td>
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<td>Rogers, Darrin J - Broker Associate - Sioux Falls</td>
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<td>Romero-Douglas, Elaine - Timeshare Agent, Rapid City</td>
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<td>Rose, Michael J - Broker Associate, Mitchell</td>
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<td>Sandberg, Mavis O - Residential Rental Agent, Sioux Falls</td>
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<td>Schipper, Wyatt - Home Inspector, Sioux Falls</td>
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<td>Schmidt, Dennis - Salesperson, New Ulm, MN</td>
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<td>Smith, Stacy R - Property Manager, Aberdeen</td>
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<td>Stowe, Allan V - Broker, Saint Cloud, MN</td>
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<td>Swartz, Michael J - Salesperson, Starbuck, MN</td>
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<td>Thill, Stuart J - Broker Associate, Sioux Falls</td>
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<td>Thomas, James J - Broker Associate, Watertown</td>
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<td>Thompson, Bradley J - Home Inspector, Mitchell</td>
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<td>Uhren, Judson D - Broker - Rapid City</td>
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<td>Wagen, Chris - Broker Associate, Aberdeen</td>
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<td>Walsh, Thomas W - Home Inspector, Ponca, NE</td>
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<td>Wiekert, Tim - Home Inspector, Sioux Falls</td>
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<td>Woodward, Bart A - Broker, Kearney, NE</td>
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<td>Zueger, Judy A - Property Manager, Aberdeen</td>
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Licensees Placed on Inactive Status

The following individuals were placed on INACTIVE STATUS for ONE of the following reasons:

1) Not having completed the education necessary to renew the license on active status.
2) Not providing proof of E&O Insurance Coverage as required by SDCL 36-21A-119

These individuals may not engage in the practice of real estate until the completed education or proof of E&O coverage, whichever is applicable, has been received by the SDREC office along with a request for license activation from the responsible broker.

Lapse of Errors & Omissions Insurance

Aspaas, Dawn M – Broker, Sioux Falls
Avvampato, Kelly J – Broker Associate, Rapid City
Baker, Calvin A – Broker Associate, Rapid City
Battin, Cheryl M – Broker Associate, Yankton
Bomitz, Terry L – Broker Associate, Sioux Falls
Braaten, Norris O – Broker, Omaha, NE
Buck, Rebecca A – Broker Associate, Brandon
Carlson, Keith W – Broker, Lincoln, NE
Chenoweth, Michelle L – Broker Associate, Huron
Conde, Nancy G – Broker Associate, Sioux Falls
Cotton, Steven R – Broker, Wagner
Cunningham, Ronald – Broker, Rose, OK
Dawson, Richard L – Broker, Johnson Lake, NE
DeMott, Lanny A – Broker, Bedford, IA
Dohman, Cami J – Broker Associate, Spearfish
Exsted, Willard W – Broker, Glencoe, MN
Fention, Ward – Broker, Worden, MT
Fjeldland, Chad G – Broker, Clark
Fletcher, Debra L – Broker Associate, Spearfish
Garfield, Tina R – Property Manager, Rapid City
Games, Chad C – Broker Associate, Sioux Falls
Grimsley, Gina R – Salesperson, Sioux City, IA
Gulbranson, Dean C – Auctioneer, Brookings
Hanze, Christopher – Broker Associate, Sioux Falls
Hanson, Brent D – Broker Associate, Rapid City
Hanson, Johnny R – Broker, Sioux Falls
Harding, Catherine J – Broker Associate, Sioux Falls
Holmoe, M. David – Broker, Sioux Falls
Hopkins, Keri – Residential Rental Agent, Rapid City
Hortyk, Michael H – Broker Associate, Sioux Falls
Jaeger, Mark L – Broker Associate, Aberdeen
Jares, Jr., Emil G – Broker, Colorado Springs, CO
Johnson, Tim W – Broker, Sioux Falls
Kames, Norma E – Salesperson, Sioux City, IA
Lago, Jenna A – Broker Associate, Sioux Falls
Laird, Emma F – Broker, Yankton
Larsen, Verlyn N – Broker Associate, Sioux Falls

Education Requirements Not Met

Bahr, Dennis – Broker, Sioux Falls
Biefieldt, Dennis D – Property Manager, Brookings
Collins, Blair – Broker, Brookings
Cotton, Maurice M – Broker, Piedmont
DenHartog, Tim – Broker Associate, Canton
Devine, Karen – Broker, Britton
Foley, Thomas P – Broker, Philip
Goeman, Sally J – Broker, Lennox

New Licensees

Broker Associate
Bartlett, King, Cheki D – Pierre
Beaty, Jeremy – Sioux Falls
Burgers, Kathleen D – Sioux Falls
Busby, Bernadette I – Whitewood
Conde, Nancy G – Sioux Falls
Dunlap, Richard – Sioux Falls
Eich, Melissa – Sioux Falls
Ernst, Todd M – Sioux Falls
Harrod-Voth, Tina M – Rapid City
Heath, Brett A – Colome
Hento, Drew K – Avon
Henze, Dennis E – Elk Point
Johnson, Jacob T – Rapid City
Knutson, Vicky L – Aurora
Krentz, Peter J – Sioux Falls
Kruze, Shelly – White

Broker
Braunger, Beau A – Sioux City, IA
Conrad, Christine M – Sioux City, IA
Kollbaum, Victoria L – Hornick, IA
Muldowney, Kevin M – Charlotte, NC
Peterson, Brenna L – Sioux Falls
Small, Jennifer A – Sioux City, IA

Res. Rental Agent
Daman, Raeann M – Sioux Falls
Harr, Andrew M – Sioux Falls
Klundi, Brenda J – Lead
Pyle, Kathryn A – Sioux Falls
Vanden Bosch, Eli – Sioux Falls

Salesperson
Nowlin, Jamie M – Rapid City
New Licensees – November/December 2012

Shandi McFarling, State-Registered – Pierre, SD
John M. Kubes, State-Certified General – Minneapolis, MN
George Stavrenos, State-Registered – Sioux Falls, SD
Jeffrey A. Ballard, State-Registered – Sioux Falls, SD
Beth Barthel, State-Registered – Florence, SD
Dustan Waaraniemi, State-Registered – Barnesville, MN

Council Members Honored for Service

Plaques were presented to Craig Sommers, Jim Dunlap and Boyd Waara honoring their service to the Council. Boyd Waara was also honored for his service on the Council as the banking industry liaison by Deb Gates, Administrative Vice President of the South Dakota Bankers Association.

Disciplinary Action Information

Public information regarding disciplinary action taken against an appraiser is available upon written request to the Department of Revenue and Regulation, Appraiser Certification Program, 445 East Capitol Avenue, Pierre, SD 57501 or e-mail – Sherry.Bren@state.sd.us. Include in the request for information the name of the appraiser and the appraiser’s city and state of residence. (Disciplinary action may include denial, suspension, censure, reprimand, or revocation of a certificate by the department. (ARSD 20:14:11:03))

ARSD 20:14:11:01. Anonymous complaints. Initiation of an investigation may be commenced upon receipt of an anonymous complaint if it meets the following criteria:

1. The allegations of violations of any provision of this article are considered credible and based upon factual information which is independently verifiable; and
2. The complaint is accompanied by a copy of the appraisal report or other documents which contain clearly identifiable errors or violations of the provisions of this article.


For the period January 1, 2012 through December 31, 2012, the Department has received eleven upgrade applications and initiated fourteen complaint investigations.

Upgrades – Seven upgrades pending, one agreed disposition executed, and three upgrades issued.
Complaints – Eight cases pending, three cases dismissed, and three agreements executed.

Appointment of Banking Industry Liaison Council Member

The Appraiser Certification Program Advisory Council welcomed Matt Van Zee of First Dakota National Bank in Sioux Falls, South Dakota as the banking industry liaison serving on behalf of the South Dakota Bankers Association.

Legislation Introduced for the 2013 South Dakota Legislative Session - Senate Bill 60

The Department of Labor and Regulation, Appraiser Certification Program introduces legislation to revise certain definitions.

Section 1 defines “appraisal practice,” which is currently not defined in statute. This will provide the Appraiser Certification Program jurisdiction and authority for effective supervision of appraisers that perform appraisal review and appraisal consulting assignments.

Sections 2 and 3 amend Chapter 36-21B and 36-21D to revise the definition of “appraisal” in statute to conform with the nationally recognized definition in the Uniform Standards of Professional Appraisal Practice and the definition in the administrative rules regarding appraisers (ARSD 20:14:11:01).

The Appraiser Certification Program Advisory Council unanimously recommended this legislation. For the full text of the bill, please visit http://legis.state.sd.us. If you have any questions, please contact Sherry Bren at 605.773.4608 or sherry.bren@state.sd.us

Appraiser Qualifications Board Q&A

Vol. 4, No. 2 December 2012

The Appraiser Qualifications Board (AQB) of The Appraisal Foundation establishes the minimum education, experience and examination requirements for real property appraisers to obtain a state license or certification. The AQB Q&A is a form of guidance issued by the AQB to respond to questions raised by appraisers, enforcement officials, users of appraisal services and the public to illustrate the applicability of the Real Property Appraiser Qualification Criteria and Interpretations of the Criteria in specific situations and to offer advice from the
AQB for the resolution of appraisal issues and problems. The AQB Q&A may not represent the only possible solution to the issues discussed nor may the advice provided be applied equally to seemingly similar situations. AQB Q&A does not establish new Criteria. AQB Q&A is not part of the Real Property Appraiser Qualification Criteria. AQB Q&A is approved by the AQB without public exposure and comment.

EXPERIENCE

**Question:** I am a Supervisory Appraiser and I hold a Certified General credential in two states: State A and State B. One of my Trainees has a Trainee Appraiser’s credential in State A only. I have an assignment in State B, and plan to take my Trainee with me to work on the assignment. Will State A grant experience to my Trainee Appraiser for work performed in State B?

**Response:** The Real Property Appraiser Qualification Criteria specifies experience must be gained under the supervision of the Supervisory Appraiser and the work must comply with USPAP. Thus, the Real Property Appraiser Qualification Criteria would not prohibit State A from granting the Trainee Appraiser credit in this case. However, be sure to check with the state appraiser regulatory agency in State A to confirm the state’s requirements, which could be more restrictive.

**2015 REAL PROPERTY APPRAISER QUALIFICATION CRITERIA-RELATED ISSUES**

**SUPERVISORY APPRAISER / TRAINEE APPRAISER EDUCATION**

**Question 1:** I am a state appraiser regulatory official and I have reviewed the AQB course content outline for the required 2015 Supervisory Appraiser/Trainee Appraiser course. Does the AQB require a minimum or maximum length for this course?

**Response:** AQB has not established a minimum or maximum timeframe for this course offering. The intent of the course is to cover areas of general applicability to all Supervisory Appraiser/Trainee Appraiser relationships, and to allow each state to consider including material specific to the local jurisdiction regarding state law and/or areas of practice eliciting the highest number of disciplinary actions/complaints.

**Question 2:** I am a state appraiser regulatory official. A course provider submitted a 2015 Supervisory Appraiser/Trainee Appraiser course for Continuing Education (CE) approval. Does the AQB allow this course to be utilized for appraiser CE?

**Response:** Yes, upon review and approval by the state appraiser regulatory agency, a Supervisory Appraiser/Trainee Appraiser course may be utilized for CE for existing credential holders. However, the 2015 Real Property Appraiser Qualification Criteria prohibit the course from being utilized as counted toward Qualifying Education (QE).

**“SUPERVISION” OF LICENSED RESIDENTIAL AND CERTIFIED RESIDENTIAL APPRAISERS**

**Question:** I am currently a Licensed Residential Appraiser pursuing a Certified General appraiser credential. I work for a Certified General appraiser who mentors me, and reviews and signs my commercial and complex residential work. Do we have to attend the 2015 Supervisory Appraiser/Trainee Appraiser course and do I need to keep a Trainee Appraiser log (and does my boss need to keep a Supervisory Appraiser log) for my experience to count toward earning the Certified General credential?

**Response:** The 2015 Real Property Appraiser Qualification Criteria only requires a formal Supervisory Appraiser for Trainee Appraisers. Even though you may be “supervised” in the generic sense of the word, because you hold a Licensed Residential credential, the Real Property Appraiser Qualification Criteria would NOT require a Supervisory Appraiser in this case. A state appraiser regulatory agency may require the use of the Trainee Appraiser log and/or a similar log in order to demonstrate experience gained toward the Certified Residential or Certified General credential. Please check with your state appraiser regulatory agency, since it may adopt more stringent requirements than those outlined in the Criteria.

**SUPERVISORY APPRAISER ELIGIBILITY**

**Question 1:** I have been a Certified Residential appraiser for the past five (5) years. Last month, I was issued a Certified General credential in the same jurisdiction. Am I able to supervise a Trainee Appraiser working on commercial properties?

**Response:** The Real Property Appraiser Qualification Criteria specifies Supervisory Appraisers shall be state-certified and in “good standing” in the jurisdiction in which the Trainee Appraiser practices for a period of at least three (3) years. The Criteria do not specify that a Supervisory Appraiser have a specific Certified Residential or Certified General credential, so you may be eligible to supervise a Trainee Appraiser performing commercial appraisals. However, the Supervisory Appraiser must comply with the COMPETENCY RULE of USPAP for the property type and geographic location the Trainee Appraiser is being supervised.

**Question 2:** I am a state-certified real property appraiser and I am supervising a Trainee Appraiser. I notice the Real Property Appraiser Qualification Criteria specifies Supervisory Appraisers shall not have been subject to any disciplinary action within any jurisdiction within the last three (3) years that affects the Supervisory Appraiser’s legal eligibility to engage in appraisal practice. Can you provide examples of disciplinary actions that would affect my legal eligibility to engage in appraisal practice?

**Response:** The AQB has interpreted a disciplinary action to mean any adverse, final, and nonappealable decision by a state regulatory, administrative, or judicial authority of competent jurisdiction, which affects an individual’s ability to practice. Sanctions imposed may vary between jurisdictions and may consist of those that do and do not affect an appraiser’s legal eligibility to practice.

Sanctions that would affect an appraiser’s legal eligibility to engage in appraisal practice may include, but are not limited to:

- Any limitation preventing or restricting an appraiser from engaging in appraisal practice until a specified condition has been met.
- Any limitation preventing or restricting an appraiser from engaging in appraisal practice of specific property types for any duration of time.
- Suspension of a Certified General or Certified Residential credential in any jurisdiction.
- Revocation of a Certified General or Certified Residential credential in any jurisdiction.

However, be sure to check with your state appraiser regulatory agency to confirm the state’s requirements, which could be more restrictive.

**Question 3:** Can you provide examples of disciplinary actions that would not affect my legal eligibility to engage in appraisal practice?

**Response:** Sanctions that would not affect an appraiser’s legal eligibility to engage in appraisal practice may include, but are not limited to:

- A monetary fine or penalty (without additional sanctions limiting the appraiser’s legal eligibility to engage in appraisal practice).
- A letter of warning or reprimand.
- An educational requirement.

However, be sure to check with your state appraiser regulatory agency to confirm the state’s requirements, which could be more restrictive.

**Question 4:** I am a state-certified real property appraiser and I am supervising a Trainee Appraiser. I was recently investigated by my state board for an alleged violation of USPAP. The case was subsequently dismissed without merit and no violations were substantiated. Does an investigation by a state board or other duly authorized entity preclude my continued
supervision of the Trainee Appraiser?

Response: No, the Real Property Appraiser Qualification Criteria specifies Supervisory Appraisers shall not have been subject to any disciplinary action within any jurisdiction within the last three (3) years that affects the Supervisory Appraiser’s legal eligibility to engage in appraisal practice. Although an investigation has occurred in your case, there has been no disciplinary action taken that would preclude your continued supervision of your Trainee Appraiser. However, be sure to check with your state appraiser regulatory agency to confirm the state’s requirements, which could be more restrictive.

Question 5: I am a state certified real property appraiser and I am supervising a Trainee Appraiser. I also carry a designation issued by a professional appraiser organization. I was recently investigated by my organization for an alleged violation of the organization’s professional ethics requirements, and subsequently, my professional designation was revoked. Does a revocation of my designation by the professional organization preclude my continued supervision of the Trainee Appraiser?

Response: No, the Real Property Appraiser Qualification Criteria specifies Supervisory Appraisers shall not have been subject to any disciplinary action within any jurisdiction within the last three (3) years that affects the Supervisory Appraiser’s legal eligibility to engage in appraisal practice. Although your appraiser organization has imposed a disciplinary sanction by revoking your designation, this action does not, in and of itself, affect your legal eligibility to engage in appraisal practice in your credentialing jurisdiction. However, be sure to check with your state appraiser regulatory agency to confirm the state’s requirements, which could be more restrictive.

Question 6: I am a state certified real property appraiser in States A and B. I am also supervising a Trainee Appraiser in State A. I was recently investigated by the state board in State B for an alleged violation of USPAP and it was determined a violation was found to exist. Subsequently, State B suspended my appraiser certification for a period of one (1) year. Does this action preclude my continued supervision of the Trainee Appraiser in State A?

Response: Yes, the Real Property Appraiser Qualification Criteria specifies Supervisory Appraisers shall not have been subject to any disciplinary action within any jurisdiction within the last three (3) years that affects the Supervisory Appraiser’s legal eligibility to engage in appraisal practice. Although you may currently be in “good standing” in State A, your legal eligibility to engage in appraisal practice in State B has been suspended and you are no longer able to act as a Supervisory Appraiser in any jurisdiction until a minimum of three (3) years after the successful completion/termination of the sanction imposed against you. However, be sure to check with your state appraiser regulatory agency to confirm state’s requirements, which could be more restrictive.

Question 7: I am a Trainee Appraiser seeking a Supervisory Appraiser. I live in a state where appraisers are not required to be state-licensed or certified for appraisal assignments that do not involve federally related transactions. I have found an appraiser that is willing to supervise my work and sign my appraisal experience log, but he does not possess a state license or certification. Would this individual qualify as my Supervisory Appraiser?

Response: No, the Real Property Appraiser Qualification Criteria specifies Supervisory Appraisers shall be state-certified and in “good standing” in the jurisdiction in which the Trainee Appraiser practices for a period of at least three (3) years. The fact this individual is not a state certified appraiser precludes this appraiser from acting as your Supervisory Appraiser and signing your appraisal experience log. However, be sure to check with your state appraiser regulatory agency to confirm state’s requirements, which could be more restrictive.

GENERAL REQUIREMENTS

Question: I am a state appraiser regulatory official. The 2015 Real Property Appraiser Qualification Criteria require applicants for new credentials to undergo a background check. Does this apply to credential holders from other states seeking reciprocal licensure and/or temporary practice permits in my state?

Response: The Real Property Appraiser Qualification Criteria encourage states to grant reciprocity and/or allow temporary practice to those who hold valid credentials in other states. As such, the Criteria do not require a state to examine the specifics of the original application in the credential holder’s existing jurisdiction; i.e. what and/or how much education they completed and when, when the examination was completed, whether the applicant holds a college degree, what level of experience the applicant was required to complete, and/or whether the credential was issued with or without a background check. However, as with all AQB Criteria, a state may adopt a more stringent rule with regard to background checks.

The AQB Q&A is posted on The Appraisal Foundation website (www.appraisalfoundation.org)

2013 Renewed AMCs

AAA Appraisal Advantage, Inc.  
Accurate Title Group, LLC  
Act Appraisal, Inc.  
Altstate Appraisal LP  
AMC Links LLC  
AMC Settlement Services, LLC  
Appraisal Management Services LLC  
Asset Management Outsourcing Services, Inc.  
Axis Appraisal Management Solutions  
Broad Street Valuations, Inc.  
C&S Appraisal Services, LLC, d/b/a CoreLogic Appraisal Services  
C2C Appraisal Services, LLC  
Class Appraisal Inc.  
ClearCapital.com, Inc.  
Coester Group, Inc.  
CoreLogic Collateral Solutions, LLC  
DartAppraisal.com, Inc.  
DataQuick Lending Solutions, Inc.  
Dwellworks Residential Services, LLC  
Electronic Appraisal Solutions, Inc.  
Elliott & Company Appraisers, Inc.  
Epic Real Estate Solutions, Inc.  
Equifax Settlement Services, LLC  
Equity National Title & Closing Services, Inc.  
ES Appraisal Services, LLC  
FA Business Services, LLC  
Financial Asset Services, Inc.  
Finiti, LLC  
Frisco Lender Services, LLC  
Goodman Dean, Inc.  
Guideline Real Estate Services, LLC  
Home Value Real Estate, LLC  
iMortgage Services, LLC  
InHouse, Inc.  
LSI Appraisal, LLC  
Mortgage Information Services, Inc.  
Munor, Inc.  
National Real Estate Information Services  
Nationalinks Valuations, LLC  
Nations Valuation Services, Inc.  
Nationwide Appraisal Network, LLC  
Nationwide Property & Appraisal Services, LLC  
Novo Appraisal Management Corporation  
Old Republic Diversified Services Inc  
OrderProUSA, LLC  
Pendo Management, LLC  
Powerlink Valuations, LLC  
Prime Valuation Services, LLC  
Pro-Teck Services Ltd  
Quality Valuation Services LLC  
Real Estate Valuation Partners, LLC  
Real Shield, LLC  
Real Valuation Services LLC  
Residential RealEstate Review, Inc.  
Rush My Appraisal, Inc.  
ServiceLink Valuation Solutions, LLC  
SettlementOne Valuation Corporation  
Solidis US Inc.  
Southwest Financial Services, LLC  
Speedy Title & Appraisal Review Services, LLC (STARS)  
Springhouse, LLC  
StreetLinks LLC  
The Property Sciences Group, Inc.  
Timios Appraisal Management, Inc.  
Title Source, Inc.  
Trident Services, LLC  
Trimavin, LLC  
U.S. Real Estate Services, Inc.
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**2013 NON-RENEWED AMCs**

- CoreLogic Valuation Services, LLC
- DataVerify National Property & Valuation Services, Inc.
- Digital Risk Valuation Services, LLC
- JVI - Appraisal Division L.L.C.
- Land Gorilla, LLC
- Power Valuation Services, Inc.
- Secured Lending Services, GP
- Vesta Valuation, LLC

**AMCs WHO HAVE NOTIFIED DEPARTMENT THEY WILL NO LONGER BE DOING BUSINESS IN SD**

- C&S Appraisal Services, LLC, d/b/a CoreLogic Appraisal Services
- Secured Lending Services, GP

Articles by outside experts express the author's particular viewpoints. These opinions are not necessarily shared by the Commission, nor should they be mistaken for official policy. The articles are included because they may be of interest to the readers.