

**APPRAISER CERTIFICATION BOARD
AGENDA**

**DEPARTMENT OF TAXATION
1550 COLLEGE PARKWAY
LARGE CONFERENCE ROOM
CARSON CITY, NEVADA 89706
December 13, 2018
10:00 a.m.**

This meeting will also be part of a teleconference. Please call the Department at (775) 684-2044 for the teleconference number.

Note: Items on this agenda may be taken in a different order than listed.
Items may be combined for consideration by the Appraisal Certification Board.
Items may be pulled or removed from the agenda at any time.

Action will be taken on the following items listed in **Bold**:

1. Roll Call and Opening Remarks
2. Public Comment (See Note 1)
3. **FOR POSSIBLE ACTION: Approval of Minutes for April 5, 2018 and August 27, 2018.**
4. **FOR POSSIBLE ACTION: Election of a Vice-Chairperson.**
5. Discussion: Per NRS 361.224, Department report regarding appraisers failing to meet requirements for continuing education.
6. **FOR POSSIBLE ACTION:**

CONSENT AGENDA ITEMS*: Approval of continuing education credit hours reviewed and submitted by the Department of Taxation Local Government Services Executive Director:

a.	IAAO	Using the Census Bureau's ACS for Assessment Officials	2 Hours
b.	IAAO	Critical Issues Series: Commercial Big Box Retail	2 Hour
c.	IAAO	Critical Issues Series: Understanding Intangible Assets	2 Hour
d.	IAAO	Everything You Ever Wanted to Know About Spatial Modeling	2 Hours
e.	IAAO	1,000 County Indicators and More-NACo's County Explorer Tool	2 Hours
f.	IAAO	Personal Property Auditing—Basic to Advanced (Course 501) *(IAAO 552-Personal Property Auditing Basic was approved by ACB on 6/25/09 for 18.5 hrs & IAAO 553-Personal Property Auditing Advanced was approved by ACB on 6/25/09 for 18.5 hrs.	32 Hours

g.	IAAO *Previous approved by ACB for 8 hours	650 Cadastral Mapping	15 Hours
h.	IAAO	651 GIS for Assessors	15 Hours
i.	IAAO	331 Mass Appraisal Practices & Procedures	30 Hours
j.	IAAO (Clark County Assessor's Office Hosting)	The Secrets of Hotel Casino Valuation Workshop – Previously approved for 2 hours	7 Hours
k.	McKissock	General Appraiser Site Valuation and Cost Approach	30 Hours
l.	McKissock	General Appraiser Income Approach	60 Hours
m.	McKissock	General Appraiser Sales Comparison Approach	30 Hours
n.	McKissock	General Appraiser Market Analysis & Highest and Best Use	30 Hours
o.	McKissock	General Report Writing & Case Studies	30 Hours
p.	McKissock	The FHA Handbook 4000.1	7 Hours
q.	California State University	MGMT-133 Business Finance	36 Hours (3 credits)
r.	California State University	MGMT-137 Financial Institutions and Markets	36 Hours (3 credits)
s.	California State University	MIS-101 Data Analysis for Managers	36 Hours (3 credits)
t.	California State University	OBE-140 Managerial Real Estate	36 Hours (3 credits)
u.	California State University	OBE-141 Managerial Real Estate Law	36 Hours (3 credits)
v.	California State University	OBE-142 Real Estate Finance	36 Hours (3 credits)
w.	California State University	OBE-143 Real Estate Investment and Valuation	36 Hours (3 credits)
x.	California State University	The Land Use Regulatory and Entitlement Process OBE-145	36 Hours (3 credits)
y.	California State University	Essentials of Algebra and Trigonometry MATH-009	36 Hours (3 credits)
z.	California State University	Business Calculus MATH-023	36 Hours (3 credits)
aa.	Lumbleau Real Estate School	Real Estate Ethics	3 Hours
bb.	Lumbleau Real Estate School	Ethics 3e	3 Hours
cc.	Chamberlin Real Estate School	Ethics 2e	3 Hours

*The Board will review all of the items on the consent agenda unless a member of the Board, the Department or the public wishes to speak in regard to a certain issue, in which case the Board may, in its discretion, pull the item from the consent agenda.

7. FOR POSSIBLE ACTION: Review and approval of continuing education credit hours for the following courses:

a.	California State University	Capstone Seminar in Real Estate and Land Use OBE-149	36 Hours (3 credits)
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b.	McKissock	Laws & Regulations for California Appraisers	4 Hours
c.	Great Basin College	Composition II	36 Hours (3 credits)
d.	IAAO	Everything You Wanted to Know About Modeling	2 Hours

8. Briefing to and from Appraiser Certification Board and Department Staff.
9. **FOR POSSIBLE ACTION: Schedule Date and Review Agenda Topics for the Next Appraiser’s Certification Board Meeting.**
10. Public Comment (See Note 1)
11. ADJOURNMENT

 Note 1: This item is to receive public comment on any issue and any discussion of those items; provided that comment will be limited to areas relevant to and within the authority of the Appraiser Certification Board. No action will be taken on any items raised in the public comment period. At the discretion of the Chairman, public comment may be received prior to action on individual agenda items. Public Comment may not be limited based on viewpoint. Prior to the commencement and conclusion of a contested case or a quasi judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment. See NRS 233B.126.

Note 2: Disabled persons who will require accommodations or assistance at this meeting should write or call the Department of Taxation at 775-684-2044 in advance.

Note 3: Persons who wish to continue to receive notice of meetings must renew the request every six months after the first request is made because “[a] request for notice lapses 6 months after it is made.” NRS 241.020(3)(c).”

Note 4: Notice agendas were posted at the following locations: Notice of this meeting was posted in the following Carson City, Nevada location: Department of Taxation, 1550 College Parkway; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 Stewart Street, Carson City.

Notice of this meeting was Faxed or E-mailed for posting to the following locations: Department of Taxation, 4600 Kietzke Lane, Building L, Suite 235, Reno; Department of Taxation, 850 Elm Street, Suite 2, Elko; Department of Taxation, 2550 Paseo Verde, Suite 180, Henderson; Department of Taxation, 555 E. Washington Street; Las Vegas; Clark County Office, 500 South Grand Central Parkway, Las Vegas. Notice of this meeting was also posted on the Internet through the Department of Taxation website at <http://tax.nv.gov/> and on the Department of Administration website at <https://notice.nv.gov/>

APPRAISER CERTIFICATION BOARD
December 13, 2018

Agenda Item 1

- 1. Roll Call and Opening Remarks.**

APPRAISER CERTIFICATION BOARD
December 13, 2018

Agenda Item 3

- 3. FOR POSSIBLE ACTION: Approval of Minutes for April 5, 2018 and August 27, 2018.**

APPRAISER CERTIFICATION BOARD
DRAFT MINUTES

DEPARTMENT OF TAXATION
1550 COLLEGE PARKWAY
LARGE CONFERENCE ROOM
CARSON CITY, NEVADA

And

DEPARTMENT OF TAXATION
1ST FLOOR CONFERENCE ROOM
GRANT SAWYER OFFICE BUILDING
555 EAST WASHINGTON AVE
LAS VEGAS, NEVADA
APRIL 5, 2018

Board Members Present:

Mark Stafford, Washoe County, Vice Chair
Shannon Silva, Department of Taxation, Member
Jeff Payson, Clark County, Member (present via Teleconference)
Jana Seddon, Storey County, Member
William "Chuck" Bailey, Department of Taxation, Member

Members Absent:

Sorin Popa, Chair, Excused

Staff Members Present:

Jeffrey Mitchell, Deputy Director, Department of Taxation
Denesa Johnston, Department of Taxation

Members of the Public Present:

Jim Fogelberg, Department of Taxation
Burton Hilton, Assessor White Pine County (present via Teleconference)

Vice Chair Stafford called the meeting to order at 10:04 a.m.

1. Roll Call and Opening Remarks
Denesa Johnston was asked to proceed with Roll Call and verify quorum. Quorum was verified.
2. Public Comment
There were no public comments.
3. For Possible Action: Approval of Minutes for December 11, 2017.
Member Seddon motioned to approve the Minutes as submitted.
Member Silva seconded the motion.
All members present voted in favor of approving the December 11, 2017 Minutes.
4. For Possible Action: Review and approval of continuing education credit hours for the following courses:

Before continuing with this item, Vice Chair Stafford asked if there was any objection from Board Members present if these courses could be grouped in "blocks" to help with expediting the agenda. He also said if there was any item the members would like to see pulled and discussed individually, please let him know. The members stated they had no problem with this.

The first group called were items “a” through “f”.

a.	McKissock Learning	Appraisal of Fast Food Facilities	Hours on Certificate
b.	McKissock Learning	Complex Properties: The Odd Side of Appraisal	Hours on Certificate
c.	McKissock Learning	Residential Property Inspection for Appraisers	Hours on Certificate
d.	McKissock Learning	Appraisal of Assisted Living Facilities	Hours on Certificate
e.	McKissock Learning	Introduction to Uniform Appraisal Data Sets	Hours on Certificate
f.	IAAO	Update on Outdoor Advertising & Tax Assessment	Hours on Certificate

Member Bailey motioned to approve these courses.

Member Silva seconded the motion.

All members present voted to approve items “a” through “f”.

g.	Alverno College	MGT 310 Finance	36 Hours (3 credits)
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Vice Chair Stafford asked Member Silva for her input on this course since she has been up to date on courses approved and disapproved in the past? Member Silva said this was a course that had not been approved in the past and feels this course does not meet the parameters set forth by this Board.

Member Payson agreed with Member Silva.

Member Silva motioned to deny Alverno College - MGT 310 Finance.

Member Payson seconded the motion.

All members present voted to deny this course.

h.	Alverno College	MGT 211 Microeconomics	36 Hours (3 credits)
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Member Silva stated this course had been approved in the past.

Member Payson motioned to approve Alverno College - MGT 211 Microeconomics.

Member Silva seconded the motion.

All members present voted to approve this course.

i.	Alverno College	MGT 250 Business Models & Quantitative Methods	36 Hours (3 credits)
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Member Payson stated he had to read the course description, which described statistical techniques and the Board had approved statistical courses in the past. He motioned to approve Alverno College - MGT 250 Business Models & Quantitative Methods.

Member Silva seconded the motion.

All members present voted to approve this course.

j.	Alverno College	CIT 280 Introduction to Databases	36 Hours (3 credits)
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Member Payson stated he felt this course leaned more towards it being a technical database course and that he felt it was not appraiser related.

Member Silva agreed with Member Payson’s statement.

Member Bailey and Member Seddon asked if there was any precedence set in the past. Member Silva stated there was none that she could find.

Member Seddon stated that when looking at the smaller counties, aside from Excel, having the knowledge to build databases could prove to be an asset.

Member Payson explained that he has read the statutes and regulations; it is important for the counties to know but is not relevant to appraiser certification hours.

Member Seddon agreed but wanted to know what the other members thought.

Member Silva shared that she did not feel it was a “stepping stone” to performing the functions of the job.

Member Seddon said that coming from a small county, they do not always hire people that have this knowledge and background and sometimes they don’t have databases and historical information due to the fact that they may not know what they are supposed to be pulling from.

Member Bailey motioned to deny Alverno College - CIT 280 Introduction to Databases.

Member Silva seconded the motion.

All members present voted to deny this course.

I.	WI Indianhead Technical College	Business Law	36 Hours (3 Credits)
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Member Silva said the Board has denied this course in the past. She motioned to deny WI Indianhead Technical College - Business Law.

Member Bailey seconded the motion.

All members present voted to deny this course.

Vice Chair Stafford asked for Boards approval to group items “k” through “x”. Member Silva asked to look at items “k” and “r” separately and Member Payson asked to look at items “k” and “m”.

k.	WI Indianhead Technical College	Income Tax Accounting	48 Hours (4 credits)
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Member Silva shared that she reviewed the description submitted for this course and it appeared to be more for doing individual taxes as opposed to a business, their financials and taxes. Member Seddon agreed and so did Member Payson.

Member Silva motioned to deny WI Indianhead Technical College - Income Tax Accounting.

Member Seddon seconded the motion.

All members present voted to deny this course.

m.	WI Indianhead Technical College	Cost and Managerial Accounting	48 Hours (4 credits)
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Member Silva said she reviewed the list of ACB Approved Courses and found courses similar to Cost Accounting and Managerial Accounting that were approved in the past but this is the first time she has seen them offered as one class. She is unsure if there were specifics about these individual accounting classes that made ACB approve them from specific colleges.

Vice Chair Stafford asked Member Payson for comment?

Member Payson said he was leaning toward denying this course because he feels it is non-specific.

Member Bailey agreed with Member Payson’s comment, a number of the items do not seem applicable to appraisal work, certainly on the cost side, there may be some things that are relevant but he thinks a majority of them are not.

Member Silva shared having a syllabus verses a short description would have been helpful.

Member Seddon agreed and said she did not feel the description provided was applicable to appraisal.

She also said her department does not do a lot of the large personal property auditing and asked Vice Chair Stafford if a course like this was going to be helpful to her department. She also stated that she feels that this course is beyond what her department would do since they are a small county.

Vice Chair Stafford shared that his department would look at their asset register, their opening balance sheet for respective years but if it is more of a managerial or labor management issue, it would be apart from the appraiser/auditing function and they would be looking at the individual income statement and profit and loss statements when they are looking at individual property value or unitary value.

Deputy Director Mitchell asked the Board if they would like to abstain and request additional information.

Vice Chair Stafford added that the Board could also move forward with a motion and add a caveat that will allow the individual to resubmit the course with additional information.

Member Payson asked how the Board would feel about splitting credit for classes. He said in the past the Board has done this and it had gotten kind of “tricky”.

Member Baily stated he was going to ask the same question.

Vice Chair Stafford said the Board has done this in the past. Member Silva agreed and shared that the Board usually had something to give them an indication as to how the course is weighted such as a syllabus, which would be helpful with this course.

Member Payson shared he just wanted to make sure the Board would be willing to split the course hours.

Member Silva said the Board looks at the different school courses to determine if they would approve it and felt the Board would be willing to do that in this case also because this class, coming from another college, could be weighted differently and the Board takes them separately and looks at them as individual courses even though the course looks the same.

Member Payson motioned to deny WI Indianhead Technical College - Cost and Managerial Accounting and if the person submitting the course would like, they can resubmit it in the future with additional information.

Member Bailey seconded the motion.

All members present voted to deny this course.

Vice Chair Stafford asked for Board approval to group items “n” through “q”.

n.	WI Indianhead Technical College	Intermediate Accounting II	48 Hours (4 credits)
o.	WI Indianhead Technical College	Financial Accounting I	48 Hours (4 credits)
p.	WI Indianhead Technical College	Financial Accounting II	48 Hours (4 credits)
q.	WI Indianhead Technical College	Intermediate Accounting I	48 Hours (4 credits)

Member Silva motioned to approve these courses.

Member Payson seconded the motion.

All Members present voted to approve agenda items “n” through “q”.

r.	International Right of Way	U.S. Land Titles	Hours on Certificate
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Member Silva shared that when she was reading the material for this course, she felt it was on the front end of the titling process. She would like to hear other board members comments.

Member Seddon shared that learning about the encumbrances of the property is vital to what her department does and she knows the Board has approved Conference courses such as this one.

Member Payson said he agreed with Member Seddon. Board did approve a title course previously held at one of the conferences had no problem with this course.

Vice Chair Stafford said he thought the Conference course being discussed was Real Estate 101.

Member Payson motioned to approve International Right of Way - U.S. Land Title.

Member Seddon seconded the motion.

All Members present voted to approve this course.

Vice Chair Stafford asked for Board approval to group items “s” through “x”.

Member Silva said she had a question on item “s”, McKissock’s - The Dirty Dozen.

s.	McKissock Learning	The Dirty Dozen	Hours on Certificate
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Member Silva said that she is aware that the Board does not approve classes dealing with fee appraisal forms.

Vice Chair Stafford clarified that this course is USPAP and deals with the 12 major USPAP rules. He said the examples given are form reports and did not understand how this somehow negates the learning's of USPAP.

Member Silva asked if this was submitted as a USPAP course.

Vice Chair Stafford replied that this was a good question. Maybe it should be added that it qualifies as an ethics and standards course. He stated maybe this course should be called separately and added that this course is what McKissock identifies as 12 critical USPAP rules and if approved, it would qualify as ethics and standards. He asked if there was any other discussion regarding this course.

Member Payson asked for clarification, is the Board separating this course from items "s" through "x".

Vice Chair Stafford replied that yes, they were.

Member Silva motioned to approve McKissock's Learning - The Dirty Dozen.

Member Bailey seconded the motion.

All members present voted to approve this course and to qualify it as an ethics and standards course.

Vice Chair Stafford asked for approval of items "t" through "x".

t.	McKissock Learning	Understanding Residential Construction	Hours on Certificate
u.	IAAO	Fill "Er Up-Gas Station and c-Store Valuation Webinar	Hours on Certificate
v.	McKissock Learning	Appraisal Practices of Manufactured Housing	Hours on Certificate
w.	McKissock Learning	Appraisal of Self Storage Units	Hours on Certificate
x.	McKissock Learning	Appraisal of Land Subject to Ground Leases	Hours on Certificate

Member Silva motioned to approve agenda items "t" through "x".

Member Seddon seconded the motion.

All members present voted to approve these items.

y.	Nevada Assessor's Association	Personal Property	Hours on Certificate
z.	Nevada Assessor's Association	Cost Valuation	Hours on Certificate

Member Payson shared that the Nevada Assessor's Association would be presenting these courses this month during the conference in Winnemucca. These would be presented by Mariann Matz, who will be presenting the Personal Property course. He went on to share that Mariann does a lot of the personal property courses that are provided to Clark County personnel. This course is based on some of the information provided by IAAO's fall course. The Cost Valuation class will be using different varieties of Marshall & Swift cost methods, qualify and determination. The Cost Valuation course is for 2 ½ hours in the afternoon.

Vice Chair Stafford clarified that the Cost Valuation course is 2 ½ hours and the Personal Property course will be for 4 ½ hours.

Member Seddon asked if the Personal Property class is similar to the course presented in Clark County for those taking the personal property exam.

Member Payson replied yes, it was kind of the frame work for it but not the same as the course to take the exam.

Member Seddon shared that she took the Personal Property class and it was probably one of the better classes she has ever had. The class literally breaks it down and explained how Nevada personal property really works, it was Nevada specific.

At this point, Vice Chair Stafford called for items "y" through "z" together and asked for a motion.

Member Silva motioned to approve Nevada Assessor's Association Personal Property & Cost Valuation.

Member Bailey seconded the motion.

All members present voted to approve these courses.

Vice Chair Stafford asked for approval of items “aa” through “bb”.
Members Silva & Seddon asked that item “aa” be discussed.

aa.	McKissock Learning	Mold, Pollution and the Appraiser	Hours on Certificate
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Member Seddon shared that when she read the course description, the titles was deceiving, there was nothing about the appraiser or what the appraiser should do and in all honesty, after reviewing all the material, this is not something the tax appraiser does.

Member Silva agreed and added that the only thing she read that was related to an appraisal was the very last sentence that stated “the importance of having property tested and evaluated before it is bought or sold, this is a critical step for all appraiser and real estate professionals to take.” This, in her opinion, is a mold and pollution class not an appraisal class and relates to if you were going to be doing the inspections for mold and pollutions.

Member Seddon agreed and felt this would be a course for inspectors and she would be the one reviewing the inspection report.

Member Bailey shared, having been on the “other side” of appraising, looking at homes to purchase for example, he does think that being aware of some of these issues are actually something that would be considered when looking at the overall quality of the home and certain issues, he also thinks that having some knowledge would be good. This would have a market impact and people will be seeing this when they are looking at homes. He also said he can see both sides being discussed.

Member Payson said he agreed with Member Seddon. He has a lot of different contaminations, everywhere from dry cleaners to mold issues in individual properties that go to the county board. He did feel a background in this is beneficial when reading reports on contaminations.

Member Silva stated that she felt this course was explaining what the different molds and pollutions were and not the impact, how to value it and what the financial impact is.

Member Payson questioned the title of the course, especially when there might have been more to it.

Member Seddon & Silva both agreed the course was very detailed and explained what molds and pollutions are.

Vice Chair Stafford shared that he had reviewed the material and noticed that the photos inside the homes showed molds and water damage and addressed where to look for them. He sees it as being property specific with the photo examples. He said there is a statute on how to adjust for environmental impact properties.

Member Silva said that it is an inspector’s job to identify this and the results come to her verses as an appraiser, going into a structure and identifying molds and the types of molds and pollutions that are present.

Vice Chair Stafford said he thought this course identified the types of issues that could be present in property so when someone comes to you to explain the issues they are having, he can go back to this course and say, “yes, I’ve heard about that and it is a real problem.” He went on to say that the course refers to “suffer physical and neurological effects from toxic molds”. If he hadn’t taken this course and someone came into his office and told him this, he would not believe them. But if he had taken the course he would know this really did exist and the first step in the appraisal problem is identifying the problem.

Member Seddon shared that if there was a class in appraisal of molds, that would be a different story but to her this class, upon her review, basically showed that she would be learning is classifying the different molds.

Member Silva stated that as an appraiser, she would not want to be out in the field making an environmental determination that would have a far reaching effect beyond what she is doing within her job by making that call. She would have it inspected by somebody and have them bring her back the report.

At that point, Vice Chair Stafford said that at that point, you would need the cost estimate.

Member Silva agreed and said if this class leaned more toward cost secure, she would be more apt to say yes in favor of approving the course.

Vice Chair Stafford asked if anybody would like to make a motion.

Member Silva motioned to deny McKissock Learning – Molds, Pollution and the Appraiser.

Member Seddon seconded the motion.

Member Bailey voted to deny this course, Members Payson and Vice Chair Stafford voted to oppose the denial. The course was denied.

bb.	Calypso Continuing Education	USPAP	Hours on Certificate
cc.	IAAO	Dirt Is Just Dirt, Isn't It?	Hours on Certificate

Member Silva motioned to approve Claypso Continuing Education - USPAP and IAAO Dirt Is Just Dirt, Isn't It?

Member Seddon seconded the motion.

All members present voted to approve the motion.

5. FOR POSSIBLE ACTION: Department request for Board to review and approve or uphold denial of continuing education credit hours for the following course:

a.	IAAO	Instructor Evaluation Workshop	Hours Submitted
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Deputy Director Mitchell explained to the Board that this course was placed on the Agenda to either approve the course or uphold the Board denial for continuing education. The Board has denied the course in the past and a request has been made to reconsider the course for continuing education. The course was denied based on similar courses in the past.

Member Silva read the attached ACB minutes from the December 11, 2006 meeting that stated “no credit would be given for Train the Trainer workshops”. This was something that the department did when they first started doing the training classes prior to certification. It was when a member of the department would go and teach a course right before the exam for those taking the exam. She said this is what Train the Trainer was referring to.

Member Payson added that the December, 2006 agenda item was referencing a Clark County employee that had taken the IAAO Training Workshop and shared the description of the workshop may not have been accurate but is sure this is the same course.

Vice Chair Stafford agreed that the course has been renamed and he had taken it. He did not understand the reference to Train the Trainer.

Member Silva shared the Train the Trainer is what the department did and is what was denied for certification hours.

Member Payson then stated if you look at item “p” of the attachment, it is referring to the IAAO 2006 Instructor Training Workshop. He thinks that below it, is just whoever at that time was typing the ACB minutes was using the Train the Trainer in the description.

Member Silva was wondering if the person doing the previous minutes was making the assumption that it was the same thing. She didn't remember this ever being brought forward.

Deputy Director Mitchell stated that Member Payson was correct, the key item is the course description and the comments below is what the board discussed, their decision and why they decided so being based on that, other classes have been denied and we are asking the board to reconsider and either approve or uphold the previous denial.

Member Payson also discussed the last sentence from the December, 2006 minutes that stated “They are able to teach the class once a year and receive credit.”

Member Silva asked if the course was called Instructor Training Workshop.

Vice Chair Stafford replied “yes and no”, and explained is about delivering adult education, for example, you will use 101 or 112, you would be delivering a portion of the course and graded on it.

The person attending would have to successfully pass the particular class in order to teach it then also

pass the Instructor Training Workshop which is now called Instructor Evaluation Workshop. They have made it much more difficult and vigorous.

Member Silva asked if this is the actual class that allows you to teach 101 or 102.

Vice Chair Stafford replied “yes” and you have to attend and pass the I.E.W. (Instructor Evaluation Workshop) first. He added that they are only passing one out of five. He explained that he allowed his certification to lapse and had to retake the course and that he must teach once every three years. If he does not teach once every three years, he must retake the I.E.W. course. The emphasis is on delivering adult education training.

Member Seddon asked for clarification. If they are sending employees for this training, why are they not receiving credit for it? She understands that they are getting credit for instructing.

Vice Chair Stafford said that, for example, last year he taught 112, he received half the credit for it.

Member Silva explained if they receive credit for the I.E.W. course and then teach a course and receive credit for it, they receive double credit.

Member Seddon asked Vice Chair Stafford his opinion of it.

Vice Chair Stafford said it’s his opinion that the board not gives credit for it. He is being taught to teach, which is not related to appraisal.

Member Seddon shared that she wants to “be behind whatever it is we need to do for our instructors to teach” because she thinks there are too few instructors and we need to give them every bit of incentive.

Member Silva added that we still have to fall within the parameters of the statutes.

Member Seddon agreed but still felt they are still learning something that is mandatory for them to be able to teach appraisal classes.

Member Payson shared that it is more about training how to instruct but doesn’t feel they should be getting credit for the initial course.

Member Silva said she would equate it to a managerial class for a supervisor.

Vice Chair Stafford asked for a motion to uphold the denial or reverse the decision made previously.

Member Silva motioned to uphold the denial of the Instructor Evaluation Workshop aka Instructor Training.

Member Seddon seconded the motion.

All members present voted in favor of the motion to uphold the denial.

Member Payson shared that in September, Clark County is going to be sending appraiser to the Conference to take the Instructor Evaluation Workshop, allowing them to have another instructor in Clark County.

6. For Possible Action: Department request for Board to uphold Department approved continuing education credit hours for the following course(s):

a.	IAAO 38 th Annual Legal Seminar Program	Legal Seminar	Hours Submitted
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Member Payson clarified this course was probably approved in the past but not this particular one.

Member Silva asked if this is similar to the IAAO Conference where the Board had to approve the specific courses within the seminar.

Denesa Johnston explained the certificate submitted indicates a straight 12 hours and has nothing else on it. She asked if all board members received the backup material in their packets.

Vice Chair Stafford said that he did receive the outline material.

Member Silva asked if the Board wanted to approve the individual courses.

Member Payson shared he went to one of these courses years ago and it was more relevant for the Board and was mostly presented by attorneys. He thought most of courses listed in the description, with the exception of one hour, were relevant.

Vice Chair Stafford stated that he felt most of these courses were assessment and administration related and asked for a motion.

Member Payson motioned to approve the IAAO 38th Annual Legal Seminar Program – Legal Seminar.

Member Bailey seconded the motion.

All members present voted to approve the motion.

Vice Chair Stafford called for a five minute break at this time.

Vice Chair Stafford called the meeting back to order at 11:15 a.m.

7. FOR POSSIBLE ACTION/DISCUSSION: Review and Discuss the Appraiser Certification Board Bylaws.

Member Payson stated that he felt the Bylaws should be left as is until the regulations are approved because some of the wording may change.

Member Bailey asked if this item could be tabled until the next meeting.

Deputy Director Mitchell asked if he could have some input here. He shared that what has been presented to the Board today is a combination of several submissions of proposed changes received from board members. There may be items with different wording and the sentence may not make sense because three different proposals were submitted. Once the regulation is passed, he thinks we can, as a department, clean up a lot this and submit to the board a standard copy with all the changes for their approval.

Vice Chair Stafford asked Deputy Director Mitchell if he saw a problem with the board approving the bylaws at this time.

Deputy Director Mitchell said the Board would have to give the Department the ability and authority to make judgment calls where there are two or three conflicting proposals or the board would have to walk through each item.

Member Payson shared that if the board wanted to go through this, it would take some time. He shared that the bylaws have been out since 1988 and never been updated therefore three to six months would not matter.

Deputy Director Mitchell added that once the regulation is approved, a lot of the changes would fall in line naturally.

Member Payson asked if the Bylaws had to be voted on by the Assessors or by the Appraiser's Certification Board (ACB).

Vice Chair Stafford replied that they are voted on by ACB.

Member Seddon suggested that we "throw stuff out there" while we are trying to figure stuff out to the Assessors but the ultimate approval comes from this Board.

Member Payson shared that it might not be a bad idea to submit the changes to the assessors for some general discussion, possibly during the upcoming conference. He said that he knows there is some wanting to read through the Bylaws.

Member Seddon added that, speaking from the assessor's side, a lot of the verbiage is not going to make a difference, maybe if there is a major change, such as from the five years to three years. She added that if we really want their opinion, we needed to pick and choose the things that are going to make an impact or are really going to change and send those to them; we will get a better response rather than having them read through the entire set of bylaws.

Vice Chair Stafford stated it appeared to be mostly clean up.

Member Silva said that there are a couple of things that she would like to bring that she had noticed with new employees coming on.

- There is really nothing in here and nothing within the statute that addresses reinstatement, such as at what time do you have to retake the certification test, do you have to retake the certification test.
- If an appraiser returns after being gone for three years, if you have all the education hours and kept current, is it just a given, do you have to start over with your 180 hours, do you retake the test if you haven't.
- Another issue is the Temporary Certificate, if somebody goes back to the same assessor's office after being gone and they were already issued a temporary certificate, can they receive another one. The statute states they can only have it once. What milestone do returning appraiser's start in. Vice Chair Stafford also discussed the Temporary Certificate process. He

stated that the reinstatement process needed to also be addressed along with how far back we can go when applying courses to the 180 hour milestone.

- The Bylaws state that they have to go before the board but do they start over and at what point do they start over. This has been an ongoing issue and needs to be addressed.

Member Payson asked if this could be tabled until the next meeting so that the board can be more prepared. All members present agreed that this should be tabled, thus allowing members to be more prepared.

Deputy Director Mitchell offered to work on clean up and clarification of discussed Bylaw issues being discussed and present it to the Board at the next meeting.

8. Briefing to and from Appraiser Certification Board and Department Staff.
Deputy Director Mitchell verified he will work on the wording for the Bylaws to be presented at an upcoming meeting after the regulations are finalized. He requested, with the Boards approval, to create a "consent agenda" based on past experience. Basically, for example, do a grouping like Vice Chair Stafford did during the beginning of this meeting. He said this would allow the Department to structure the agenda for future meetings. The Board Members agreed this would be a good idea.

9. **FOR POSSIBLE ACTION: Schedule Date and Review Agenda Topics for the Next Appraiser's Certification Board Meeting.**

- The Board agreed to hold the next meeting on June 7, 2018.
- Appraiser Certification Bylaws.

Member Payson discussed the upcoming continuing education letters that will be going out to the Assessor's offices. He shared that he has discussed with Jeff and Denesa over the past year the accounting of hours. He said the person with Clark County who tracks the continued education uses the transcripts provided by the department to track training. He discussed the milestone of the 36 hours per year until the 180 hours are reached in the first five years. He said the important issue is how many of the 36 hours per year the employee is delinquent. There needs to be a way for the department to report these yearly hours (36 hours per year). He would like to see the department provide the counties with a letter showing how many hours are needed during the years in which the five year milestone applies.

Deputy Director Mitchell agreed and asked Denesa to work on a letter reflecting the first year (five year) milestone breakdown.

10. Public Comment (See Note 1)
There were no public comments.

11. **ADJOURNMENT**

The meeting was adjourned at 11:55 am.

**APPRAISER CERTIFICATION BOARD
DRAFT MINUTES**

**DEPARTMENT OF TAXATION
1550 COLLEGE PARKWAY
CARSON CITY BREAK ROOM CONFERENCE ROOM
CARSON CITY, NEVADA 89706
August 27, 2018
10:00 a.m.**

Board Members Present:

Sorin Popa, Department of Taxation, Chair
Mark Stafford, Washoe County, Vice Chair (present via Teleconference)
Shannon Silva, Department of Taxation, Member
Jeff Payson, Clark County, Member (present via Teleconference)
William "Chuck" Bailey, Department of Taxation, Member

Members Absent:

Jana Seddon, Storey County, Member

Staff Members present:

Jeffrey Mitchell, Deputy Director, Department of Taxation
Hector Sepulveda, Department of Taxation

1. Roll Call and Opening Remarks
Hector Sepulveda was asked to proceed with Roll Call and verify quorum. Quorum was verified.
2. Public Comment
There were no public comments.
3. Discussion: Per NRS 361.224, Department report regarding appraisers failing to meet requirements for continuing education.
Deputy Director Mitchell shared that there is one appraiser that works for the State of Nevada who did not meet the mandatory educational requirements. This item will be placed on the next ACB agenda for revocation of certifications.
Jeff Payson asked if the employee had been notified, Deputy Director Mitchell stated "Yes", notification did go out to the individual.
4. **FOR POSSIBLE ACTION: Review and approval of continuing education credit hours for the following courses:**

a.	IAAO	Marshall & Swift Commercial-Calculator Method-Forum #962	8 Hours
----	------	--	---------

Member Stafford stated this course should be approved for 7.50 hours instead of the 8 hours listed above.

Shannon Silva motioned to approve Marshall & Swift Commercial-Calculator Method-Forum #962 for 7.50 hours. Member Payson seconded the motion. All members present voted in favor of the motion.

b.	Appraisal Institute	Las Vegas Market Symposium 2018	5.5 Hours
----	---------------------	---------------------------------	-----------

Member Payson explained that had been offered in Southern Nevada in the past and that the hours should have been submitted for 7 hours instead of 5.50.

Member Stafford stated when he reviewed the letter submitted with the paperwork from the State of Nevada Real Estate Division; it reflected the course being approved for 5 hours.

Member Payson explained this was for the “northern” course.

Member Stafford asked Member Payson what the state had approved the “southern” course for.

Member Payson explained if you look at the end of page 14, it says 8.6 hours. He was not sure how this was arrived at. He had reviewed the paperwork sent to him prior to this meeting; the paperwork included a copy of the certificate that will be issued. This certificate reflected 7 hours. He will send a copy of the certificate to Denesa.

Member Stafford stated he would like to have this course match what is approved by the Real Estate Division. He verified this course would match at 7 hours.

Member Payson said “yes” 7 hours is correct.

Deputy Director Mitchell shared if there is no issue with the content, the Board could possible approved the course with the number of hours issued on the certificate.

Member Payson agreed to Deputy Director Mitchell’s proposal and motioned to approve the Las Vegas Market Symposium 2018 for the number of hours on the certificate.

Member Stafford seconded the motion.

All members present voted in favor of the motion.

c.	Appraisal Institute	Northern Nevada Real Estate Overview	5.5 Hours
----	---------------------	--------------------------------------	-----------

Member Payson explained that the packet submitted does reflect the course as 5 hours (page 17).

Member Silva shared she thought the reason it showed 5.5 was because at the end of the time calculation shows they divided it by a 50 minute hour instead of a 60 minute hour.

Member Payson agreed and said the 5 hours would be more accurate.

Member Payson motioned to approve Northern Nevada Real Estate Overview for 5 hours.

Member Stafford seconded the motion.

All members present voted in favor of the motion.

Member Payson added the Appraisal Institute would like to ensure the appraisers are notified of this course being available.

5. Briefing to and from Appraiser Certification Board and Department Staff.

Deputy Director Mitchell shared that with the regulation, R-2018, LCB has gotten back with him on the language. There were a few typographical changes but nothing of substance. He would like ACB’s approval to proceed to the Nevada Tax Commission to get it approved and move forward with making it a permanent regulation. He asked the members if they would like him to bring the language to the next ACB meeting since he did not get it on time to be included in the packet for this meeting. This would allow the Board to review it one more time or he could move forward to the Tax Commission.

Jeff Payson asked why the regulation would have to go back to the Tax Commission.

Deputy Director Mitchell explained this has not been approved by the Tax Commission, it was formally approved as a Temporary Regulation, thus this would be the first time it will be brought to the Tax Commission and he would like to present it at the November Tax Commission meeting for their approval. It will then go forward to the Legislative Commission.

Deputy Director Mitchell also discussed the Appraisal Certification Board overseeing the examinations. He shared the Division has received different comments/complaints regarding areas for consideration regarding the certification and in regards to clarifying some of the language. Sometimes some of the questions can be worded in such a manner thus making the wording tricky and it doesn’t feel like it is a question with regards to the principle behind the question but rather a question set up to trick those taking the test. He would like the Boards permission (or comments) to rewrite the questions to make sure they are in regards to principles and the theory behind the questions rather than what is perceived as a trick.

Member Silva asked if these were recent complaints after the tests were rewritten?

Deputy Director Mitchel replied yes, we were still receiving these complaints. This would be a review of specific questions. He was not sure the assessors have been receiving the same complaints from their staff. If not, then the perception is that the tests are fine.

Member Stafford asked if we should be looking at the group of questions that, for example, 85% of those testing got wrong.

Member Silva explained this was done last year by herself, Heather Drake and Jim Fogelberg. They went through the test and rewrote some of the questions. They also tracked the ones students were getting wrong and rewrote them.

Deputy Director Mitchell said the Division is working on getting all the questions into a testing database which will allow the Division to randomly generate a test so the questions are not in a specific order and will negate the concerns of students memorizing the questions. He would like to see this implemented soon. He asked the Board members if they would like him to bring to the next meeting the statistics that have been tracked regarding test questions that have been missed, this would allow the Board to discuss questions that appear to be of concern.

Member Payson agreed with Member Silva, he thought after the last test rewrite, this issue was resolved. The only complaint he had was the calculator issue coming up again, those testing are not allowed to use their own calculators. Having those testing using a different calculator can be difficult because appraisers are used to using a particular calculator. He suggested that a policy be put into place to address this issue.

Member Stafford agreed with Member Payson regarding the calculator issue. He would struggle if he had to use a different one.

Deputy Director Mitchell stated the issue could definitely be addressed and he would be glad to bring it forward to the Board for consideration.

Member Silva explained the previous Deputy Director, Terry Rubald, had concerns that formulas could be stored in the calculators.

Member Stafford said the programming registers could be cleared.

Deputy Director Mitchell shared that he personally had no problem with people bringing their own calculators as long as the person overseeing the testing knows how to clear them. He will be looking at the theory behind this decision and added we would probably move away from the policy of not allowing those testing to use their own calculators. He also shared in regards to the tests, it sounded like he was the only one hearing a concern about the test questions so he will leave the questions where they are for now and just track the test outcomes and perhaps bring it forward at a future date. Member Silva shared that the previous Deputy Director, Heather Drake, did test result tracking after offering a 12-part course and the passing rate went from 35-40% to an 85% passing rate. The group addressed around 40% of the questions people were missing; they looked to see if this was just something those testing did not know or if it was the working of the questions. She felt the Division should look at the testing statistics and which questions are consistently missed.

Deputy Director Mitchell added there has not been a significant amount of people tested since the test was rewritten.

Member Stafford stated he had an issue come up during a discussion with Member Seddon recently regarding the language of a certificate from IAAO regarding "attending and passing or just attending or challenging". IAAO responded as to how the wording would be stated differently on each of the certificates but Jana has an employee who had failed courses but received full credit for the courses. He stated that he is aware of the policy allowing those attending to be awarded half credit for failing the course.

Member Silva asked how the department is notified as to who passes and who fails.

Member Stafford shared it is in the language on the certificate from IAAO. It will say "Successfully Completed or Attendance and Participation". When an individual challenges an IAAO course, the course will state "Successfully Completed" and reflect 0 (zero) hours.

6. FOR POSSIBLE ACTION: Schedule Date and Review Agenda Topics for the Next Appraiser's Certification Board Meeting.

The Board Members discussed having a December meeting.

Deputy Director Mitchell also mentioned that Member Stafford's term would be ending in September as well as Member Bailey's term. Member Bailey stated he will be finalizing his retirement and his position on the board would have to be replaced as of December 14, 2018. Member Stafford also mentioned

that he would not be seeking reappointment to the board. Member Payson mentioned that he has a member of his department who would be interested in being appointed to the board.

7. Public Comment
There were no public comments.
8. ADJOURNMENT
Chair Popa adjourned the meeting.

DRAFT

APPRAISER CERTIFICATION BOARD
December 13, 2018

Agenda Item 4

- 4. FOR POSSIBLE ACTION: Election of a Vice-Chairperson.**

APPRAISER CERTIFICATION BOARD
December 13, 2018

Agenda Item 5

- 5. Discussion: Per NRS 361.244, Department report regarding appraisers failing to meet requirements for continuing education.**

APPRAISER CERTIFICATION BOARD
December 13, 2018

Agenda Item 6

CONSENT AGENDA: Approval of continuing education credit hours reviewed and submitted by the Department of Taxation Local Government Services Executive Director.

APPRAISER CERTIFICATION BOARD
December 13, 2018

Agenda Item 7

- 7. FOR POSSIBLE ACTION: Review and approval of continuing education credit hours for the following courses:**

Form 5310LGS



**Nevada Department of Taxation
Property Tax Appraiser Continuing Education
New Course Application**

Return this form to:
Division of Local Government Services
1550 College Parkway
Carson City, Nevada 89706

Please Print or Type:

Part A. COURSE INFORMATION (A person who wishes to receive contact hours for a course of continuing education that has not been previously approved by the Department must apply to the Department for such approval BEFORE taking the course.)

TITLE OF COURSE CAPSTONE SEMINAR IN REAL ESTATE AND LAND USE OBE-149			
DELIVERY METHOD - CHECK ONE <input checked="" type="checkbox"/> Classroom <input type="checkbox"/> Internet <input type="checkbox"/> Home Study		SPONSORING ORGANIZATION CALIFORNIA STATE UNIVERSITY	
STREET ADDRESS		CITY SACRAMENTO	STATE CA
NAME OF INSTRUCTOR S			

1. Course objective:

This seminar course is designed to prepare student for independent analysis of and research within the Real estate and land use industry

2. What are the expected hours of instruction? 36 hours (3 credits)

3. What is the expected completion date? _____

Part B. SUBJECT CLASSIFICATION - CHECK ALL THAT APPLY

- | | |
|--|--|
| <ul style="list-style-type: none"> <input type="checkbox"/> Mass Appraisal Concepts and Applications <input type="checkbox"/> IAAO Standards <input type="checkbox"/> Residential Appraisal <input type="checkbox"/> Commercial /Industrial Appraisal <input type="checkbox"/> Unitary/Centrally Assessed Property Appraisal <input type="checkbox"/> Principles of Accounting <input type="checkbox"/> Principles of Finance <input type="checkbox"/> Application of Nevada Statutes or Regulations | <ul style="list-style-type: none"> <input type="checkbox"/> Appraisal and Assessment Standards of the Nevada Department of Taxation <input type="checkbox"/> Geographic Information Systems, Mapping Techniques <input type="checkbox"/> Laws Relating to Real Estate, Water, or Mining <input type="checkbox"/> Professional Ethics <input type="checkbox"/> Administrative Procedures <input type="checkbox"/> Other |
|--|--|

If other, please describe why the course is applicable to appraisal for property tax purposes.

199. Special Problems in Management Information Systems. Individual projects or directed reading for students qualified to carry on independent work. Admission requires approval of an instructor and the Department Chair. Petitions can be obtained from the Degree Programs Center, BUS-1030. 1-3 units.

Organizational Behavior and Environment

- 117. Business, Ethics and Society.** An investigation of contemporary business issues and management dilemmas in relation to broad social concerns. Focus is upon public and private decision making in the business environment and how business practices, ethics, and social concerns interrelate. Topics such as the nature of property and profits, efficiency and human values, the balancing of claims of owners, employees, customers, and others in community, corporate responsibility, corporate governance, government regulation and international dimensions of public policy will be covered. **Prerequisite:** Passing score on the WPE. 3 units.
- 118. Legal Environment of Business II.** A continuation of the overview of law and the legal system for the business person. This course emphasizes the law of business organizations, including analysis of the legal requirements of business forms, implications of international trade and rights and duties of the various business constituencies. The private commercial law of sales, insurance and property are examined in addition to the government regulatory and public policy topics of securities, labor, bankruptcy and products liability. 3 units.
- 119A-B. Business Law for Accountants.** Principles covering legal and political environment of business. Among the topics to be analyzed are accountant's legal responsibility, anti-trust, bankruptcy, commercial paper, contracts, estates and trusts, federal securities regulation, agency, partnerships, corporation, insurance, property, employer-employee relationships, sales secured transactions, suretyship. OBE 119A is a prerequisite to 119B. Sequence begins fall and spring; 3 units per course.
- 130. Business Communications.** This course provides basic concepts for understanding and practice of communication in the changing world of business for managers and professionals. It examines the use of language and conversations in business settings and their role in coordinating actions, resolving breakdowns in work performance, and providing customer satisfaction. Course topics include: Practice in professional styles of business writing and formats, preparation of a formal report, development of competence in business conversation skills (written, electronic, and oral), and other selected topics. International, technical, and linguistic developments are integrated into the various applications of business communication. 3 units.
- 140. Managerial Real Estate.** Presents the theory and methods of real estate asset management. Topics include site selection, real estate asset leasing, purchase, management and disposition decisions. Strategy and methods in acquisition planning. Financial management for real estate assets and redeployment through the public sector approval, conditioning, and permitting process are emphasized. **Prerequisites:** OBE 19, MGMT 133. 3 units.
- 141. Managerial Real Estate Law.** An examination of the decision making process in land utilization transactions relative to the minimization of risks of legal confrontation. Traditional conflicts underlying real estate transactions are examined and principles of preventive law are derived. The management of litigation and transaction attorneys is considered. Court remedies that are pertinent to land utilization transactions are analyzed and compared to nonjudicial alternatives. **Prerequisite:** OBE 19. 3 units.
- 142. Real Estate Finance.** An examination of the mechanisms of real estate finance, sources of funds, loan contracts, principles of mortgage risk analysis, and the role of group equity investment. The evolution of secondary mortgage markets, government policy, and market interference will be investigated from a risk management standpoint. **Prerequisite:** OBE 19, MGMT 133. 3 units.
- 143. Real Estate Investment and Valuation.** A course which studies the decision making process and methods of analysis in real property investment with case analysis. The strategy of investment is fitted to the context of physical property, leverage, legal ownership form, income tax, and property management law and management alternatives, and securities and syndication law. Project analysis will emphasize risk assessment, cash flow projection, and valuation of real property through a review of appraisal techniques and market simulation. **Prerequisite:** OBE 19, MGMT 133. 3 units.
- 145. The Land Use Regulatory and Entitlement Process.** The course focuses upon the interface of the public and private sector California land development process and the influence of a polycentric governmental landscape upon land use regulatory and entitlement procedures. A proactive, opportunity-orientated problem prevention approach will be taken in addressing such topics as: general plan and zoning code development and administration, environmental review process, taxation impacts, public services and infrastructure, comparative analysis of urban form and growth management, role of the judiciary, neighborhood groups, and other participants in the land use decision making process. **Prerequisite:** OBE 19. 3 units.
- 149. Capstone Seminar in Real Estate and Land Use.** A seminar course designed to prepare students for independent analysis of and research within the real estate and land use industry. Application of theories and research in locational analysis, urban development, and related topics to selected real-world issues of contemporary significance. Individual or group projects will be conducted which integrate skills acquired from previous courses in the real estate and land use curriculum. **Prerequisite:** Completion of 9 units of required real estate courses, including OBE 19. 3 units.
- 150. The Management of Contemporary Organizations.** An overview of managerial and organizational theory and practice, including a discussion of the contingencies that influence an organization's effectiveness and efficiency. Focus of the course is on the decision making and problem-solving processes that affect managerial performance in planning, implementing, and controlling the work of contemporary organizations. 3 units.
- 151. Diversity and Management.** Course focus is: to explore, analyze and understand the impact of increasing diversity on the management of organizations; and to understand the managerial and behavioral dynamics concerning gender, race, age, physical challenges, sexual orientation, cultural background, and other issues within organizations. Concepts such as leadership, power, conflict, performance, communications, roles and stereotypes, and career issues are examined. Concepts are explored from the perspective of political, economic, social, and technological changes in society as they impact management and those managed. 3 units.
- 152. Human Resources Management Information Systems.** Seminar focuses on critical aspects of setting-up a computerized information system specifically designed for the management of human resource responsibilities such as payroll, benefits, recruitment, selection, staffing, career development, training/development, and government compliance. Topics include: needs analysis, data element selection and definition, design and acquisition of a system, evaluation, and system maintenance. 3 units.

Form 5310LGS



**Nevada Department of Taxation
Property Tax Appraiser Continuing Education
New Course Application**

Return this form to:
Division of Local Government Services
1550 College Parkway
Carson City, Nevada 89706

Please Print or Type:

Part A. COURSE INFORMATION (A person who wishes to receive contact hours for a course of continuing education that has not been previously approved by the Department must apply to the Department for such approval BEFORE taking the course.)

TITLE OF COURSE <u>Laws & Regulations for California Appraisers</u>				
DELIVERY METHOD - CHECK ONE <input type="checkbox"/> Classroom <input checked="" type="checkbox"/> Internet <input type="checkbox"/> Home Study		SPONSORING ORGANIZATION <u>Mckissock</u>		
STREET ADDRESS <u>P.O. Box 1673</u>		CITY <u>Warren</u>	STATE <u>PA</u>	ZIP CODE <u>16265</u>
NAME OF INSTRUCTOR(S) <u>Unknown</u>				

1. Course objective:

See attached

2. What are the expected hours of instruction? 4

3. What is the expected completion date? Completed 6/23/2015

Part B. SUBJECT CLASSIFICATION - CHECK ALL THAT APPLY

- | | |
|--|--|
| <input type="checkbox"/> Mass Appraisal Concepts and Applications | <input type="checkbox"/> Appraisal and Assessment Standards of the Nevada Department of Taxation |
| <input type="checkbox"/> IAAO Standards | <input type="checkbox"/> Geographic Information Systems, Mapping Techniques |
| <input type="checkbox"/> Residential Appraisal | <input checked="" type="checkbox"/> Laws Relating to Real Estate, Water, or Mining |
| <input type="checkbox"/> Commercial /Industrial Appraisal | <input type="checkbox"/> Professional Ethics |
| <input type="checkbox"/> Unitary/Centrally Assessed Property Appraisal | <input type="checkbox"/> Administrative Procedures |
| <input type="checkbox"/> Principles of Accounting | <input type="checkbox"/> Other |
| <input type="checkbox"/> Principles of Finance | |
| <input type="checkbox"/> Application of Nevada Statutes or Regulations | |

If other, please describe why the course is applicable to appraisal for property tax purposes.

Part C. REQUIRED MATERIALS TO BE SUBMITTED WITH APPLICATION:

- Detailed Course Outline or Syllabus
 Books or Course Materials

Do you want this course submitted for credit to your Continuing Education transcript?

Yes No

Part D. SIGNATURE

FOR Department Use Only

NUMBER OF CREDIT HOURS GRANTED	NUMBER OF CREDIT HOURS APPEARING ON TRANSCRIPT	Milestones Applied To	Total CE'S for this Milestone (Including this course)	REASON FOR DENIAL OF CREDIT, IF ANY

Verified by:

Division of Local Government Services _____ Title _____ Date _____

Laws and Regulations for California Appraisers



Chapter 1: Federal Laws and Regulations

1 . Course Description/Overview

We encourage our customers to visit the FAQs section found here <http://faqs.mckissock.com/> for further information regarding your educational experience with McKissock. Complete with step-by-step tutorials, we've designed it with YOU in mind!

Course Description:

This course was developed to keep licensed and certified California real estate appraisers informed and up-to-date on both Federal and State laws and regulations. This course is designed to comply with the requirement established by California for each state-licensed or certified real property appraiser to take 4 hours of education on federal and state laws and regulations. Laws and regulations provide a basis for everything that we do as appraisers in California. There are several different laws and regulations that require our compliance, both at the state and federal levels. This 4-hour course is divided into four chapters as outlined below.

Learning Objectives:

At the conclusion of this course, participants will be able to:

- Discuss the general requirements of FIRREA
- Identify the powers and duties of the Appraisal Subcommittee (ASC)
- Explain the appraisal-related requirements of the Dodd-Frank Act
- Identify recent revisions to applicable federal regulations
- Describe the policies of the Appraisal Subcommittee (ASC)
- Identify The Appraisal Foundation and its boards
- Discuss The Appraisal Foundation's role in the appraisal regulatory system
- Define terms used in the California Real Estate Appraisers' Licensing and Certification Law
- Identify specific requirements of the law that relate to appraisers
- Identify the specific powers and duties of the Bureau of Real Estate Appraisers as set forth in the regulations
- Discuss the investigative and disciplinary process of OREA

End of Page

2 . Chapter 1: Federal Laws and Regulations

Overview

- Welcome and Introduction

- History
- The 1980s: The Savings and Loan Crisis
- FIRREA
- Title XI of FIRREA
- Functions of the ASC
- Members of the ASC
- Powers of the ASC
- FIRREA: Licensing and Certification Requirements
- Transactional Requirements
- Monitoring of States
- Disapproval by ASC
- Temporary Practice
- Prohibition against Discrimination
- The Dodd-Frank Act of 2010
- Reciprocity
- Monitoring of Appraiser Independence
- National Complaint Hotline
- Registration of AMCs
- National AMC Registry
- Interim Actions by ASC
- Broker Price Opinions
- Federal Regulations
- Interagency Appraisal and Evaluation Guidelines
- Appraisal and Evaluation Programs
- Independence of Appraisal and Evaluation Program
- Prohibited Acts
- Selection of Appraisers
- Transactions that Require Appraisals
- Minimum Appraisal Standards
- USPAP Compliance
- Appraisal Reporting
- Third Party Arrangements
- Referrals
- FRB Interim Final Rule
- Covered Person
- Prohibited Acts
- Permitted Actions
- Customary and Reasonable
- Enforcement of TILA
- Mandatory Reporting
- Summary

Chapter Objectives

At the end of this chapter, participants will be able to:

- Discuss the general requirements of FIRREA
- Identify the powers and duties of the Appraisal Subcommittee (ASC)
- Explain the appraisal-related requirements of the Dodd-Frank Act
- Identify recent revisions to applicable federal regulations

End of Page

3 . Welcome and Introduction

Welcome to *Laws and Regulations for California Appraisers*, presented by McKissock, LP!

This course is designed to comply with the requirement established by California for each state-licensed or certified real property appraiser to take 4 hours of education on federal and state laws and regulations.

Laws and regulations provide a basis for everything that we do as appraisers in California. There are several different laws and regulations that require our compliance, both at the state and federal levels.

We will begin this course by discussing the federal laws that apply to us and then move on to the laws and regulations that are specific to California. There are four chapters in this course.

- Chapter 1: Federal Laws and Regulations
- Chapter 2: The Appraisal Foundation and the Appraisal Subcommittee
- Chapter 3: California Licensing and Certification Law
- Chapter 4: California BREAs and California Regulations Articles 3-12

Much of the information used to create this course, including links to federal and state laws and regulations, can be found on the website of the California Bureau of Real Estate Appraisers (BREAs) <http://www.brea.ca.gov>.

AUTHOR'S NOTE: The Bureau of Real Estate Appraisers (BREAs) was originally created as the Office of Real Estate Appraisers (OREA) and the name of the agency was changed to Bureau of Real Estate Appraisers (BREAs) effective July 1, 2013. There are still numerous references to "the Office" or "OREA" within California Laws and regulations. If any such references appear in California laws, regulations, or these course materials, they actually refer to the Bureau of Real Estate Appraisers (BREAs).

End of Page

4 . History

Our current economic climate certainly is challenging, but it is not without precedent.

Episodes of economic turmoil have occurred throughout our nation's history, and many of these episodes have affected the real estate market in general - and real estate professionals in particular.

Largely in response to these various episodes, both the federal government and professional organizations have made changes and innovations that have endured long after the particular period of turmoil ended.

In the early 1900s, the real estate and appraisal professions were in their infancy. Government regulation in the profession was nonexistent, and due to the unethical actions of a few, real estate professionals were seen by the public as swindlers, cheats, and con men.

In 1908, the National Association of Real Estate Exchanges (which later became the National Association of REALTORS®) was formed. In 1913, the organization created a Code of Ethics in order to counteract the profession's negative public perception. During the next

several decades, all states passed laws that regulated real estate brokers and sales agents. However, the real estate appraisal profession remained largely unregulated.

End of Page

5 . The 1980s: The Savings and Loan Crisis

In 1986, after a series of costly Savings and Loan (S&L) institution failures in several states, U.S. Representative Douglas Barnard (D-GA) reported to Congress that:

"Faulty and fraudulent real estate appraisals have become an increasingly serious national problem...They have seriously damaged and contributed directly to the insolvency of hundreds of the nation's financial institutions...Appraiser ineptitude, negligence, and misconduct are widespread...Accurate, reliable appraisals are essential to loan underwriting and to the public's perception of the confidence in the nation's real estate, finance, and mortgage insurance and investment industries."

The actual causes of the Savings and Loan Crisis are a subject of debate, even to this day; however, the Barnard Report placed the blame squarely on the shoulders of appraisers.

Very few states had appraiser licensing or certification programs at the time of the Barnard Report, and there were no nationally-recognized qualifications for licensed and certified appraisers. In most states, practically anyone could hang out a shingle, call himself or herself an appraiser, and then solicit appraisal business from financial institutions and other clients.

Regardless of who was actually responsible for the Savings and Loan Crisis, it would prove to be the seminal event that led to the regulation of the appraisal profession.

End of Page

6 . FIRREA

As the 1980s came to a close, the federal government took action to mitigate the damage caused by the Savings and Loan (S&L) Crisis. The United States Congress passed the Federal Financial Institutions Reform Recovery and Enforcement Act (FIRREA) in 1989.

Known euphemistically as the "Savings and Loan Bailout Bill", FIRREA was a wide-ranging law that changed the financial institution regulatory structure, and addressed many different aspects of the banking, mortgage lending, and valuation professions. Title XI of FIRREA addressed issues related to licensing and certification of appraisers, and it set forth several requirements.

Among these requirements were a mandate that each state set up a program for licensure and/or certification of real estate appraisers, and a requirement that appraisals for loans made by federally-regulated financial institutions must be completed by licensed or certified appraisers.

FIRREA also referenced USPAP as the generally accepted standard to which appraisals for federally-regulated lending transactions must conform. The law also delegated responsibility

of enforcing the requirements of USPAP to individual state appraisal licensing and certification agencies.

The Appraisal Foundation was also referenced in FIRREA as a recognized source for appraisal standards and appraiser qualifications.

End of Page

7 . Title XI of FIRREA

One of the more significant outcomes of Title XI was the creation of the Appraisal Subcommittee (ASC). The following information appears on the ASC's website:

The Appraisal Subcommittee (ASC) of the Federal Financial Institutions Examination Council (FFIEC) was created on August 9, 1989, pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (Title XI). In response to the "Savings and Loan Crisis", Congress adopted Title XI to address the problem of unregulated persons performing incompetent and/or fraudulent appraisals for federally regulated financial institutions. Title XI's purpose is to "provide that Federal financial and public policy interests in real estate transactions will be protected by requiring that real estate appraisals utilized in connection with federally-related transactions are performed in writing, in accordance with uniform standards, by individuals whose competency has been demonstrated and whose professional conduct will be subject to effective supervision."

In this chapter, we will take a look at some of the requirements of FIRREA. A PDF copy of Title XI of FIRREA can be viewed by going to the ASC's website <https://www.asc.gov/Legal-Framework/TitleXI.aspx> and clicking on the link near the bottom of the page. There are actually two versions of FIRREA accessible on this page. One is the original version from 1989, and the second is a newer version with amendments made as a result of the Dodd-Frank Act indicated in strikethrough and red type.

Before we move on to talk about the ASC and its functions, there will first be a short quiz.

End of Page

8 . Quiz

9 . Functions of the ASC

The original version of Title XI of FIRREA gave the Appraisal Subcommittee specific power and authority to:

- Monitor the requirements established by states and their appraiser regulatory agencies for the certification and licensing of appraisers.
- Monitor the requirements established by the federal financial institutions regulatory agencies with respect to:
 - Appraisal standards for federally-related transactions; and

- Determination of which federally-related transactions require the services of a state-licensed or state-certified appraiser
- Maintain a National Registry of state-certified and licensed appraisers Monitor and review the activities and structure of The Appraisal Foundation. The ASC is also authorized to grant funds to the Foundation to support Title XI-related activities of the Foundation's boards.
- Transmit an annual report to Congress, which shall detail the activities of the ASC, including the results of all audits of state appraiser regulatory agencies

This section of FIRREA was revised in 2010 to include ASC oversight of state appraisal management company (AMC) registration programs. But let's not get ahead of ourselves; there will be more on that later.

End of Page

10 . Members of the ASC

The Appraisal Subcommittee consists of seven members. One person each is appointed by the head of seven federal housing and lending regulatory agencies, including:

- Bureau of Consumer Financial Protection (CFPB)
- Federal Deposit Insurance Corporation (FDIC)
- Federal Housing Finance Agency (FHFA)
- Federal Reserve Board (FRB)
- Department of Housing and Urban Development (HUD)
- National Credit Union Administration (NCUA)
- Office of the Comptroller of the Currency (OCC)

The ASC holds regular public meetings, a notice of which must be published in the Federal Register at least seven days prior to the meeting.

End of Page

11 . Powers of the ASC

The Appraisal Subcommittee may, for the purpose of carrying out this title, establish advisory committees, hold hearings, prescribe regulations in accordance with chapter 5 of title 5, United States Code (commonly referred to as the Administrative Procedures Act) after notice and opportunity for comment, sit and act at times and places, take testimony, receive evidence, provide information, and perform research, as the Appraisal Subcommittee considers appropriate.

The ASC's regulatory rulemaking authority is limited to matters of:

- Temporary practice
- National registry
- Information sharing
- Enforcement

If the ASC wishes to prescribe regulations, it must first establish an advisory committee of industry participants and hold meetings.

End of Page

12 . FIRREA: Certification and Licensing Requirements

Section 1116 of Title XI of FIRREA establishes the authority of the ASC to enforce minimum qualification criteria for appraiser licensure and certification. Rather than directly codify the specific education, experience, and exam requirements, this law references the Appraiser Qualifications Board of The Appraisal Foundation as the recognized source for minimum appraiser qualifications that must be adopted by the states.

For purposes of this title, the term "State-certified real estate appraiser" means any individual who has satisfied the requirements for State certification in a State or territory whose criteria for certification as a real estate appraiser currently meets the minimum criteria for certification issued by the Appraiser Qualification Board of the Appraisal Foundation.

No individual shall be a State-certified real estate appraiser under this section unless such individual has achieved a passing grade upon a suitable examination administered by a State or territory that is consistent with and equivalent to the Uniform State Certification Examination issued or endorsed by the Appraiser Qualifications Board of The Appraisal Foundation.

As used in this section, the term "State-licensed appraiser" means an individual who has satisfied the requirements for State licensing in a State or territory whose criteria for the licensing of a real estate appraiser currently meet or exceed the minimum criteria issued by the Appraiser Qualifications Board of The Appraisal Foundation for the licensing of real estate appraisers.

Nothing in this title shall be construed to prevent any Federal agency or instrumentality under this title from establishing such additional qualification criteria as may be necessary or appropriate to carry out the statutory responsibilities of such department, agency, or instrumentality.

Any requirements established for individuals in the position of "Trainee Appraiser" and "Supervisory Appraiser" shall meet or exceed the minimum qualification requirements of the Appraiser Qualifications Board of The Appraisal Foundation. The Appraisal Subcommittee shall have the authority to enforce these requirements.

Students of FIRREA may note that some of the language on this page has changed from the original FIRREA legislation. For example, the final paragraph regarding the minimum qualification requirements for trainee appraisers and supervisory appraisers was not in the original version of FIRREA. This was added to FIRREA as a result of the Dodd-Frank Act of 2010.

Before we proceed, a short quiz is up next!

End of Page

13 . Quiz

14 . Transactional Requirements

FIRREA specifies that:

1. *a State-certified appraiser shall be required for all federally-related transactions having a value of \$1,000,000 or more; and*
2. *1-to-4 unit, single-family residential appraisals may be performed by State-licensed appraisers unless the size and complexity requires a State-certified appraiser, where a complex 1-to-4 unit single-family residential appraisal means an appraisal for which the property to be appraised, the form of ownership, the property characteristics, or the market conditions are atypical.*

All federally-related transactions that do not specifically require the services of a *state-certified appraiser* may be performed by a *state-licensed appraiser*. Of course a state-certified appraiser *could* perform the assignment but that level would exceed the **MINIMUM** requirement of a state-licensed appraiser.

End of Page

15 . Monitoring of States

The Appraisal Subcommittee shall monitor State appraiser certifying and licensing agencies for the purpose of determining whether such agency-

1. *has policies, practices, funding, staffing, and procedures that are consistent with this title*
2. *processes complaints and completes investigations in a reasonable time period*
3. *appropriately disciplines sanctioned appraisers and appraisal management companies*
4. *maintains an effective regulatory program and*
5. *reports complaints and disciplinary actions on a timely basis to the national registries on appraisers and appraisal management companies maintained by the Appraisal Subcommittee*

The ASC has wide-ranging authority over state appraisal regulatory programs. Each state's program is subject to a biennial on-site audit by the ASC, and the results of those audits are reported to Congress annually.

End of Page

16 . Disapproval by ASC

The Federal financial institutions' regulatory agencies, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Resolution Trust Corporation, shall accept certifications and licenses awarded by a State appraiser certifying the licensing agency unless the Appraisal Subcommittee issues a written finding that --

(1) the State agency fails to recognize and enforce the standards, requirements, and procedures prescribed pursuant to this title;

(2) the State agency is not granted authority or sufficient funding by the State which is adequate to permit the agency to carry out its functions under this title; or

(3) decisions concerning appraisal standards, appraiser qualifications, and supervision of appraiser practices are not made in a manner that carries out the purposes of this title.

If a state's appraiser regulatory program is found to be in non-compliance with the requirements of the ASC, the ASC can issue a non-recognition order after a formal hearing. Such an order would prohibit the federal financial institution regulatory agencies and many other federal instrumentalities from recognizing the licenses or certifications issued by the non-complying State. The ASC has formal rules in the Code of Federal Regulations governing those proceedings.

Time for another short quiz!

End of Page

17 . Quiz

18 . Temporary Practice

FIRREA requires state appraiser licensing and certification and certification agencies to issue temporary practice licenses and certifications.

A state is required to recognize, on a temporary basis, the certification or license of an appraiser issued by another state if:

1. The property to be appraised is part of a federally-related transaction
2. The appraiser's business is of a temporary nature and
3. The appraiser registers with the appraiser certifying or licensing agency in the state of temporary practice

FIRREA prohibits a state appraiser certifying or licensing agency from imposing excessive fees or burdensome requirements, as determined by the Appraisal Subcommittee, for temporary practice. For example, if a state decided to charge a \$2,000 fee for a temporary practice certificate, it is likely that the ASC would step in and stop the state from doing this.

End of Page

19 . Prohibition against Discrimination

FIRREA's prohibition on discrimination has nothing to do with age, race, color, religion, national origin, gender, or familial status. This section of FIRREA prohibits an appraiser

from being disqualified from consideration for an assignment solely due to lack of membership in any particular appraisal organization.

Federal financial institutions, Fannie Mae, Freddie Mac, and others, may consider an appraiser's education, experience, sample appraisals, or references from prior clients. Membership in a nationally recognized appraisal organization may be part of the criteria considered; however, lack of membership in an organization may not be the sole bar disqualifying an appraiser from consideration for an assignment.

End of Page

20 . The Dodd-Frank Act of 2010

In July 2010, the Dodd-Frank Wall Street Reform and Consumer Financial Protection Act was signed into law by President Obama.

This lengthy and comprehensive piece of legislation contained amendments to several existing federal laws, including the Truth in Lending Act (TILA) and FIRREA. We will address several of the more significant provisions of this law in this chapter, with a focus on the amendments to FIRREA.

End of Page

21 . Reciprocity

Under the original FIRREA legislation, states were "encouraged" to develop reciprocity agreements with one another, which would authorize licensed or certified appraisers from other states to receive reciprocal licensure/certification.

As a result of the Dodd-Frank amendments, FIRREA now has eliminated the language in which states are "encouraged" to enter into "reciprocity agreements." Now states are required to have in place a policy for issuing reciprocal certifications to licensed and certified appraisers from other states. Under this new requirement, a state must have a policy of issuing a reciprocal certification or license when:

1. *The appraiser licensing and certification program of the other State is in compliance with the provisions of this title; and*
2. *The appraiser holds a valid certification from a State whose requirements for certification and licensing meet or exceed the licensure standards established by the State where an individual seeks appraisal licensure.*

If a state does not establish a reciprocity policy in compliance with this provision of FIRREA, the ASC has the authority to sanction the state's appraisal licensing and certification program.

End of Page

22 . Monitoring of Appraiser Independence

Another of the Dodd-Frank revisions to FIRREA charges the ASC with monitoring the state appraisal licensure and certification programs to ensure they are maintaining appraiser independence. Each state must adopt and maintain effective laws, regulations, and policies aimed at maintaining appraiser independence.

End of Page

23 . National Complaint Hotline

One of the Dodd-Frank amendments to FIRREA charged the ASC with the responsibility to determine whether there is a national complaint hotline that exists to receive complaints of non-compliance with appraisal independence standards and Uniform Standards of Professional Appraisal Practice. If it was determined that no such hotline exists, the ASC was required to create one.

The ASC completed its study in 2011 and determined that there was currently no such hotline in existence. At that time, the ASC announced its intention to create one. In February of 2013, the ASC announced that the hotline was supposed to become operational in March of 2013. True to their word, the hotline began operation on March 15, 2013.



According to the requirements of FIRREA, this hotline is intended to:

...receive complaints from appraisers, individuals, or other entities concerning the improper influencing or attempted improper influencing of appraisers or the appraisal process...

The hotline includes a phone number (1-877-739-0096) and a website (www.refermymyappraisalcomplaint.asc.gov).

The ASC does not act on complaints received via this hotline. Instead, it refers the complaints to applicable governmental bodies, such as state appraiser licensing and certification agencies, federal financial institution regulatory agencies, or other appropriate legal authorities. The ASC does not have the authority to take action on these complaints, but it does have the authority under FIRREA to follow up on compliant referrals to determine the status of the resolution of the complaint.

Next up...a quick quiz!

End of Page

24 . Quiz

25 . Registration of AMCs

One of the major changes to FIRREA as a result of Dodd-Frank was the requirement that appraisal management companies (AMCs) be registered.

FIRREA now states:

Such requirements shall include a requirement that such companies --

- 1. register with and be subject to supervision by a State appraiser certifying and licensing agency in each State in which such company operates;*
- 2. verify that only licensed or certified appraisers are used for federally-related transactions*
- 3. require that appraisals coordinated by an appraisal management company comply with the Uniform Standards of Professional Appraisal Practice and*
- 4. require that appraisals are conducted independently and free from inappropriate influence and coercion pursuant to the appraisal independence standards established under section 129E of the Truth in Lending Act*

These are minimum requirements. FIRREA specifically permits states to establish additional requirements for AMCs. As you are undoubtedly aware, California has established laws and regulations related to the registration and regulation of AMCs. We will cover the California-specific information in a later chapter.

These requirements for AMC registration at the state level do not apply to an AMC that is a subsidiary owned and controlled by a financial institution that is regulated by a federal financial institution regulatory agency. These companies are exempt from the requirement to register with state appraiser licensing and certifying agencies, but they are not exempt from federal oversight.

End of Page

26 . National AMC Registry

The Dodd-Frank amendments to FIRREA required the ASC to create and maintain a national registry of appraisal management companies (AMCs). The ASC national registry includes both companies that are registered with states, as well as those that are operating subsidiaries of federally-regulated financial institutions.

An AMC may not be placed on the national registry if the company is owned, in whole or in part, by any person who has had an appraiser license or certification refused, denied, cancelled, surrendered, or revoked in any state. A person who owns more than 10% of an AMC must be of good moral character and must submit to a background investigation by a state appraiser licensing and certifying agency.

End of Page

27 . Interim Actions by ASC

Traditionally, the ASC was permitted to remove an appraiser from the National Registry only after a state took disciplinary action against the appraiser's license or certification.

The Dodd-Frank Act authorized the ASC to remove a licensed or certified appraiser or registered appraisal management company from a national registry on an interim basis, not to exceed 90 days, pending state agency action on licensing, certification, registration, and disciplinary proceedings.

If a state's appraisal regulatory program is determined to be ineffective or non-compliant with federal requirements, the ASC has the authority to impose interim sanctions and suspensions against the state agency as an alternative to, or in advance of, the de-recognition of the state agency.

De-recognition by the ASC is the administrative equivalent of the "nuclear option" against a state regulatory agency. It means that the state agency is no longer permitted to issue new appraiser credentials or renew existing ones. It also means that all licensed and certified appraisers in the state are "de-recognized" which means they are not permitted to appraise properties for federally-related transactions. From the passage of FIRREA in 1989 to the present date, no state appraisal regulatory agency has been subjected to this extreme sanction.

End of Page

28 . Broker Price Opinions

The Dodd-Frank amendments to FIRREA also establish limitations on the use of broker price opinions (BPOs) in conjunction with the purchase of a consumer's principal dwelling. A BPO may not be used as the primary basis to determine the value of a piece of property for the purpose of loan origination of a residential mortgage loan secured by such a property.

A broker price opinion is defined in FIRREA as:

an estimate prepared by a real estate broker, agent, or sales person that details the probable selling price of a particular piece of real estate property and provides a varying level of detail about the property's condition, market, and neighborhood, and information on comparable sales, but does not include an automated valuation model, as defined in section 1125(c).

An automated valuation model is defined as:

any computerized model used by mortgage originators and secondary market issuers to determine the collateral worth of a mortgage secured by a consumer's principal dwelling.

By virtue of these definitions, BPOs and AVMs are not considered to be appraisals under FIRREA.

A short quiz follows this page.

End of Page

29 . Quiz

30 . Federal Regulations

FIRREA, the Truth in Lending Act, and the Dodd-Frank Act are laws. Laws may only be enacted or amended by legislative bodies, such as the U.S. Congress. Every law needs regulations in order to implement it. There are a number of regulations at the federal level that pertain to appraisers. Regulations are promulgated by governmental agencies that have been granted the authority to issue regulations. We will cover two important appraisal-related regulations in this chapter.

- Interagency Appraisal and Evaluation Guidelines
- Interim Final Rule issued by the Federal Reserve Board

End of Page

31 . Interagency Appraisal and Evaluation Guidelines

These are regulations for financial institutions, not appraisers, but they impact appraisers. The federal financial institution regulatory agencies issued *Interagency Appraisal and Evaluation Guidelines* in June 1994, and they remained in effect until December 2010, when they were superseded by a revised *Interagency Appraisal and Evaluation Guidelines* document.

Currently, the four federal financial institution regulatory agencies include:

- Office of the Comptroller of the Currency (OCC)
- Federal Reserve Board (FRB)
- Federal Deposit Insurance Corporation (FDIC)
- National Credit Union Administration (NCUA)

When these guidelines were originally released back in December 2010, there were actually five federal bank regulatory agencies. However, in July 2011, the Office of Thrift Supervision (OTS) was absorbed into the OCC. This merger was also a result of the Dodd-Frank Act.

End of Page

32 . Appraisal and Evaluation Programs

The Interagency Guidelines require a regulated financial institution to adopt an effective real estate appraisal and evaluation program, which should:

- *Provide for the independence of the persons ordering, performing, and reviewing appraisals or evaluations*
- *Establish selection criteria and procedures to evaluate and monitor the ongoing performance of appraisers and persons who perform evaluations*
- *Ensure that appraisals comply with the Agencies' appraisal regulations and are consistent with supervisory guidance*
- *Ensure that appraisals and evaluations contain sufficient information to support the credit decision*

- *Maintain criteria for the content and appropriate use of evaluations consistent with safe and sound banking practices*
- *Provide for the receipt and review of the appraisal or evaluation report in a timely manner to facilitate the credit decision*
- *Develop criteria to assess whether an existing appraisal or evaluation may be used to support a subsequent transaction*
- *Implement internal controls that promote compliance with these program standards, including those related to monitoring third party arrangements*
- *Establish criteria for monitoring collateral values*
- *Establish criteria for obtaining appraisals or evaluations for transactions that are not otherwise covered by the appraisal requirements of the Agencies' appraisal regulations*

End of Page

33 . Independence of Appraisal and Evaluation Program

An institution must maintain standards of independence. Appraisers must be independent from loan production and collection processes, and have no direct, indirect, or prospective interest in the property or transaction.

Communication is essential between an institution's valuation staff and an appraiser, for the exchange of appropriate information relevant to the valuation assignment. Communication policies and procedures should ensure independence.

An institution may exchange information with appraisers, which may include providing a copy of the sales contract for a purchase transaction. However, an institution should not coerce, influence, or otherwise encourage an appraiser to misrepresent the value of the property.

An institution is permitted to ask an appraiser to:

- Consider additional information about the subject property or comparable properties
- Provide additional supporting information about the value
- Correct factual errors

The above-listed actions would **not** be considered to be undue influence or coercion.

End of Page

34 . Prohibited Acts

The *Interagency Appraisal and Evaluation Guidelines* includes a list of prohibited acts by individuals working at financial institutions. These acts include:

- Communicating a predetermined, expected, or qualifying value estimate, or a loan amount to an appraiser
- Specifying a minimum value requirement that is needed to approve the loan, or as a condition of ordering the valuation
- Conditioning the valuer's compensation on loan consummation
- Failing to compensate a person because a property is not valued at a certain amount

- Implying that current or future retention of a person's services depends on the amount at which the appraiser values a property
- Excluding a person from consideration for future engagements because a property's value does not meet a specified threshold

An institution is required to report an appraiser who is suspected of violating the Uniform Standards of Professional Appraisal Practice to state appraisal enforcement agencies or other appropriate authorities. However, an institution should not use the threat of reporting a false allegation in order to influence or coerce an appraiser.

Time for another quiz!

End of Page

35 . Quiz

36 . Selection of Appraisers

An institution or its agent (such as an AMC) must directly select and engage appraisers. Under certain circumstances, an institution may accept and use an appraisal report that was prepared for another financial services institution. In no case is the borrower permitted to select or engage an appraiser. The Interagency Guidelines specifically state, "An institution's use of a borrower-ordered or borrower-provided appraisal violates the Agencies' appraisal regulations."

End of Page

37 . Transactions that Require Appraisals

According to the *Interagency Appraisal and Evaluation Guidelines*, transactions with a transaction value of \$250,000 or less do not require appraisals. (This \$250,000 amount is sometimes referred to as the "appraisal threshold" or "de minimis limit".) Even if the loan is below this amount, an institution may nevertheless choose to obtain an appraisal.

It is important to note that the secondary mortgage market (Fannie Mae and Freddie Mac) as well as government insurance and guarantee programs (FHA and VA) do not recognize this appraisal threshold (or de minimis limit). For example, FHA requires an appraisal for all loans, whether the amount is \$30,000 or \$300,000.

End of Page

38 . Minimum Appraisal Standards

The *Interagency Appraisal and Evaluation Guidelines* establish minimum standards for the preparation of an appraisal for a federally-regulated financial institution in a federally-related

transaction. The appraisal must:

- Conform to USPAP
- Be written and contain sufficient information to support the institution's decision to engage in the transaction
- Analyze and report appropriate deductions and discounts for proposed construction or renovation, partially leased buildings, non-market lease terms, and tract developments with unsold units
- Be based on the definition of market value set forth in the appraisal regulation
- Be performed by state-certified or licensed appraisers

Note that USPAP permits an appraiser to appraise a property in which he or she has a direct or indirect interest, as long as this interest is disclosed in the certification statement. However, the *Interagency Appraisal and Evaluation Guidelines* prohibit such an act by an appraiser, and as such, the requirements of these guidelines are stricter than USPAP.

A state-licensed or certified appraiser may not be considered competent solely by the virtue of being certified or licensed.

End of Page

39 . USPAP Compliance

The *Interagency Appraisal and Evaluation Guidelines* specifically require an appraiser to comply with USPAP in the development of a real property appraisal.

Consistent with the USPAP Scope of Work Rule, the appraisal must reflect an appropriate scope of work that provides for "credible" assignment results. The appraiser's scope of work should reflect the extent to which the property is identified and inspected, the type and extent of data researched, and the analyses applied to arrive at opinions or conclusions. Further, USPAP requires the appraiser to disclose whether he or she previously appraised the property.

An institution should not allow lower cost or the speed of delivery time to inappropriately influence the appraiser's scope of work.

The appraisal must include any approach to value that is considered applicable and necessary for the production of credible assignment results. The appraiser must disclose the rationale for the omission of a valuation approach.

In addition, an appraisal should include discussions of:

- Market conditions
- Supply and demand factors
- Exposure time
- Sales and financing concessions
- Availability of financing
- Subject property sales history
- The appraiser's opinion of highest and best use
- Whether or not the subject property was inspected
- Whether anyone provided significant assistance to the signing appraiser

Before we move on, let's take a quick quiz!

End of Page

40 . Quiz

41 . Appraisal Reporting

According to the *Interagency Appraisal and Evaluation Guidelines*, a Restricted Appraisal Report "may lack sufficient supporting information and analysis to explain the appraiser's opinions and conclusions." The Guidelines go on to state: "Generally, a report option that is restricted to a single client and intended user will not be appropriate to support most federally-related transactions."

This means that for loan underwriting purposes for a federally-related transaction, an appraiser should use an Appraisal Report, prepared in compliance with USPAP.

This does not mean that a Restricted Appraisal Report can never be provided to a federally-regulated financial institution. The Interagency Guidelines state: "These less detailed reports may be appropriate for real estate portfolio monitoring purposes."

End of Page

42 . Third Party Arrangements

An institution that engages a third party to perform collateral valuation functions on its behalf is responsible for understanding and managing the risks associated with the arrangement. According to the Interagency Guidelines:

An institution is accountable for ensuring that any services performed by a third party, both affiliated and unaffiliated entities, comply with applicable laws and regulations and are consistent with supervisory guidance.

This means that an institution that uses an AMC to select and engage appraisers on its behalf could be held responsible if the AMC does not manage the appraisal process in accordance with the requirements set forth in applicable laws and regulations.

An institution is also required to ensure that, when a third party AMC engages an appraiser, the third party must inform the appraiser that the regulated institution is the client.

End of Page

43 . Referrals

When it suspects that a state-certified or licensed appraiser has failed to comply with USPAP or applicable state laws, an institution is required to file a complaint with the appropriate state licensing and certification agency.

An institution is also required to file a Suspicious Activity Report (SAR) with the Financial Crimes Enforcement Network of the Department of the Treasury when fraud is suspected.

End of Page

44 . FRB Interim Final Rule

The Dodd-Frank Act resulted in dozens of new and revised regulations. For appraisers, perhaps the most significant of these new regulations was the Interim Final Rule, promulgated by the Federal Reserve Board (FRB), published in October 2010. This regulation amended Regulation Z (Truth in Lending).

This Rule addresses appraiser independence, and some of its requirements are similar or identical to the requirements previously discussed in this chapter from FIRREA and the *Interagency Appraisal and Evaluation Guidelines*.

End of Page

45 . Covered Person

Unlike the *Interagency Appraisal and Evaluation Guidelines*, the Truth in Lending Act (TILA) regulations promulgated in the FRB Interim Final Rule do not apply just to financial institutions. The TILA regulations refer to the term "covered person" which means "a creditor with respect to a covered transaction or a person who provides 'settlement services' as defined in 12 U.S.C. 2602(3) and implementing regulations, in connection with a covered transaction."

The regulations go on to state: "Examples of covered persons include creditors, mortgage brokers, appraisers, appraisal management companies, real estate agents, title insurance companies, and other persons who provide 'settlement services.'"

This is significant because, for example, a real estate agent who attempts to coerce an appraiser into misrepresenting the value of a property would not violate the *Interagency Appraisal and Evaluation Guidelines*. The *Interagency Guidelines* apply to financial institutions, not real estate agents. However, the real estate agent may have violated these regulations, and as such, may be in violation of the Truth in Lending Act (TILA).

End of Page

46 . Prohibited Acts

Under TILA and its implementing regulations:

In connection with a covered transaction, no covered person shall or shall attempt to directly or indirectly cause the value assigned to the consumer's principal dwelling to be based on any factor other than the independent judgment of a person that prepares valuations, through coercion, extortion, inducement, bribery, or instruction to, or collusion with a person that prepares valuations or performs valuation management functions.

The Interim Final Rule lists a number of examples of prohibited acts. Among them:

- Withholding or threatening to withhold timely payment to a person who prepares a valuation or performs valuation management functions because the person does not value the consumer's principal dwelling at or above a certain amount
- Implying to a person who prepares valuations that current or future retention of the person depends on the amount at which the person estimates the value of the consumer's principal dwelling
- Conditioning the compensation paid to a person who prepares a valuation on the consummation of the covered transaction

End of Page

47 . Permitted Actions

Under the Interim Final Rule, a covered person is not prohibited from:

- Asking the valuer to consider additional, appropriate property information including information about comparable properties
- Requesting that the valuer provide additional detail, substantiation, or explanation about the value conclusion
- Asking a valuer to correct errors in the valuation
- Obtaining multiple valuations for the consumer's principal dwelling in order to select the most reliable valuation
- Withholding compensation due to breach of contract or substandard performance
- Taking action permitted or required by applicable federal or state statute, regulations, or agency guidance

For example, a lender must report an appraiser to the applicable state enforcement agency if the lender believes there are material violations of USPAP in the appraiser's work. This reporting is not considered coercion; however, a lender's threat of filing a false complaint with an enforcement agency would likely be considered coercion.

End of Page

48 . Customary and Reasonable

One of the most talked-about and controversial aspects of the Interim Final Rule is the issue of "customary and reasonable" fees. The Dodd-Frank Act mandated that appraisers must be compensated at a rate that is "customary and reasonable", and as the implementing regulation, the Interim Final Rule provided the language that defined exactly what "customary and reasonable" meant.

Compensation is considered "customary and reasonable" if:

- The fee amount is reasonably related to recent rates paid for comparable appraisal services performed in the geographic market of the property being appraised, considering the type of property, the scope of work, the required turnaround time, the appraiser's qualifications, experience, and work quality; or, alternatively

- The fee amount is based on objective third-party information including fee schedules, studies, and surveys (excluding fees paid by AMCs), or is based on recent rates paid to a representative sample of providers of appraisal services in the geographic area of the subject property.

Creditors and their agents are prohibited from engaging in any conspiracies to restrain trade by methods such as price fixing or market allocation as prohibited under the Sherman Antitrust Act.

End of Page

49 . Enforcement of TILA

The enforcement of the "customary and reasonable" compensation requirements of the Interim Final Rule is the responsibility of the federal financial institution regulatory agencies and the federal Bureau of Consumer Financial Protection. Appraisers who wish to file complaints regarding "customary and reasonable fees" or other violations of TILA must contact the applicable federal agency.

Individual states do not have the authority to enforce these requirements.

To this end, California Bureau of Real Estate Appraisers has posted a message on its website which states:

Customary and Reasonable Fees

OREA has no legal authority to enforce provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 related to *Customary and Reasonable Compensation for Fee Appraisers*. The Dodd-Frank Act established the Consumer Financial Protection Bureau, and many of the pieces of the Dodd-Frank Act relating to the CFPB went into effect on July 21, 2011. For more information, please go to: <http://www.consumerfinance.gov/>.

Until such time as the CFPB's enforcement authority is fully implemented, violations of Customary and Reasonable Compensation provisions should be reported to:

**Board of Governors of the Federal Reserve System
Division of Consumer and Community Affairs
(202) 452-2412**

End of Page

50 . Mandatory Reporting

In the *Interagency Appraisal and Evaluation Guidelines*, financial institutions were required to report appraisers to applicable state enforcement agencies if they had knowledge that the appraiser violated USPAP or applicable state law.

The Interim Final Rule has a similar requirement, which applies to all covered persons (lenders, mortgage brokers, AMCs, real estate agents, and other settlement service providers).

Any covered person that reasonably believes an appraiser has not complied with the Uniform Standards of Professional Appraisal Practice or ethical or professional requirements for appraisers under applicable state or federal statutes or regulations shall refer the matter to the appropriate state agency if the failure to comply is material. For purposes of this paragraph... a failure to comply is material if it is likely to significantly affect the value assigned to the consumer's principal dwelling.

As it is used in the above paragraph, the word "shall" means "must."

Let's take a break with a short quiz!

End of Page

51 . Quiz

52 . Summary

In this chapter, we addressed the foundations and history of appraisal regulation from a national perspective. We covered the events that led to the passage of the Financial Institutions Reform Recovery and Enforcement Act (FIRREA) and the contents of the law itself. We discussed the powers and duties of the Appraisal Subcommittee (ASC). We covered recent changes to FIRREA as a result of the Dodd-Frank Wall Street Reform and Consumer Financial Protection Act. Finally, we covered some recent appraisal-related regulatory changes that were promulgated by the federal financial institution regulatory agencies.

Before we move on to the next chapter, there is an end-of-chapter quiz!

End of Page

53 . Quiz

Form 5310LGS



**Nevada Department of Taxation
Property Tax Appraiser Continuing Education
New Course Application**

Return this form to:
Division of Local Government Services
1550 College Parkway
Carson City Nevada 89706

Please Print or Type:

Part A. COURSE INFORMATION (A person who wishes to receive contact hours for a course of continuing education that has not been previously approved by the Department must apply to the Department for such approval BEFORE taking the course.)

TITLE OF COURSE COMPOSITION II			
DELIVERY METHOD - CHECK ONE <input type="checkbox"/> Classroom <input checked="" type="checkbox"/> Internet <input type="checkbox"/> Home Study		SPONSORING ORGANIZATION GREAT BASIN COLLEGE	
STREET ADDRESS 551 E CALVADA BLVD		CITY PAHRUMP	STATE NV
		ZIP CODE 89048	
NAME OF INSTRUCTOR(S) DR LINDA UHLENKOTT			

1. Course objective:
SEE ATTACHED SYLLABUS

2. What are the expected hours of instruction? *** SEE ATTACHED**

3. What is the expected completion date? **MAY 17, 2019**

Part B. SUBJECT CLASSIFICATION - CHECK ALL THAT APPLY

- | | |
|--|--|
| <input type="checkbox"/> Mass Appraisal Concepts and Applications | <input type="checkbox"/> Appraisal and Assessment Standards of the Nevada Department of Taxation |
| <input type="checkbox"/> IAAO Standards | <input type="checkbox"/> Geographic Information Systems, Mapping Techniques |
| <input type="checkbox"/> Residential Appraisal | <input type="checkbox"/> Laws Relating to Real Estate, Water, or Mining |
| <input type="checkbox"/> Commercial /Industrial Appraisal | <input type="checkbox"/> Professional Ethics |
| <input type="checkbox"/> Unitary/Centrally Assessed Property Appraisal | <input type="checkbox"/> Administrative Procedures |
| <input type="checkbox"/> Principles of Accounting | <input checked="" type="checkbox"/> Other |
| <input type="checkbox"/> Principles of Finance | |
| <input type="checkbox"/> Application of Nevada Statutes or Regulations | |

If other, please describe why the course is applicable to appraisal for property tax purposes.
*** * SEE ATTACHED.**

Part C. REQUIRED MATERIALS TO BE SUBMITTED WITH APPLICATION:

- Detailed Course Outline or Syllabus
- Books or Course Materials

Do you want this course submitted for credit to your Continuing Education transcript?
 Yes No

Part D. SIGNATURE

[Redacted Signature Area]

For Department Use Only

NUMBER OF CREDIT HOURS GRANTED	NUMBER OF CREDIT HOURS APPEARING ON TRANSCRIPT	Milestone Applied To	Total CE'S for this Milestone (Including this course)	REASON FOR DENIAL OF CREDIT, IF ANY

Verified by:

Division of Local Government Services Title Date

**Spring 2009
English 102**

Instructor: Dr. Linda Uhlenkott

Office: MMH 119

E-mail: lindau@gwmail.gbcnv.edu

**Great Basin College
Composition II**

Phone: 753-2346 (o)

Fax: 753-2131

Office Hours: MW 10:00 – 11:00 a.m. & 2:30 – 3:30 p.m.; T 3:00 – 4:00 p.m.; *Other hours by appointment.*

Texts: Clines, Raymond H. and Cobb, Elizabeth R. *Research Writing Simplified*, 5th ed., ISBN 0-321-33342-X (Required). Huff, Darrell. *How To Lie With Statistics* (Required). *Everyday Writer* or any English handbook that you already have (Required).

Course Description:

Composition II focuses on research. We will use many forms of research – field, library, Internet – while exploring a variety of topics. Because the course applies research to writing, it necessarily requires that we concentrate on three specific ways of reading and writing critically: using our own responses to what we read; paraphrasing and summarizing what we read; and questioning what we read. These skills enable us to think about and to synthesize information from multiple sources and to incorporate that information into our academic writing.

Prerequisites: Successful completion of ENG 101.

Course Objectives:

This course addresses the major goals of research-based writing:

- to enjoy the academic project of research for its own sake;
- to read with critical facility, especially for future academic work;
- to produce clear, concise, interesting prose;
- to understand and practice the key academic research skill: synthesis.
- to understand the use and misuse of statistics
- to learn to use documentation formats, esp. MLA & APA guidelines

Attendance Policy is included in student evaluation.

Student Evaluation:

Students can earn 1000 points in this course. Following is a breakdown of points.

- Regular attendance at class: 27 days at 5 points each = 135 points.
 - Points will be counted from Feb. 2 through May 13. This allows a grace period for late enrollment. If a student comes into class late, it is his/her responsibility to let me know that they are in the class. If a student is habitually late, a penalty will be assessed.
- Four workshop days at 50 points each = 200 points.
 - In order to earn these points, students must bring in enough typed copies of completed drafts of the assigned paper so that each member of their small group has a copy of the paper. No makeup of missed workshop days is possible.

- **Two drafts to instructor (Comparison/Contrast, Controversies and Solutions)**
35 points each = 70 points
- **Focused Research Interview – 50 points** (Need notification of completion from library)
- **Five essays for a total of 375 points**
 - Essay #1: The Contract Proposal – 1 page (50 points) Due Feb. 2
 - Essay #2: The Annotated Bibliography – 8 annotated sources (75 points) Due Feb. 25
 - Essay #3: Comparison/Contrast Report – 5 pages min. (75 points) Due Mar. 18
 - Essay #4: Controversies and Solutions – 6 pages min. (75 points) Due April 22
 - Essay #5: Research with a Purpose – 5 pages min. (100 points) Due May 13
- **In-class discussion of *How to Lie With Statistics*: 10 chapters at 17 pts. each chapter = 170 pts.**

Students may earn points only in the above ways. No extra credit nor any other points are available.

The instructor uses a grade system which awards +'s and -'s and gives a W until the 13th week of class, after which an F will be given. A student must formally withdraw before Friday of the 13th week to avoid earning an F for the course. According to the policy established by Great Basin College, to receive an Incomplete, a student must have completed at least 3/4 of the course with a grade of C or better, but be unable to complete the class for good cause.

Following is the breakdown of points and letter grade equivalents.

A	1000 - 940
A-	930- 900
B+	899 - 870
B	869 - 840
B-	839- 800
C+	799 - 770
C	769 - 740
C-	739 - 700
D+	699 - 670
D	669 - 640
D-	639 - 600
F	599 and below

Withdrawal: You are responsible for withdrawing from the course. I do not give W's. If you quit coming to class, and you fail to withdraw, you will earn an F for the course.

Course Assignments and Late Paper Policy: Papers must be handed in on class on the due date. Late papers will be accepted up to the third class day after the due date, but papers will lose one letter grade for each day. For example, the contract proposal is due on Feb. 2. The A grade becomes a B if it is handed in on Feb. 4, a C if it is handed in on Feb. 9, and a D if it is handed in on Feb. 11. Papers that begin with a grade lower than an A lose letter grades accordingly.

Policy on Electronic Devices in the Classroom: The only electronic device allowed in the classroom is a laptop computer. All cellphones, MP3 players, iPods, headsets, or any other electronic devices not mentioned here must be turned off and put in a backpack or other storage place.

Policy on Tobacco Use: "The Administration of Great Basin College has approved a "smoke free" campus. . . . In 1998, the GBC Administration voted to extend the prohibition to include all forms of tobacco use, making GBC a "tobacco free" campus" (Taken from GBC's "Students Rights and Responsibilities"). Any student who comes into the classroom using tobacco will be asked to discard it.

Policy of Academic Integrity:

Of special concern in a research semester is your attention to GBC's policy of academic integrity: students are expected to be honest. If ideas are borrowed, the source must be given credit. Internet sources are subject to documentation as well as careful evaluation. We will address the matter of unintentional plagiarism in class, but it occurs when a student paraphrase of the source is too close to the original. Plagiarism is a violation of the standards of intellectual honesty. Students who violate such standards are subject to punishment, ranging from failing a class to dismissal from the institution.

If you have concerns or academic problems, or if you feel you need special assistance, please discuss all matters with me first, and as soon as you can. See page 52 of the *GBC General Catalogue 2008 - 2009* on the procedure to follow should you need to protect your rights in any class.

ADA Statement: It is the policy and practice of Great Basin College to comply with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and state and local requirements regarding students with disabilities. Under these laws, no qualified individual with a disability shall be denied access to or participation in services, programs and activities of Great Basin College. For more information, contact the GBC ADA Officer at 775.753.2271.

English 102

1. Communication Skills

Written Communication

Students who complete general education courses will demonstrate the ability to use written communication skills in the following ways.

- Choose essay/paper format appropriate to audience and purpose.
- Choose diction and style appropriate to audience and purpose.
- Integrate evidence, examples, and details to support the central idea or thesis of the text.
- Develop coherent and effective paragraphs.
- Use standard edited English and the documentation style appropriate to the discipline.

Accessing Information

Students who complete General Education courses will demonstrate the ability to access information.

- Collect information from electronic, print and live sources
- Evaluate the validity of the information
- Organize information into usable format
- Document sources of information

Reading Skills

Students who complete General Education courses will

- Adjust reading speed according to genre, difficulty of text, and reading purpose.
- Recognize functions of various selections of text, i.e. offering evidence to support a point
- Identify the purpose of the author as presented in a text
- Summarize and /or paraphrase main points
- Define vocabulary
- Identify and explain cultural codes in texts
- Create new text which integrates and synthesizes pre-existing knowledge and knowledge gained from reading in the writing of new texts (papers, essays, and the like)

Measurement of learner outcomes

All English 102 students produce a research paper which fulfills the above standards. Research papers are assessed using a rubric developed by the English department and revised by the professor.

2. Critical Thinking

Quantitative Ability

Identify problems that require mathematical solutions

Apply appropriate mathematical operations to problems and achieve correct solutions

Measurement of learner outcomes

Read *How to Lie With Statistics* and analyze the statistical content of an article chosen from a current publication, applying such concepts as the base for calculating percentages, calculation of mean, median and mode averages, and size of sample.

Reasoning and Independent Thought

Evaluate strengths and weaknesses of multiple sources in synthesis exercises and to identify connections between the theses they are developing and those of their sources.

Measurement of learner outcomes

In synthesis assignments, students must create clear theses and utilize opposing arguments to strengthen their own positions. The writing rubric is used to assess these assignments.

Scientific Understanding

Apply the scientific method to problem solving and understanding, and to utilize the results to make predictions and analyze the implications and consequences.

Measurement of learner outcomes

Students apply the scientific method by developing a hypothesis, gathering supporting data, drawing conclusions, and presenting those conclusions in a research format. A writing rubric is used to assess the resulting paper.

3. Personal and Cultural Awareness

Analyze and differentiate the roles of individuals in society, and describe divergent attitudes, values and beliefs in society.

Measurement of learner outcomes

Students choose topics in which they have an interest and explore multiple perspectives from sources on that topic. Students' writing responds to what others think and believe; this writing must demonstrate an understanding of the perspectives of others. Students must also synthesize ideas from their reading and thinking to create a new text which displays their own ideas.

4. Personal Wellness

Explain the knowledge, skills, and behaviors which promote personal well-being.

Measurement of learner outcomes

Self-expression is one of the most important aspects of personal wellness. It empowers students to succeed in academic endeavors as well as in the workplace and social settings. Accurate and fluent self-expression is evaluated through a writing rubric attached to each student paper.

5. Technological Understanding

Use basic computer technology competently in current applications and learning systems: MS Word, WebCampus, library databases.

Measurement of learner outcomes

Students demonstrate the ability to use word processing programs to produce accurately formatted papers. Students access and evaluate sources for research papers through library databases and the Worldwide Web.

Learner Outcomes	Measurement
Communication Skills: See #1 above	Final Researched Paper
Analyze statistical content of article	Controversies Solutions
Collect and evaluate information from a variety of sources	Annotated bibliography; Comparison Contrast Report
Develop hypothesis, gather data, draw conclusions, present conclusions in written format	Final Researched Paper
Analyze, differentiate roles of individuals in society; describe divergent attitudes, values and beliefs; synthesize ideas from reading and thinking to create new text	Controversies, Solutions; Final Researched Paper
Communicates and expresses thoughts fluently and expressively	All assigned papers

***What are the expected hours of instruction?**

I asked the instructor this question and her response is as follows:

I'm not sure what you mean by expected hours of instruction, so I'll give you three options. Probably one of those answers your question.

1. There are no set meeting times. This is an asynchronous course, but you are expected to log in at least three times weekly to check the calendar, messages, etc. When you check in is up to you. There are assignment deadlines.
2. I normally work on the course at least 3 hours weekly, usually about nine hours.
3. Students should plan to work on the course about nine hours per week. That changes depending on the assignments that we are doing.

I noticed that other college classes on the approved list are generally given the required 36 hours for the fiscal year. The semester is 16 weeks.

****If other, please describe why the course is applicable to appraisal for property tax purposes.**

In my experience as a Certified Residential Appraiser and Property Tax Appraiser, I have learned that effective oral and written communication is essential in maintaining public trust. As a Property Tax Appraiser, I communicate with taxpayers via email, phone, letters and face to face daily.

The course objectives support skills which are essential to effectively communicate, read with critical facility, understand and practice the academic research skill synthesis, (the combination of ideas to form a theory or system.) and understand the use and misuse of statistics.

In addition to the support for approval of this course presented above, I have included some items from USPAP and Property Appraiser job description below.

Thank you for your time and effort in considering this class for approval of continuing education credit.

Lisa Haux

USPAP 2018-2019 (Uniform Standards of Professional Appraisal Practice)

PREAMBLE: The purpose of the Uniform Standards of Professional Appraisal Practice (USPAP) is to promote and maintain a high level of public trust in appraisal practice by establishing requirements for

appraisers. It is essential that appraisers develop and communicate their analyses, opinions, and conclusions to intended users of their services in a manner that is meaningful and not misleading.

Scope of Work: An Appraiser must gather and analyze information about those assignment elements that are necessary to properly identify the appraisal or appraisal review problem to be solved.

Standards Rule 1-4: In developing a real property appraisal, an appraiser must collect, verify, and analyze all information necessary for credible assignment results.

Standard 2: In reporting the results of a real property appraisal, an appraiser must communicate each analysis, opinion, and conclusion in a manner that is not misleading.

Standards Rule 2-1: Each written or oral real property appraisal report must:

- a) Clearly and accurately set forth the appraisal in a manner that will not be misleading;
- b) Contain sufficient information to enable the intended users of the appraisal to understand the report properly; and
- c) Clearly and accurately disclose all assumptions, extraordinary assumptions, hypothetical conditions, and limiting conditions used in the assignment.

Nye County Job Description: Property Appraiser II

1. Locates and identifies all taxable properties, real and personal.
2. Conducts on-site inspections.
3. Classifies, properties to the correct use codes; conducts computer data input of personal, real property, and agricultural land appraisal records.
4. Locates and appraises new construction and additions for tax rolls; investigates taxpayer complaints and inquiries.
5. Participates in fieldwork with reappraisal cycle of property.
6. Prepares appraisal reports detailing the process used to establish the value of the property including cost income or comparative sales approaches for commercial agricultural, residential and industrial properties; collects different types of data that affects the value of real and personal property; completes the Marshall and Swift computer data forms.
7. Prepares for and appears at County and/or State Board of Equalization appeal hearings; defends the assessed value of personal or real property and the methods applied.
8. Applies NRS regulation and guidelines as required.

BOOKS or COURSE MATERIALS:

Texts: Clines, Raymond H. and Cobb, Elizabeth R. *Research Writing Simplified*, 5th ed., ISBN 0-321-33342-X (Required). Huff, Darrell. *How To Lie With Statistics* (Required). *Everyday Writer* or any English handbook that you already have (Required).



Form 5310LGS

Nevada Department of Taxation
Property Tax Appraiser Continuing Education
New Course Application

Return this form to:
 Division of Local Government Services
 1550 College Parkway
 Carson City, Nevada 89706

Please Print or Type:

Part A. COURSE INFORMATION (A person who wishes to receive contact hours for a course of continuing education that has not been previously approved by the Department must apply to the Department for such approval BEFORE taking the course.)

TITLE OF COURSE Everything You Wanted to Know About Modeling			
DELIVERY METHOD - CHECK ONE <input type="checkbox"/> Classroom <input checked="" type="checkbox"/> Internet <input type="checkbox"/> Home Study		SPONSORING ORGANIZATION IAAO	
STREET ADDRESS Webinar	CITY	STATE	ZIP CODE
NAME OF INSTRUCTOR(S) Paul Bidanset			

1. Course objective:
 This course explained how modeling fits into the assessment process and how to produce optimal valuations.

2. What are the expected hours of instruction? 2

3. What is the expected completion date? ~~11/3/17~~ 12/13/17

Part B. SUBJECT CLASSIFICATION - CHECK ALL THAT APPLY

- | | |
|--|--|
| <input checked="" type="checkbox"/> Mass Appraisal Concepts and Applications | <input type="checkbox"/> Appraisal and Assessment Standards of the Nevada Department of Taxation |
| <input type="checkbox"/> IAAO Standards | <input type="checkbox"/> Geographic Information Systems, Mapping Techniques |
| <input type="checkbox"/> Residential Appraisal | <input type="checkbox"/> Laws Relating to Real Estate, Water, or Mining |
| <input type="checkbox"/> Commercial /Industrial Appraisal | <input type="checkbox"/> Professional Ethics |
| <input type="checkbox"/> Unitary/Centrally Assessed Property Appraisal | <input type="checkbox"/> Administrative Procedures |
| <input type="checkbox"/> Principles of Accounting | <input type="checkbox"/> Other |
| <input type="checkbox"/> Principles of Finance | |
| <input type="checkbox"/> Application of Nevada Statutes or Regulations | |

If other, please describe why the course is applicable to appraisal for property tax purposes.

Part C. REQUIRED MATERIALS TO BE SUBMITTED WITH APPLICATION:

- Detailed Course Outline or Syllabus
 Books or Course Materials

Do you want this course submitted for credit to your Continuing Education transcript?
 Yes No

Part D. SIGNATURE

[Redacted Signature Area]

For Department Use Only

NUMBER OF CREDIT HOURS GRANTED	NUMBER OF CREDIT HOURS APPEARING ON TRANSCRIPT	Milestones Applied To	Total CE'S for this Milestone (Including this course)	REASON FOR DENIAL OF CREDIT, IF ANY

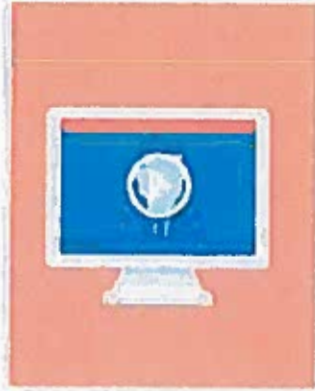
Verified by:

Division of Local Government Services

Title

Date

Event Registration - Everything You Ever Wanted to Know About Modeling



Date:

Wednesday, December 13, 2017

Time:

12:00 PM - 2:00 PM Central Standard Time

 [\[add to calendar\]](#)

IAAO Webinar Series- Modeling can be an intimidating word that conjures images of computer code, Greek symbols, and ivory towers; this presentation will bridge the gap between modelers and appraisers by explaining not just what models do, but how they do it, with zero jargon or mathematical formulas. It will demystify just how modeling fits into the assessment process, and offer key paths for modelers and appraisers to work together to produce optimal valuations.

Presented by Paul Bidanset

APPRAISER CERTIFICATION BOARD
December 13, 2018

Agenda Item 8

- 8. Briefing to and from Appraiser Certification Board and Department Staff.**

APPRAISER CERTIFICATION BOARD
December 13, 2018

Agenda Item 9

- 9. FOR POSSIBLE ACTION: Schedule Date and Review Agenda Topics for the next Appraiser's Certification Board Meeting.**