



June 13, 2005

Ms. Virginia M. Gibbs, Chairman  
Appraisal Subcommittee  
2000 K Street, NW, Suite 310  
Washington, DC 20006

Dear Ms. Gibbs:

Thank you for your guidance and the opportunity to respond to your letter of April 15, 2005. The following represent our comments to each area of concern:

**1. The Division of Professional Regulation ("Division") does not process some temporary practice requests within the five-day period stated in ASC Policy Statement 5.**

**Response:** Process changes in October, 2004 instituted new supervision and an electronic tracking system within the divisions Central Processing Unit, where the temporary practice requests are processed. The new electronic tracking system helps the Administrative Specialist for the Real Estate Appraisers Council to assure timely processing of requests in accordance with ASC Policy Statement 5. Since that time permits have been processed within established limits.

**2. Delaware does not always investigate and resolve complaints in a timely manner.**

**Response:** The Division and Council, continue to work with the Department of Justice to timely resolve complaints. Since the Council meets once a month for ten months of each calendar year, scheduling a hearing on a formal complaint is a challenge for the Division and Council. In order to avoid continuing a hearing due to scheduling conflicts, the Administrative Specialist will coordinate hearing dates with the parties at least two months in advance. This will also allow time for the respondent to obtain legal counsel, if desired. Two Deputy Attorneys Generals have been assigned to prosecute complaints filed against appraisers and others licensed under the professional licensing provisions of Title 24 of the Delaware Code. The Council recently moved its regular hearing dates to accommodate the Attorney Generals' schedules in order to minimize the delay in rescheduling hearings.

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**3. Delaware has not adopted the January 2003 AQB criteria changes.**

**Response:** During the 141<sup>st</sup> and 142<sup>nd</sup> legislative sessions, the Council and the division unsuccessfully worked to have HB 58th and HB 245 passed in order to fully adopt the 2003 AQB criteria changes.

This year, the Council's proposed legislation (HB 73) was released from the House Sunset Committee on June 1, 2005. It is anticipated that the bill will pass the House next week and proceed to the Senate. The Council Chairperson (Charles Witt) and I will testify before the Senate Sunset Committee to the importance of HB 73, as we did in the House. The Council remains hopeful that the proposed legislation will be passed this legislative session. In July, the Council will know whether or not the bill has passed, and the Council will be able to include necessary revisions to the Rules and Regulations. We will apprise you of the status of HB 73.

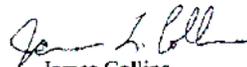
**4. A licensed appraiser was upgraded to the certified residential status without conforming to the AQB's certification criteria.**

**Response:** Upon receipt of your April 15, 2005, letter, the Council promptly notified the individual involved in the nonconforming upgrade to certified residential status. This individual was advised of the conditions placed on his license. The Council recently contacted this individual to determine his current status. He has advised that he is preparing to complete the examination and plans to meet the imposed condition within 90 days after notification. The Council will continue to monitor his compliance.

The Council, my staff, and I enjoyed the opportunity to meet with Ms. *Ledbetter* and Ms. *Graves* during this year's review. They were a pleasure to work with!

Please contact me with any questions concerning this response.

Sincerely,

  
James Collins  
Director

JLC/np

Cc: Delaware Council of Real Estate Appraisers  
Sherry Hoffman, Deputy Attorney General, Delaware Dept. of Justice