

Public Comments on Minimum Requirements for Appraisal Management Companies

On behalf of the Colorado Board of Real Estate Appraisers (the "CBREA"), I am submitting comments on the rule jointly proposed by the OCC, Board, FDIC, NCUA, Bureau and FHFA. Specifically, these comments pertain to 323.214 Requirements for Federally regulated appraisal management companies, and questions 8 through 11. The proposed rule contemplates requiring federally regulated AMCs to report information to the States that is mandated by the Appraisal Subcommittee's policies regarding the AMC National Registry Fee and information related to an AMC owner's background information.

The CBREA has the following concerns:

1. Colorado law only provides the CBREA the authority to collect license fees and data, including National Registry fees, from individuals and entities that are licensed by the CBREA.
2. The CBREA would have no recourse against a federally regulated appraisal management company if it were to refuse to pay the requisite National Registry fee, or submit any of the information mandated by the Appraisal Subcommittee because the entity is exempt from CBREA oversight.
3. Under our cash funded budget regime, it is inappropriate to use license fees to fund activities outside of the CBREA's jurisdiction. If the States were mandated to gather information and collect fees on behalf of the Appraisal Subcommittee, we would be expending our dedicated resources, funded by state licensees, to serve essentially as a pass through of information and funds for the Appraisal Subcommittee.

The CBREA recommends that the Appraisal Subcommittee collect the National Registry fees and conduct background investigations for the federally regulated appraisal management companies directly, without interference of the States. The proposed rule places an undue and unfunded burden on the States to collect fees and information that are germane to the functions of the Appraisal Subcommittee.

Thank you for your consideration,

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