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**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

December 5, 2002

George D. Sinclair, Chairman  
State Board of Certified Real Estate Appraisers  
116 Pine Street  
Harrisburg, PA 17105

Re: Regulation #16A-7013 (IRRC #2298)  
State Board of Certified Real Estate Appraisers  
Biennial Renewal Fees and Examination Fees

Dear Chairman Sinclair:

Enclosed are the Commission's Comments which list objections and suggestions for consideration when you prepare the final version of this regulation. These Comments are not a formal approval or disapproval; however, they specify the regulatory criteria which have not been met.

The Comments will soon be available on our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). If you would like to discuss them, please contact my office at 783-5417.

Sincerely,

Robert E. Nyce  
Executive Director  
evp  
Enclosure

cc: Honorable Mario J. Civera, Jr., Majority Chairman, House Professional Licensure Committee  
Honorable William W. Rieger, Democratic Chairman, House Professional Licensure Committee  
Honorable Charles W. Dent, Acting Chairman, Senate Consumer Protection and Professional Licensure Committee  
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection and Professional Licensure Committee  
Honorable C. Michael Weaver, Secretary, Department of State

## **Comments of the Independent Regulatory Review Commission**

**on**

### **State Board of Certified Real Estate Appraisers Regulation No. 16A-7013**

#### **Biennial Renewal Fees and Examination Fees**

**December 5, 2002**

We submit for your consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P.S. § 745.5a(h) and (i)) which have not been met. The State Board of Certified Real Estate Appraisers (Board) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered within two years of the close of the public comment period, the regulation will be deemed withdrawn.

#### **General. - Economic impact; Reasonableness.**

This proposed regulation establishes and increases biennial renewal fees for certified real estate appraisers, certified brokers and appraisers and certified Pennsylvania evaluators. We understand that these fees are being established or increased due to the Board's potential for impending deficits.

The proposed fee for all three licensure categories is \$225. The Preamble states, "The biennial renewal fees defray general operating expenses and overhead – primarily in the areas of investigation, prosecution and enforcement..." To justify these proposed fees, the Board should explain whether these three areas are distributed equally among the three licensure categories.

The Board should also state why a one-time increase is a suitable solution to the potential for large deficits. Were any alternatives, such as a number of gradual increases, considered?