



INDEPENDENT REGULATORY  
REVIEW COMMISSION

JUN 29 AM 9:40

RECEIVED

ORIGINAL: 2537

House of Representatives  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

June 28, 2006

John R. McGinley, Jr., Chairman  
Independent Regulatory Review Commission  
14<sup>th</sup> Floor, Harristown 2  
333 Market Street  
Harrisburg, PA 17101

Dear Chairman McGinley:

The House Professional Licensure Committee held a meeting on June 27, 2006, to consider the following:

**Regulation 16A-7014** – Proposed rulemaking of the State Board of Real Estate Appraisers relating to general revisions. The committee voted to take no formal action and to submit the following comments:

- (1) The committee observes that the International Distance Education Certification Center appears in §§ 36.11(b)(4)(i)(B); 36.12(b)(4)(i)(B); 36.43(1)(iii); 36.224(1)(ii) and 36.263(1)(iii). The committee seeks detailed information about this organization and asks whether a definition for it should appear in Section 36.1.
- (2) The committee observes that §36.11(b)(5) and §36.12(b)(5) uses “challenge examination” as a term of art and asks that a definition for this type of examination appear in Section 36.1.
- (3) The committee observes that in §36.13(b) the board seeks to omit language beginning with an open bracket at the word “Experience,” but that another open bracket appears at the words in parenthesis. The committee seeks clarification as to the words sought to be omitted from this section.
- (4) The committee notices that in §36.54(4), the word “state” appears in the first line of text. The committee asks the board if it should read, “Sign the appraisal report as a certified real estate appraiser under §36.52. . .”
- (5) The committee notes the regulation has two different educational standards for certified residential real estate appraisers and certified general real estate appraisers. Specifically, residential real estate appraisers must have at least an associate’s degree (or complete certain coursework totaling 21 hours), while the general real estate appraiser must have at least a bachelor’s degree (or complete certain coursework totaling 30 hours). There are also differences in the types of courses that must be completed. The committee asks for an explanation regarding the different educational requirements. Is the board adding this language at the suggestion of the ASC?



*House of Representatives*  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

- (6) With respect to Section 36.51 Compliance with USPAP, the committee recommends the board change the word "may" to "shall" in the sentence that states that violation of USPAP is grounds for disciplinary action. Similarly, the committee asks the board to change the word "may" to "shall" in Section 36.91 Reactivation of Lapsed Certification and Section 36.271 Reactivation of Lapsed Certification.
- (7) The committee asks the board for a detailed explanation regarding the process ASC and states use to ensure compliance with FIRREA. Further, the committee asks the board to describe the type of contacts ASC has had with the board with respect to this rulemaking.
- (8) With respect to Section 36.2 Application Process, the committee asks the board whether the rule regarding the applicants' complying with additional requirements between submitting an application and passage of the exam is being adopted at the request of ASC. If it is not, the committee asks for a detailed explanation of this policy.

Please feel free to contact my office if any questions should arise.

Sincerely,

A handwritten signature in black ink that reads "Thomas P. Gannon".

Thomas P. Gannon  
Chairman  
House Professional Licensure Committee

cc: The Honorable Pedro A Cortes, Secretary of the Commonwealth  
Department of State  
The Honorable Kenneth A. Rapp, Deputy Secretary  
Regulatory Programs, Department of State  
The Honorable Basil L. Merenda, Commissioner  
Bureau of Professional and Occupational Affairs  
Barbara Adams, General Counsel to the Governor  
Peter V. Marks, Sr., Executive Deputy General Counsel  
Albert H. Masland, Chief Counsel  
Department of State  
Cynthia K. Montgomery, Regulatory Counsel  
Department of State  
Samuel J. Denisco, Director of Legislative Affairs  
Department of State  
Robert F. McRae, Chairman  
State Board of Real Estate Appraisers