

Florida Department of Business & Professional Regulation



A Publication from the **FLORIDA REAL ESTATE APPRAISAL BOARD**

SPRING 2008



**FLORIDA DEPARTMENT OF BUSINESS
AND PROFESSIONAL REGULATION**

CHARLIE CRIST
Governor

CHUCK DRAGO
Interim Secretary

1940 North Monroe Street
Tallahassee, Florida 32399

Customer Contact Center: 850.487.1395

www.MyFloridaLicense.com

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User Member

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Thomas O'Bryant, Jr., Director

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*Kathleen Koeberich, Bureau Chief of
Enforcement*

MESSAGE FROM THE INTERIM SECRETARY **Chuck Drago**

Dear Friends:

I am pleased to introduce myself to you as the Interim Secretary of the Department of Business & Professional Regulation. Governor Charlie Crist appointed me to this position on Friday, Feb. 22, as former Secretary Holly Benson assumed the post of the Secretary of the Agency for Health Care Administration. With more than 30 years of experience in law enforcement in Florida, I look forward to continuing my career in public service as Interim Secretary.



The Department constantly strives to better serve the people of Florida. Prior to my recent appointment, I served as the Deputy Secretary of Business Regulation for the Department. Over the past year, we have made tremendous changes that have resulted in improved customer service, more efficient business practices, and enhanced communications with customers and the public, including the Governor's Plain Language initiative.

While we have achieved many successes over the past year, we are far from done. I promise to maintain the momentum that has been built and drive the Department even further toward meeting our customers, visitors, and residents' needs. We will continue to look for ways to eliminate unnecessary regulation and streamline processes while keeping public safety as our first priority.

We strategically developed a legislative agenda that seeks to realize our mission of licensing efficiently and regulating fairly. Legislative session began on March 4, and I encourage you to follow bills that will affect businesses and professionals. We will keep you informed of legislation that affects the Department and you.

I am honored to serve you as the Interim Secretary of the Department, and I welcome feedback and suggestions on ways we can continue to build better business in Florida. Thank you for all that you do for the people and economy of our great state.

Chuck Drago
Interim Secretary

Changes, and For a Change, Stability!

Francois K. Gregoire, Chair
Florida Real Estate Appraisal Board

For the past two years, my comments in the Florida Real Estate Appraisal Board Newsletter have focused on changes. Since it is a good subject, and the one constant is continuing change, here we go again.

As this is written, I am preparing for the February, 2008 meeting of the Florida Real Estate Appraisal Board. It will be my last as Chairman; a position the FREAB has honored me with four times in my eight years of service. Joni Herndon, SRA, the 2007 Vice-Chairman and a State-Certified Residential Appraiser, will be Chair of the FREAB in 2008. Joni is in the third year of her term, a stickler for detail, and intent on fulfilling the FREAB's charge to protect the public.

The Appraisal Standards Board has released the 2008 – 2009 Uniform Standards of Professional Appraisal Practice. With the addition of Frequently Asked Questions to the publication, the size of the volume has increased substantially. The most significant change to the Standards is the elimination of the Supplemental Standards Rule and associated changes to the Scope of Work Rule and Standard 2. Since 2008 is a renewal year, hopefully most Florida Appraisers will attend a 7-Hour USPAP Update Course covering the 2008 – 2009 version of the USPAP. Please review your appraisal development procedures and reporting language to assure compliance with the new standards. Eliminate references to the Supplemental Standards Rule and make sure the Scope of Work Rule is fulfilled.

Please keep in mind that in addition to the 7 – Hour National USPAP Update Course and the 3 – Hour review and update of the Florida Real Estate Appraisal Law and Board Rules, a new requirement for renewal of your Registration or Certification is completion of a 3 – Hour course of instruction covering the roles and rules of supervisor and trainee appraisers. With a requirement of 30 Hours Continuing Education, that leaves registered and certified appraisers 17 hours of elective appraisal education. You may complete continuing education in either a classroom setting or by distance learning, and you may earn Appraisal Continuing Education Credit by attending the disciplinary portion (2nd day) of a FREAB meeting after informing the Division of your intent to do so.

Since the introduction of the revised Fannie Mae/Freddie Mac appraisal reporting forms in 2005 a new twist on complaints has emerged. This is a result of many appraisers using these standard mortgage appraisal reporting forms for intended uses other than mortgage underwriting. As you know, the Fannie Mae/Freddie Mac reporting forms contain pre-printed comments related to Scope of Work, Intended Use and Intended User. Additionally, the pre-printed assumptions and limiting conditions may or may not be applicable to an assignment not intended for mortgage underwriting or lending. In many situations, using the 2005 version of the Fannie Mae/Freddie Mac form to communicate an appraisal is inadequate and may be considered misleading. Please be aware of your responsibilities under Standard 2 of the USPAP and assure your appraisal reports comply.

Although many segments of the real estate market are not stable, for the first time in several years we are enjoying stability in the Department of Business of Professional Regulation and Division of Real Estate. The Florida Legislature has appropriated much needed funds to increase investigative and administrative staff of the Division of Real Estate. The stability in management and increase in resources assists the FREAB in fulfilling our mission: in the interest of public welfare, to regulate Florida Real Estate Appraisers.

What has not changed is the fact complaints continue to be received by the FREAB alleging violations of the Appraisal Licensing and Certification Law by Florida Appraisers. Because of the preponderance of mortgage fraud, the change in the real estate market and the tightening of the mortgage market, the number of complaints has increased. More complaints are being filed by borrowers and buyers. The FREAB disciplined over 125 appraisers in 2007, an average of over 20 per meeting. A record number of appraisers lost their licenses as a result of revocation or voluntary surrender for revocation. The caseload is now averaging over 30 per meeting. Please be careful out there.

I wish you all the best for 2008.

Message from the Executive Director

2008 has brought about many changes in the appraisal industry not only in the State of Florida but nationwide. The Florida Real Estate Appraisal Board working with the Division of Real Estate Staff undertook the heavy responsibility of ensuring that Florida's Appraiser Regulatory Program complied with federal standards. The hard work and dedication of the Board and staff has made it possible for the State to meet the 2008 AQB criteria requirement.

In addition to the implementation of the new AQB criteria, the Division has instituted a process change to meet federal guidelines. All experience claimed for licensure will be audited to ensure USPAP compliance. This audit is considered part of the application process; therefore, an application is not deemed complete until the experience audit has taken place.

While we are on the subject of experience, there will be a new experience log designed to ensure the State complies with AQB Guide Note 6. In addition to the information currently required on the log the following information will be added:

- A description of the work performed by the trainee or applicant
- The scope of the review performed by the supervising appraiser; and
- The level of supervision performed by the supervising appraiser

Finally, kudos goes out to the Board Members and the Division staff for a successful Appraisal Subcommittee Field Review. Their hard work and determination in enhancing Florida's Appraisal Regulatory program ensured that our review came back with many positives. I pledge to you that we will continue our efforts to serve you our customer by fulfilling our mission to "License Efficiently. Regulate Fairly."

Thomas O'Bryant, Jr.
Director
Division of Real Estate

BOARD APPOINTMENTS

Are you interested in serving on a professional board or council?

Interested applicants may obtain a Gubernatorial Questionnaire by downloading the application from http://www.flgov.com/pdfs/appoint_questionnaire.pdf Once your application is complete, return the questionnaire for consideration to:

Governor's Appointments' Office
PL01 The Capitol
Tallahassee, Florida, 32399-0001

UPCOMING BOARD MEETING

APRIL 7— 9, 2008
TALLAHASSEE

Department of Environmental Protection
Marjorie Stoneman Douglas Building
Conference Rooms A and B
3900 Commonwealth Blvd.
Tallahassee, FL 32399

All Board meeting dates and locations are subject to change. Please refer to the [Board Calendar](#) on our web site, www.MyFloridaLicense.com, to confirm meeting dates and locations.

Hello, we need your help!

By Mike Rogers, Vice-Chair

Few of you know me; I am the most recent appointee to the Florida Real Estate Appraisal Board. My sole purpose for seeking appointment to the Board was to make needed changes to the regulation of appraisers in the State of Florida to the betterment of the users and citizens of this State. Somehow I got through the screening process, and here I am with a head full of ideas and ready to do what I can to enhance real estate appraisal in this State. After a few months serving with the exemplary people on this Board, I have come to realize that we need your help.

While there are many tasks with which FREAB needs assistance, the two most pressing needs are, first, to fill the two vacant seats on the Board with thoughtful, diligent people who really care about the appraisal profession and the quality of work product being developed and used by the citizens and businesses in the State of Florida. With the recent term ending of our immediate past chair, Frank Gregoire, the Appraisal Board is in need of a few professionals to step up and serve. The Board has two vacancies; one is a consumer member not connected in any way with the practice of real estate appraisal, real estate brokerage or mortgage lending, and the other is for a real estate appraiser who has been engaged in the general practice of appraising real property in Florida for at least five years immediately preceding appointment. If you are interested in submitting an application for the Board, please go to Governor Crist's website at http://www.flgov.com/2007_boards_commissions.

Secondly, the nature of the violations I have seen in my short time in service suggest that the training of new appraisers in its current format needs enhancing. Many appear to be ill-equipped to deal with the complexities of the appraisal profession due to lack of experience. It is my intent to discuss possible improvements to the trainee program with anyone who has ideas that might work until we find a path that prepares new practitioners to better handle the trials of this profession. All ideas are welcome! This is your chance to be part of the solution! Please send any ideas, in writing, to:

Thomas O' Bryant, Jr, *Director*
Division of Real Estate
400 West Robinson Street, N801
Orlando, FL 32801.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) APPRAISER LIST

The Division of State Lands, Bureau of Appraisal, maintains a list of appraisers approved to do appraisal and related services on their behalf. Numerous counties and municipalities require appraisers they use be on this approved list.

Pursuant to 18-1.007 F.A.C. the DEP is noticing appraisers statewide, inviting them to be DEP-approved appraiser list. Applications and minimum requirements can be found on the [Bureau of Appraisal](#) web page. You may also contact Tom Porter or Mike Herran at (850) 245-2658.

WHAT YOU NEED TO KNOW

- The 2008 AQB criteria changes can be found on the Division of Real Estate's [FREAB Main Web Page](#).
- Appraiser supervisors may only have three trainee appraisers under their supervision as of January 1, 2008.
- Effective January 1, 2008, you must register each firm, or business name, and address from which you operated, and you must notify the Department of any change of firm, or business name, and any change of address within 10 days. DRE form 2065 may be used to complete both of these requirements. The form can be found under the Division of Real Estate "[Forms](#)" section.
- A newly-revised Work Experience Log will be available for use effective 05/01/08.



Left to Right: Consumer Member Jay W. Small, 2007 Vice-Chair Joni L. Herndon, 2007 Chair Francois "Frank" Gregoire, Appraiser Member Cynthia H. Wright, User Member Susan S. Dailey, Appraiser Member Michael J. Rogers, Division of Real Estate Director Thomas W. O'Bryant, Jr.

ON-LINE SERVICES

Licensees can now perform the following online:

- > Update contact information
- > Renew individual licenses
- > Check continuing education credits

First-time users must follow these steps to activate their personal, secure online accounts with DBPR:

- > From www.MyFloridaLicense.com, select > APPLY FOR/RENEW A LICENSE from the top navigation bar > Then select Path 1 for first-time users
- > You will be prompted to enter the following:
 - License Board/Division: Select the appropriate Board
 - License Profession: Select the appropriate professional license type
 - License Number: As it appears on your license
 - Initial Pin: Last four digits of your SSN and for businesses, the last four digits of the FEID (If this does not work, please call the Customer Contact Center at 850.487.1395.)
 - Select > Continue
- > For security purposes, you will be prompted to enter a new PIN Number:
 - Enter PIN: Enter a new unique PIN number
 - Confirm PIN: Enter your unique PIN number again
 - Select > Continue
- > You will then be prompted to enter a hint question and answer. Most people use questions in which the answer never changes, such as "What is my mother's maiden name?"
 - Enter Hint Question: What is my mother's maiden name?
 - Enter Hint Answer: Smith
 - Confirm Hint Answer: Smith
 - Select > Continue

NOTE: The hint answer is case sensitive. For example, Smith is not the same as smith or SMITH.

At this point, the system will automatically generate a seven-digit User ID Number for you. Please be sure you write down your User ID Number and the four-digit PIN you created. Each time you log on to your account, you will be prompted for your User ID and PIN.

Congratulations, your account has been activated. Select > Continue to view your Account Summary page.

Here you can:

- > Renew a license
- > Maintain Account
- > Maintain/Renew This License
 - Renew This License
 - View/Maintain Related Licenses
 - Maintain Profile
- > Change Your Address
- > View Messages
- > Change Your PIN
- > View Continuing Ed

Returning users, if you have forgotten your User ID or PIN, from the log on page select > Forgot Your User ID or Forgot Your PIN. In order to retrieve your User ID, the system will prompt you for license information. In order to retrieve your PIN, you must correctly answer the hint question you created when you activated your account. If you attempted to log on to your account or answer your hint question three times unsuccessfully, the system will lock you out. This is a security feature designed to ensure that unauthorized persons do not have access to your account information. If you get locked out, please call our Customer Contact Center at 850.487.1395. An agent will issue you a one time PIN to enter your account. Once you log on, the system will again prompt you to change your PIN.

Renew Your License Online at:
www.MyFloridaLicense.com



It saves time, trees and stamps.

If you have any questions or need assistance accessing DBPR's Online Services, please call our Customer Contact Center at 850.487.1395.

The State of Florida Partners with Google

The Department of Business and Professional Regulation's Web site provides information to the public about licensees. Consumers turn to the Department for information about professionals, and many look to the Web site for information about results of restaurant inspections. Although the Web site has tremendously useful information for consumers, it has not always been easy for consumers to find the information.

On December 3, 2007, Governor Crist announced an important partnership between the state of Florida and Google. Google has been helping DBPR and several other agencies catalog the information on their Web sites in order to make it more user-friendly.

The partnership between Google and Florida developed as officials from both entities recognized that the public is increasingly turning to search engines to access government services. However, a significant share of information on state agency Web sites could not be found using standard search engines because the information was stored behind a database, hindering citizens from easily finding online state government services. Now, with improved technology, search engines will access and index the records in online databases, making them available to anyone using a search engine.

Under the old system, if a consumer went to Google, Yahoo or MSN to search for a contractor using the name and location, the search results would not include information from the Department's Web site. While that search might return many results from the



"This public-private partnership is an innovative way to improve the accessibility of state information for all Floridians. I am grateful for this chance to join with Google to further develop Florida's leadership in delivering open government services to the people of Florida. By empowering Floridians with the tools they need for easier access to state agency Web sites, we are allowing them to truly take ownership of state government."

—Governor Charlie Crist

search engine, useful information from the Department would not be included even though meaningful information on the contractor exists.

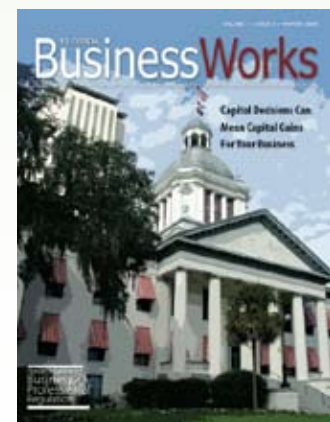
Under the new improved system, DBPR is working with Google to develop sitemaps that will allow search engines to more intelligently mine data from our Web site. Sitemaps are essentially spreadsheets for the Web site that prioritize the information on the DBPR Web site for the search engines. The Department is busy putting hundreds of thousands of records into sitemaps to make the information more useful.

Subscribe to DBPR Newsletters

You can now subscribe on line at www.MyFloridaLicense.com to receive your profession's newsletter as well as other Department publications via e-mail. Subscribing is very quick and easy.

1. Go to <http://www.MyFloridaLicense.com>
2. Click on "**Subscribe to Department Newsletters**" located under The Bottom Line.
3. Type in your name and e-mail.
4. Choose which newsletters or publications you would like to receive via e-mail.
5. Click "**Subscribe**"

When the newsletters you have subscribed to are available, you will receive an e-mail from the Department with a link to your newsletter.



DISCIPLINARY ACTIONS

The Board has taken disciplinary action against the following licensees. Although we make every effort to ensure information is correct before making any specific decision based on this information, you may choose to request a copy of the administrative complaint and final order to ensure accuracy. Contact the department's Agency Clerk at sarah.wachman@dbpr.state.fl.us for this information. The listing of disciplinary actions does not reflect pending appeals or requests for rehearing.

Please visit our website for the disciplinary activity reports for FREAB:
<http://www.myflorida.com/dbpr/re/FREABDARs.html>

REPORT UNLICENSED ACTIVITY

To report unlicensed activity, please call the Department's **UNLICENSED ACTIVITY HOTLINE** at **1.866.532.1440**, Monday–Friday, 8 a.m. to 6 p.m. (Eastern Time) or e-mail the information to ULA@dbpr.state.fl.us.

ADDRESS CHANGES

Please help us by notifying the Department when your address changes. Service by regular mail to a licensee's last known address of record constitutes adequate and sufficient notice to the licensee for any official communication, so it is important to notify us.

You may change your mailing address using our online services at www.MyFloridaLicense.com. If you have any questions regarding this requirement, or need assistance using the online services menu, please telephone the Customer Contact Center at **850.487.1395** or send an e-mail to Call.Center@dbpr.state.fl.us.