

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control 780 Department or Agency Alabama Real Estate Appraiser Board
Rule No. 780-X-1-17
Rule Title: Study of Customary and Reasonable Fee for Appraisals of Alabama properties

X New _____ Amend _____ Repeal _____ Adopt by Reference _____

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the State's police power and the protection of the Public health, safety, or welfare? Yes

Is there another, less restrictive method of Regulation available that could adequately Protect the public? No

Does the proposed rule have the effect Of directly or indirectly increasing the costs Of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful To the public than the harm that might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process Designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer *P. Lisa Brooks*

Date 6-5-15

Alabama Real Estate Appraisers Board

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Real Estate Appraisers Board

RULE NO. & TITLE: 780-X-1-.17

Study of Customary and Reasonable Fee for Appraisals of
Alabama properties

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION: This section provides for obtaining a survey or study of customary and reasonable fees for appraisals in compliance with federal law.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may submit their views regarding the proposed new rule orally or in writing to the Alabama Real Estate Appraisers Board, P.O. Box 304355, Montgomery, Alabama 36130-4355; 334-242-8747 no later than 4:30 P.M. on August 4, 2015. A public hearing will be held on July 16, 2015 at 9:00 A.M., 100 N. Union St., Third Floor conference room, RSA Union Building, Montgomery, Alabama, 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Written or oral comments concerning this change must be received by the Alabama Real Estate Appraisers Board no later than August 4, 2015 at 4:30 P.M., P.O. Box 304355, Montgomery, Alabama, 36130-4355 or 100 North Union Street, Suite 370, Montgomery, AL 36104 or 334-242-8747.

CONTACT PERSON AT AGENCY: Neva C. Conway
Assistant Attorney General


Lisa Brooks

780-X-1-.17 Study of Customary and Reasonable Fee for Appraisals of Alabama properties

(a) The Board shall develop, commission or otherwise obtain a survey of fees received by appraisers for one to four residential appraisals prepared for consumer credit transactions secured by the principal dwelling of the consumer. This survey may be conducted by the Board or a third party. The Board shall determine the content and scope of the survey. In no instance shall the Board include fees paid by appraisal management companies to appraisers in survey content or scope. The results of this survey shall be used as a guideline for appraisal management companies to comply with 15 U.S.C. Section 1601.1 et seq., Title 12 Banks and Banking, Bureau of Consumer Financial Protection, Regulation Z, the regulations promulgated thereunder and Section 34-27A-51(a)(10), Code of Alabama which require compensation to appraisers at a customary and reasonable rate to preserve appraiser independence in the appraisal process.

(b) The Board shall consider annually consider whether a new survey should be repeated.

Author: Lew Watson, member, Alabama Real Estate Appraisers Board.

Statutory Authority: Code of Ala. 1975, §§34-27A-54, 34-27A-57.

History: **New Rule:** Filed