

■ ■ ■ ■ ■ ■ ■

Appraisal Subcommittee

Federal Financial Institutions Examination Council

March 9, 2022

Via Email

Randall Kopfer, Chair, Board of Trustees
Michelle Czekalski Bradley, Chair, Appraisal Standards Board
John F. Ryan, Chair, Appraiser Qualifications Board
The Appraisal Foundation
1155 15th Street NW, Suite 1111
Washington, DC 20005

Dear Chairs Kopfer, Bradley and Ryan:

This letter is to inform the Appraisal Foundation that the ASC considered concerns raised in the independent analysis of the *Uniform Standards of Professional Appraisal Practice* (USPAP) and the *Real Property Appraiser Qualification Criteria* (AQB Criteria) at its March 9 Meeting.

The NFHA Report states the following:

The fair housing training module in the current 2022-2023 7-hour USPAP continuing education course for credentialed appraisers should be revised immediately and developed with the participation of fair housing experts to ensure the training is comprehensive and contains important elements needed to educate professionals about how to comply with the letter and spirit of applicable federal, state, and local fair housing laws.

The NFHA Report Recommendations are below.

NFHA Report Recommendations

- The introduction to the existing training should be revised to focus on fair housing laws and their requirements. Similarly, the overall tone of the module should be revised from one of raising questions about perception and reputational risk for appraisers to clearly identifying fact patterns that represent illegal discrimination and avoiding harm to consumers.
- The background section should be revised to focus on the history of appraisal discrimination and its impact on borrowers and communities of color.
- The legal section should be revised to accurately state the law. Currently, the module inaccurately focuses on intentional bias and unintentional bias rather than disparate treatment and disparate impact. The definitions and commentary also require revision to explain what constitutes disparate treatment and disparate

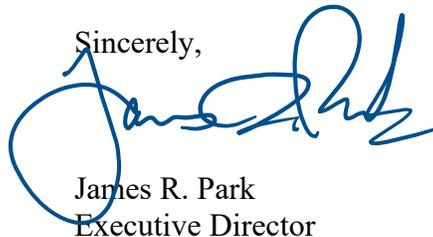
impact and how appraisers can comply with legal requirements and follow best practices.

- The illustrations and case studies should be revised to clearly identify fact patterns that represent illegal discrimination. The fact patterns should focus on situations that are common and clearly covered by the Fair Housing Act.
- The instructor's manual should be revised to provide more explicit guidance. Also, in connection with fair housing topics, the instructor's focus should be on the law first and USPAP and other guidelines second.

The ASC is interested in hearing from the Foundation regarding how you intend to address the recommendations in the NFHA Report regarding the *7-hour National USPAP Course* both for those who have taken the course and for those who are still required to take the course.

Given the urgency of the matter, the ASC would appreciate an expeditious response.

Sincerely,



James R. Park
Executive Director

cc: ASC Members