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THE HONORABLE REPRESENTATIVE PAUL HOLVEY
COMMITTEE CHAIR
HOUSE COMMITTEE ON CONSUMER PROTECTION AND
GOVERNMENT
900 COURT ST NE STE H277
SALEM, OR 97301-4050

RE: SB 617 A - Engrossed
Agency: Appraiser Certification and Licensure Board (Board)
Agency Position: ~~Neutral~~ *Against*

Mr. Chairman and Members of the Committee:

It is my understanding that SB 617 will add yet another layer to the state board's complaint process. Having been through the entire process several years ago, it is my opinion that the current process works. If it isn't broken, why change it?

The board recently has instituted an allegation phase to the complaint investigation process so that allegations are reviewed prior to a formal complaint being issued. This process is designed to determine if there are reasonable grounds to believe that a violation may have occurred. The allegation phase eliminates any further action if the complaint does not appear to be valid. Since this process has only been in place for a few months, we do not have sufficient results for analysis.

I would like to take this opportunity to share my experience with a complaint and lawsuit filed against me in late 2005. The state board received five formal complaints (and had approximately 20 more of my files) and the lawsuit accused me of fraud.

The ACLB sent me a letter outlining the complaints within 30 days of receipt and I had 30 days to respond to the allegations. This was done in a timely manner and when my number came up, approximately 6 months later, the interviewing process began.

My lawyer had my files reviewed by a Certified Residential Appraiser and, in a four hour interview with both of them, they outlined possible issues with my files.

The next step was a phone interview with Bob Green (ACLB Compliance Officer), my lawyer and myself to assist in clarifying some issues.

The final step was meeting with Bob Keith and Bob Green for the final analysis and what sanctions I would receive if any. Originally, I was charged with 22 sanctions (of which 4 files contained the same errors – 5 each). So at that point, I requested that since the 5 files had 4 of the same errors, could we consider reducing them to a total of 4, with an additional 2 that were different from another file. That was given consideration and the staff made its recommendation to the Board. It was agreed upon that I would receive 6 sanctions total. The complaint process was not pleasant but I feel I was treated fairly.

Throughout the process I received great advice from my colleagues. They all advised that I should try to learn from this experience and become a more knowledgeable appraiser because of it. That's exactly what I did and I am still appraising to this day! My dedication to the profession and my clients proved to be worthwhile. During the process, I kept my clients abreast of what was going on and in the end advised them of the results. To this day I have retained all my clients.

The ACLB employees and the board members have an extensive amount of knowledge and experience. Combined experience is well beyond the 75 year mark.

So, I have to ask the question -- why would we add an additional layer to the process and possibly some less experienced Appraisers to review allegations? It just does not make any sense.

Thank you for your time and I hope my story helps.

Sincerely,