



Janet T. Mills
Governor

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
BOARD OF REAL ESTATE APPRAISERS



Joan F. Cohen
Commissioner

**Public Board Meeting
Tuesday, April 28, 2025,
AGENDA**

Location: 76 Northern Ave Gardiner, ME 04345

Room: Central Conference Room

Time: 8:30 a.m.

Contact: Heidi Lincoln- 207-624-8522 or Heidi.Lincoln@maine.gov

Option for Virtual Attendance by the Public:

In addition, though not required by law, this meeting is being made virtually available using the Zoom platform to members of the public who do not attend in-person. A link for the public to access the Board of Real Estate Appraisers meeting virtually will be posted on the Real Estate Appraisers Board website at:

<https://www.maine.gov/pfr/professionallicensing/professions/board-real-estate-appraisers/home/board-meeting-information>

The Board of Real Estate Appraisers expects that members of the public who attend the meeting virtually will be able to provide public comment to the same extent as members of the public who attend in-person.

- I. CALL TO ORDER**
- II. AGENDA MODIFICATIONS**
- III. MINUTES REVIEW AND APPROVAL**
Review and approval of April 1, 2025, Minutes
- IV. ADJUDICATORY HEARING**
2022-REA-18041 Christina M. O'Connell
- V. COMPLAINT PRESENTATION**
2024-REA-20498
2025-REA-20537
2025-REA-20538
- VI. PROPOSED RULEMAKING**
Chapter 220: Educational Course Requirements

Office Location: 76 Northern Avenue, Gardiner, Maine 04345
Mailing Address: 35 State House Station, Augusta, Maine 04333

[Board of Real Estate Appraisers | Office of Professional and Occupational Regulation](#) Email: Heidi.Lincoln@maine.gov

VII. ADMINISTRATOR'S REPORT

- Compliance Memo 2022-REA-18817 & 2023-REA-18887
- License Communication – Exploitation of Independent Appraisers, Shifting Standards and AMC Monopolization Concerns
- PAREA update
- Appraisal Foundation Communication – Announcement of the State Harmonization Task Force

VIII. PUBLIC COMMENT

Under this item, the Board will offer an opportunity to members of the public in attendance to comment on any public matter under the jurisdiction of the Board, except for any open application or complaint. While the Board cannot take action on any issues presented, the Board will listen to comments and may ask staff to place the issue on a subsequent agenda. At the discretion of the Board Chair, a time limit on comments may be set.

IX. MEETING SCHEDULE

Next meeting scheduled for Tuesday June, 3, 2025.

X. ADJOURNMENT

**DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION**

76 Northern Ave, Gardiner, Maine

**MAINE BOARD OF REAL ESTATE APPRAISERS
PUBLIC MEETING
April 1, 2025
MINUTES**

<u>MEMBERS PRESENT</u>	<u>STAFF PRESENT</u>
Wendyann Boston, Chair	Catherine Pendergast, Administrator
Alan Johnson, Vice Chair	John Belisle, Assistant Attorney General
Nathaniel Shipley, Complaint Officer	Jazmyne Marks, Licensing Supervisor
Russell Barrows	Heidi Lincoln, Office Specialist I
Heather Cote	Shara Chesley, Office Specialist I
<u>MEMBERS ABSENT</u>	<u>OTHERS PRESENT</u>

Location: 76 Northern Ave., Gardiner, ME

Start: 8:31 a.m.

Adjourn: 4:50 p.m.

I. CALL TO ORDER

The meeting was called to order by the Chair at 8:31 a.m.

II. AGENDA MODIFICATIONS

None.

III. MINUTES REVIEW AND APPROVAL

A motion was made by Barrows and seconded by Cote to approve March 4, 2025, Minutes.
Unanimous.

IV. ADJUDICATORY HEARING

2022-REA-18041 Christina M. O'Connell

Alan Johnson recused.

Recording started at 8:37 a.m.

Hearing Officer – Rebekah Smith opened the hearing at 8:37 a.m. Christina M. O'Connell was present, represented by Scott Lynch. AAG Tim Steigleman and AAG Reid Hayton-Hull presented the Board's case.

A motion to dismiss was presented to the Board. A motion was made by Barrows and seconded by Shipley to deny the motion to dismiss. Boston, Barrows, Shipley, and Cote voted in favor.
Motion passed.

Public deliberation will be conducted at the close of the hearing.

The hearing will be continued on a date to be determined.

The hearing concluded for that day at 4:34 p.m. Recording was stopped.

The hearing will continue on a date to be determined.

V. COMPLAINT PRESENTATIONS

A motion was made by Barrows and seconded by Cote to table complaint presentations for 2024-REA-20498; 2025-REA-20537; and 2025-REA-20538. Boston, Barrows, Johnson, and Cote voted in favor. Shipley abstained. Motion carried.

VI. ADMINISTRATOR'S REPORT

The administrator presented a request from a licensee for additional time to complete the 2024 continuing education requirement. A motion was made by Barrows and seconded by Cote to deny the request. Unanimous.

VII. PUBLIC COMMENT

None.

VIII. MEETING SCHEDULE

The next regularly scheduled meeting is scheduled for Tuesday, May 6, 2025.

An additional meeting will be scheduled to continue the adjudicatory hearing for 2022-REA-18041.

IX. ADJOURN

A motion was made by Cote and seconded by Barrows to adjourn the meeting. Unanimous.

Being no further board business, the meeting was adjourned at 4:50 p.m.

Maine Board of Real Estate Appraisers
35 State House Station
Augusta, ME 04333
Phone: (207) 624-8518
Email: catherine.pendergast@maine.gov

**Department of
Professional &
Financial Regulation**

To: Board Members
From: Catherine E. Pendergast
Date: April 22, 2025
Subject: Proposed Rulemaking Chapter 220

The Appraiser Qualifications Board (AQB) has implemented in their Real Property Appraiser Qualifications Criteria effective January 1, 2026, a new education requirement. The new requirement is a 7-hour Valuation Bias and Fair Housing Laws and Regulation course with a 4-hour required class on the subject matter required biannually afterward.

Following is proposed language to add the requirement to Chapter 220 of Board rules.

The language was sent to the Board's contact at the Appraisal Subcommittee, Neal Fenochietti, who has reviewed the proposed rule and determined that it is compliant with the AQB's Appraisal Bias and Fair Housing requirements.

Does the Board wish to initiate the APA rulemaking process and put the rule out for comment?

Chapter 220: EDUCATIONAL COURSE REQUIREMENTS

Summary: This chapter requires that qualifying education be approved by the Appraisal Qualifications Board and that continuing education be approved by the Appraiser Qualifications Board or the Board of Real Estate Appraisers.

SECTION 1. Qualifying Education

Class hours required for licensure as a trainee real property appraiser, licensed residential real property appraiser, certified residential real property appraiser and certified general real property appraiser must be earned in courses approved by the Appraiser Qualifications Board. The Board of Real Estate Appraisers will not recognize non-approved courses for licensing purposes.

SECTION 2. Continuing Education**1. General Continuing Education Requirement ~~Generally~~**

At time of renewal, each licensee ~~of the board~~ shall certify to completion of fourteen (14) hours of continuing education during the preceding license term. Up to seven (7) hours may be granted for participation, ~~other than as a student, an instructor~~ in appraisal education processes and programs. Credit for instructing any given course or seminar can only be awarded once during a continuing education cycle.

2. Course Continuing Education Requirements in Even-Numbered Years**A. 7-Hour National ~~Uniform Standards of Professional Appraisal Practice~~ USPAP Continuing Education Course.**

As part of the fourteen (14) required hours of continuing education described in subsection 1, each licensee shall, during even-numbered years, ~~satisfactorily complete the 7-hour National Standards of Uniform Professional Appraisal Practice course approved by the Appraisal Qualifications Board.~~ successfully complete the 7-Hour National USPAP Continuing Education Course, as required by The Real Property Appraiser Qualification Criteria, published by the Appraiser Qualifications Board of The Appraisal Foundation, © 2024 The Appraisal Foundation (effective January 1, 2026, available at <https://www.appraisalfoundation.org>).

B. Valuation Bias and Fair Housing Laws and Regulations Course.

As part of the fourteen (14) required hours of continuing education described in subsection 1, each licensee shall, during even-numbered years, successfully

complete a course which meets the content requirements of the Valuation Bias and Fair Housing Laws and Regulations Course, as required by The Real Property Appraiser Qualification Criteria, published by the Appraiser Qualifications Board of The Appraisal Foundation, © 2024 The Appraisal Foundation (effective January 1, 2026, available at <https://www.appraisalfoundation.org>).

(i) The first time a licensee completes the Valuation Bias and Fair Housing Laws and Regulations Course, the course length must be seven (7) hours. If a licensee successfully completes a seven (7) hour (plus a one (1) hour exam) course as part of their continuing education, they have met this requirement.

(ii) Every two calendar years thereafter, the course length must be at least four (4) hours.

3. **Approved Programs**

Continuing education must be earned in programs approved by the Appraisal Qualifications Board or the Board of Real Estate Appraisers. The Board of Real Estate Appraisers will not recognize unapproved programs for continuing education credit.

4. **Criteria for Program Approval by Board of Real Estate Appraisers**

Continuing education programs that have not been approved by the Appraisal Qualifications Board must meet the following criteria for approval.

- A. The program must consist of no less than two (2) hours of actual instructional time, exclusive of meals, breaks, and non-instructional presentations or activities.
- B. The program must be taught “live” in a traditional classroom or seminar setting or as a synchronous distance education program. No form of asynchronous distance education or recorded presentation will be approved.
- C. The material to be taught may include subjects not directly related to real estate appraisal. However, only material that is directly related to real estate appraisal will be recognized for continuing education credit.
- D. The program sponsor must distribute an evaluation form provided by the board and certificates of completion to attendees at the conclusion of the program. The sponsor must retain completed evaluations for one (1) year following conclusion of the program and must promptly provide the evaluations to the board upon request. The sponsor must retain the roster of attendees for two (2) years following completion of the program.

5. **Approval of Continuing Education Programs by the Board of Real Estate Appraisers**

Continuing education programs that have not been approved by the Appraisal Qualifications Board must be submitted to the Board of Real Estate Appraisers for review and approval as set forth in this subsection.

- A. The program sponsor or a prospective attendee shall apply for continuing education program approval on forms provided by the board. Incomplete applications will not be reviewed.

[NOTE: A prospective attendee applying for program approval need not show that the program sponsor will distribute evaluation forms and certificates of completion and abide by the retention requirements as set forth in subsection 4(D).]

- B. The complete application must be submitted sufficiently in advance of the start date of the program to permit review by the board prior to the start date. Applications submitted on or after the start date of the program will not be considered.
- C. The application must include the following information:
- (1) The title of the program, a general overview of the material to be covered, and a detailed syllabus, including a timed outline;
 - (2) Demonstration that the program meets the criteria for approval set forth in subsection 4;
 - (3) The names and qualifications of the instructors;
 - (4) The fee required by Chapter 10, ~~Section 34~~ of the rules of the Office of ~~Licensing Professional~~ and ~~Registration, entitled "Establishment of License Fees;"~~ Occupational Regulation; and
 - (5) Such other information as the board may require.
- D. The board shall review program applications under the criteria set forth in subsection 4 ("Criteria for Program Approval by the Board of Real Estate Appraisers"); for sufficiency of the application under this subsection 5 ("Approval of Continuing Education Programs by the Board of Real Estate Appraisers"); for program quality; and for instructor qualifications.
- E. Program approval is valid for both in-person and synchronous delivery for a period of one (1) year from the date of approval and includes any repeat presentations of the approved program during the 1-year approval period. Any proposed change to the course content, instructor, or other information submitted in or with the application must be reported to the board for review and approval in advance of the change;
- F. Any deviation from the application that has not been approved as described in paragraph E, any failure to comply with any conditions included in the board's approval, or poor program quality may result in suspension of the sponsor's approved program offerings, denial of future approval requests by the sponsor, or both.

SECTION 3. Effective Date.

This chapter is effective January 1, 2026.

STATUTORY AUTHORITY:

32 M.R.S. §§ 14012, 14027

EFFECTIVE DATE:

~~September 18, 1999 – filing 99-373~~

REPEALED AND REPLACED:

January 1, 2008 – filing 2007-465

AMENDED:

February 20, 2012 – filing 2012-39

August 29, 2018 – filing 2018-169

September 18, 2022 – filing 2022-178

Chapter 220: EDUCATIONAL COURSE REQUIREMENTS

Summary: This chapter requires that qualifying education be approved by the Appraisal Qualifications Board and that continuing education be approved by the Appraiser Qualifications Board or the Board of Real Estate Appraisers.

SECTION 1. Qualifying Education

Class hours required for licensure as a trainee real property appraiser, licensed residential real property appraiser, certified residential real property appraiser and certified general real property appraiser must be earned in courses approved by the Appraiser Qualifications Board. The Board of Real Estate Appraisers will not recognize non-approved courses for licensing purposes.

SECTION 2. Continuing Education

1. General Continuing Education Requirement

At time of renewal, each licensee shall certify to completion of fourteen (14) hours of continuing education during the preceding license term. Up to seven (7) hours may be granted for participation as an instructor in appraisal education processes and programs. Credit for instructing any given course or seminar can only be awarded once during a continuing education cycle.

2. Continuing Education Requirements in Even-Numbered Years

A. 7-Hour National USPAP Continuing Education Course.

As part of the fourteen (14) required hours of continuing education described in subsection 1, each licensee shall, during even-numbered years, successfully complete the 7-Hour National USPAP Continuing Education Course, as required by The Real Property Appraiser Qualification Criteria, published by the Appraiser Qualifications Board of The Appraisal Foundation, © 2024 The Appraisal Foundation (effective January 1, 2026, available at <https://www.appraisalfoundation.org>).

B. Valuation Bias and Fair Housing Laws and Regulations Course.

As part of the fourteen (14) required hours of continuing education described in subsection 1, each licensee shall, during even-numbered years, successfully complete a course which meets the content requirements of the Valuation Bias and Fair Housing Laws and Regulations Course, as required by The Real Property Appraiser Qualification Criteria, published by the Appraiser Qualifications Board of The Appraisal Foundation, © 2024 The Appraisal

Foundation (effective January 1, 2026, available at <https://www.appraisalfoundation.org>).

- (i) The first time a licensee completes the Valuation Bias and Fair Housing Laws and Regulations Course, the course length must be seven (7) hours. If a licensee successfully completes a seven (7) hour (plus a one (1) hour exam) course as part of their continuing education, they have met this requirement.
- (ii) Every two calendar years thereafter, the course length must be at least four (4) hours.

3. **Approved Programs**

Continuing education must be earned in programs approved by the Appraisal Qualifications Board or the Board of Real Estate Appraisers. The Board of Real Estate Appraisers will not recognize unapproved programs for continuing education credit.

4. **Criteria for Program Approval by Board of Real Estate Appraisers**

Continuing education programs that have not been approved by the Appraisal Qualifications Board must meet the following criteria for approval.

- A. The program must consist of no less than two (2) hours of actual instructional time, exclusive of meals, breaks, and non-instructional presentations or activities.
- B. The program must be taught “live” in a traditional classroom or seminar setting or as a synchronous distance education program. No form of asynchronous distance education or recorded presentation will be approved.
- C. The material to be taught may include subjects not directly related to real estate appraisal. However, only material that is directly related to real estate appraisal will be recognized for continuing education credit.
- D. The program sponsor must distribute an evaluation form provided by the board and certificates of completion to attendees at the conclusion of the program. The sponsor must retain completed evaluations for one (1) year following conclusion of the program and must promptly provide the evaluations to the board upon request. The sponsor must retain the roster of attendees for two (2) years following completion of the program.

5. **Approval of Continuing Education Programs by the Board of Real Estate Appraisers**

Continuing education programs that have not been approved by the Appraisal Qualifications Board must be submitted to the Board of Real Estate Appraisers for review and approval as set forth in this subsection.

- A. The program sponsor or a prospective attendee shall apply for continuing education program approval on forms provided by the board. Incomplete applications will not be reviewed.

[NOTE: A prospective attendee applying for program approval need not show that the program sponsor will distribute evaluation forms and certificates of completion and abide by the retention requirements as set forth in subsection 4(D).]

- B. The complete application must be submitted sufficiently in advance of the start date of the program to permit review by the board prior to the start date. Applications submitted on or after the start date of the program will not be considered.
- C. The application must include the following information:
 - (1) The title of the program, a general overview of the material to be covered, and a detailed syllabus, including a timed outline;
 - (2) Demonstration that the program meets the criteria for approval set forth in subsection 4;
 - (3) The names and qualifications of the instructors;
 - (4) The fee required by Chapter 10 of the rules of the Office of Professional and Occupational Regulation; and
 - (5) Such other information as the board may require.
- D. The board shall review program applications under the criteria set forth in subsection 4 (“Criteria for Program Approval by the Board of Real Estate Appraisers”); for sufficiency of the application under this subsection 5 (“Approval of Continuing Education Programs by the Board of Real Estate Appraisers”); for program quality; and for instructor qualifications.
- E. Program approval is valid for both in-person and synchronous delivery for a period of one (1) year from the date of approval and includes any repeat presentations of the approved program during the 1-year approval period. Any proposed change to the course content, instructor, or other information submitted in or with the application must be reported to the board for review and approval in advance of the change;
- F. Any deviation from the application that has not been approved as described in paragraph E, any failure to comply with any conditions included in the board’s approval, or poor program quality may result in suspension of the sponsor’s approved program offerings, denial of future approval requests by the sponsor, or both.

SECTION 3. Effective Date.

This chapter is effective January 1, 2026.

STATUTORY AUTHORITY:

32 M.R.S. §§ 14012, 14027

EFFECTIVE DATE:

REPEALED AND REPLACED:

January 1, 2008 – filing 2007-465

AMENDED:

February 20, 2012 – filing 2012-39

August 29, 2018 – filing 2018-169

September 18, 2022 – filing 2022-178

William J. Miller

Licensed Real Estate Appraiser

AP# 2456

70 Fortin Drive, Minot, ME 04258

bill@appraisalgroupauburn.com

April 5, 2025

To:

The Appraisal Subcommittee (ASC)

Attn: Executive Director

1401 H Street NW, Suite 760

Washington, DC 20005

CC:

The Appraisal Foundation

1155 15th Street NW, Suite 1111

Washington, DC 20005

The Appraisal Institute

200 W. Madison Street, Suite 1500

Chicago, IL 60606

Consumer Financial Protection Bureau (CFPB)

1700 G Street NW

Washington, DC 20552

State of Maine Board of Real Estate Appraisers

35 State House Station

Augusta, ME 04333-0035

National Association of Appraisers (NAA)

PO Box 152807

Austin, TX 78715

Senator Susan Collins

68 Sewall Street, Room 507

Augusta, ME 04330

Senator Angus King

4 Gabriel Drive, Suite 3

Augusta, ME 04330

APR 09 2025

Representative Chellie Pingree
2 Portland Fish Pier, Suite 304
Portland, ME 04101

Representative Jared Golden
179 Lisbon Street
Lewiston, ME 04240

Subject: Exploitation of Independent Appraisers, Shifting Standards, and AMC Monopolization Concerns

Dear Members of the Appraisal Subcommittee,

I am writing to express my growing concern regarding the deteriorating treatment of licensed real estate appraisers, and to request immediate attention to issues that are impacting not only the quality and integrity of the profession, but its long-term viability. Most if not all appraisers, would validate the concerns cited herein, as these practices are becoming more widespread and damaging to the profession as a whole.

In recent years, Lenders and Appraisal Management Companies (AMCs) have implemented increasing demands on independent appraisers. These include excessive documentation requirements such as matched paired sales analyses, in-depth market narratives, and complex graph-based illustrations—elements that were never part of standard expectations for decades. While professional improvement is always welcome, these requirements are being imposed without formal regulation, standardization, or inclusion in our continuing education pathways.

Compounding the issue is the increasingly exploitative fee environment. Government imposed high interest rates suppressing housing appreciation, significantly impacted all in the real estate industry to a crawl where AMCs and Lenders, because of restricted inventory or low volume, often solicit multiple appraisers per assignment, awarding the job to whoever will accept the lowest fee. This race-to-the-bottom strategy is eroding both the financial and ethical stability of our field. It is degrading the value of our work and exploiting appraisers who are trying to remain active in a profession essential to the housing market.

To make matters worse, **many AMCs are now building out their own networks of staff appraisers**, keeping appraisal orders in-house. This creates a deeply troubling conflict of interest and appears to be a deliberate effort to monopolize valuation services—cutting out the independent appraiser entirely. Such consolidation of control is dangerous. It threatens objectivity, diminishes competition, and undermines the arms-length relationship that should exist between valuation professionals and parties with financial interests in a transaction. Are these AMCs on a path toward becoming monopolistic entities within the appraisal ecosystem?

These practices are not only unfair—they're also contributing to a **growing exodus from an already-depleted field**. With the number of licensed appraisers in decline, such business strategies are unsustainable and short-sighted.

I respectfully urge the Appraisal Subcommittee, and the organizations copied here, to take immediate action on the following:

1. **Investigate and regulate AMC and Lender practices** that sidestep "customary and reasonable" fees and impose burdensome demands outside current recognized appraisal practice.
2. **Ensure all new reporting requirements are standardized** and rolled out through formal guidelines and included in continuing education.
3. **Implement safeguards to prevent monopolistic consolidation** within the AMC model—especially where in-house staff appraisers are being used to eliminate independent participation.
4. **Establish a confidential reporting mechanism** for appraisers to file complaints about coercive or predatory practices by AMCs or Lenders.
5. **Promote protections for independent appraisers**, to encourage sustainability and professional integrity in the next generation.

We appraisers are committed to upholding public trust and market accuracy. But without structural protections and fair practice enforcement, we are being squeezed out of our own profession. I ask for your support and oversight in addressing these urgent concerns and in defending the health and future of the appraisal profession.

Thank you for your time and service.



Sincerely,

William J. Miller

Licensed Real Estate Appraiser – State of Maine

AP# 2456

APR 09 2025

April 15, 2025

Dear State Regulator Community,

As key partners in strengthening public trust and upholding standards of excellence in the appraisal profession, The Appraisal Foundation has consistently supported state regulators with tools to carry out their enforcement authority. Today, we're taking that commitment a step further.

We are pleased to announce the formation of a State Harmonization Task Force focused on identifying and assisting states in removing unnecessary regulatory overlays that may be creating unintended barriers to entry into the profession—particularly in the area of mass appraisal.

This initiative is rooted in the Foundation's strategic plan, which calls for building a strong new generation of appraisers to further public trust in the profession. By working together to streamline state-level requirements that exceed AQB criteria, the Task Force aims to:

- Expand access to licensure
- Increase the number of qualified appraisers
- Align with the evolving needs of the profession

We know many states—both large and small—are already leading the way. We want to share their successes, provide resources and tools, and help more states modernize their approaches.

While the State Harmonization Task Force will ultimately focus on all licensure requirements that exceed the criteria, we are beginning with ad valorem experience and mass appraisal pathways. These areas represent an existing pool of highly qualified applicants who are ready to join the profession—and we want to help states recognize and leverage this opportunity.

Mass appraisers bring skill sets that are well-aligned with the evolving demands of the profession—from the increased use of data and analytics to the technological fluency expected in modern valuation practice. These competencies are especially relevant as the profession adapts to new methodologies and changing expectations. This Task Force isn't just highlighting the issues—we're developing solutions and practical steps to help states take action.

We'll be sharing more during the AARO Virtual Conference on April 28th. In the

meantime, we encourage you to look for a follow-up communication that will include resources, graphics, and opportunities to engage.

Together, we can make the profession more accessible, better aligned with today's needs, and prepared for the future.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter Fontana", with a stylized flourish at the end.

Peter Fontana
Chair
State Harmonization Task Force