

SUPPORTING STATEMENT
Minimum Requirements for Appraisal Management Companies
OMB Control No. 3064-0195

A. Justification.

1. Circumstances that make the collection necessary:

The FDIC, OCC, Board, NCUA, Bureau, and FHFA (Agencies) have issued a final rule to implement the minimum requirements in section 1473 of the Dodd-Frank Wall Street Reform and Consumer Protection Act to be applied by States in the registration and supervision of appraisal management companies (AMCs). The final rule also implements the requirement in section 1473 of the Dodd-Frank Act for States to report to the Appraisal Subcommittee of the Federal Financial Institutions Examination Council (FFIEC) the information required by the Appraisal Subcommittee (ASC) to administer the new national registry of appraisal management companies (AMC National Registry or Registry).

2. Use of the information:

State Recordkeeping Requirements

States seeking to register AMCs must have an AMC registration and supervision program. Section 323.11(a) requires each participating State to establish and maintain within its appraiser certifying and licensing agency a registration and supervision program with the legal authority and mechanisms to: (i) review and approve or deny an application for initial registration; (ii) periodically review and renew, or deny renewal of, an AMC's registration; (iii) examine an AMC's books and records and require the submission of reports, information, and documents; (iv) verify an AMC's panel members' certifications or licenses; (v) investigate and assess potential violations of laws, regulations, or orders; (vi) discipline, suspend, terminate, or deny registration renewals of, AMCs that violate laws, regulations, or orders; and (vii) report violations of appraisal-related laws, regulations, or orders, and disciplinary and enforcement actions to the ASC.

Section 323.11(b) requires each participating State to impose requirements on AMCs not regulated by a Federal financial institutions regulatory agency nor owned and controlled by an insured depository institution to: (i) register with and be subject to supervision by a State appraiser certifying and licensing agency in each State in which the AMC operates; (ii) use only State-certified or State-licensed appraisers for Federally-regulated transactions in conformity with any Federally-regulated transaction regulations; (iii) establish and comply with processes and controls reasonably designed to ensure that the AMC, in engaging an appraiser, selects an appraiser who is independent of the transaction and who has the requisite education, expertise, and experience necessary to competently complete the appraisal assignment for the particular market and property type; (iv) direct the appraiser to perform the assignment in accordance with USPAP; and (v) establish and comply with processes and controls reasonably designed to ensure

that the AMC conducts its appraisal management services in accordance with section 129E(a)-(i) of TILA.

State Reporting Burden

Section 323.14 requires that each State electing to register AMCs for purposes of permitting AMCs to provide appraisal management services relating to covered transactions in the State must submit to the ASC the information required to be submitted under this Subpart and any additional information required by the ASC concerning AMCs.

AMC Reporting Requirements

Section 323.13(c) requires that a Federally-regulated AMC must report to the State or States in which it operates the information required to be submitted by the State pursuant to the ASC's policies, including: (i) information regarding the determination of the AMC National Registry fee; and (ii) the information listed in section 323.12.

Section 323.12 provides that an AMC may not be registered by a State or included on the AMC National Registry if such company is owned, directly or indirectly, by any person who has had an appraiser license or certificate refused, denied, cancelled, surrendered in lieu of revocation, or revoked in any State. Each person that owns more than 10 percent of an AMC shall submit to a background investigation carried out by the State appraiser certifying and licensing agency. While section 323.12 does not authorize States to conduct background investigations of Federally-regulated AMCs, it would allow a State to do so if the Federally-regulated AMC chooses to register voluntarily with the State.

AMC Recordkeeping Requirements

Section 323.10 provides that an appraiser in an AMC's network or panel is deemed to remain on the network or panel until: (i) the AMC sends a written notice to the appraiser removing the appraiser with an explanation; or (ii) receives a written notice from the appraiser asking to be removed or a notice of the death or incapacity of the appraiser. The AMC would retain these notices in its files.

3. Consideration of the use of improved information technology:

Respondents may use any technology they wish.

4. Efforts to identify duplication:

There is no duplication.

5. Methods used to minimize burden if the collection has a significant impact on a substantial number of small entities:

This collection of information does not have a significant impact on a substantial number of small entities.

6. Consequences to the Federal program if the collection were conducted less frequently:

Less frequent collection would result in safety and soundness concerns.

7. Special circumstances necessitating collection inconsistent with 5 CFR Part 1320:

No special circumstances exist.

8. Efforts to consult with persons outside the agency:

On April 9, 2014, the Agencies published a Federal Register notice of proposed rulemaking (79 FR 19521) seeking public comment for a 60-day period. No comments were received in response to the notice regarding the collection of information.

9. Payment to respondents:

Not applicable.

10. Confidentiality:

There is no assurance of confidentiality.

11. Information of a sensitive nature:

There are no questions of a sensitive nature.

12. Estimate of Hour Burden Including Annualized Hourly Costs:

IC # 1 - Written notice of appraiser removal from network or panel.

Current Number of Appraisers in U.S.	81,050
25% Laid off or Resign Each Year	20,263
Licenses Revoked or Voluntarily Surrendered 2001-2010	2,283
Average Revoked or Voluntarily Surrendered per year	229
Total Laid off/Resigned/Revoked/Surrendered	20,492
Total Appraiser Removal Notices Issued	20,492
0.08 Burden Hours Taken per Notice	1,640
FHFA Burden Hours	164
FDIC/FRB/OCC Burden Hours Each	492

IC # 2 - Develop and maintain a State licensing program.

Number of States without Registration Systems	14
Burden Hours per State	40
Total Burden Hours	560
FDIC/FRB/OCC/FHFA Burden Hours Each	140

IC # 3 – AMC Reporting Requirements (State and Federal AMCs).

Number of AMCs	500
Burden Hours per AMC	1
Frequency	6
Total Burden Hours	3,000
FHFA Burden Hours	300
FDIC/FRB/OCC Burden Hours Each	900

IC #4 - State reporting requirements to the Appraisal Subcommittee.

Number of States	50
Burden Hours to be Carried Per State (placeholder)	1
Total	50
FDIC/FRB/OCC/FHFA Burden Hours Each	13

Total Hour Burden:

FDIC/FRB/OCC	
IC #1	492
IC #2	140
IC #3	900
IC #4	13
FDIC/FRB/OCC Total Hour Burden Each:	1,545
FHFA	
IC #1	164
IC #2	140
IC #3	300
IC #4	13
FHFA Total Hour Burden:	617

Cost of Hour Burden: 1,545 hours x \$92 per hour = \$142,140

To estimate compensation costs associated with the collection, we used \$92 per hour, which is based on May 2012 Bureau of Labor Statistics wage data for the average of the 90th percentile for seven occupations (i.e., accountants and auditors, compliance officers, financial analysts, lawyers, management occupations, software developers, and statisticians) plus an additional 33 percent to cover adjustments and private sector benefits. According to Bureau of Labor Statistics employer costs of employee benefits data, thirty percent represents the average private sector costs of employee benefits.

13. Estimate of Start-up Costs to Respondents:

None.

14. Estimate of annualized costs to the government:

None.

15. Analysis of change in burden:

This is a new collection of information.

16. Information regarding collections whose results are planned to be published for statistical

use:

The results of this collection will not be published for statistical use.

17. Display of expiration date:

Not applicable.

18. Exceptions to certification statement:

None.

B. Statistical Methods.

Not applicable.