

SUPPORTING STATEMENT
INTERAGENCY APPRAISAL COMPLAINT FORM
(OMB Control No. 3064-0190)

INTRODUCTION

The Appraisal Complaint Form is an interagency form jointly developed by the FDIC, the Office of the Comptroller of the Currency (OCC), the National Credit Union Association (NCUA), and the Federal Reserve Board (FRB). The form was developed for those who wish to file a formal, written complaint that an entity subject to the jurisdiction of one or more agencies has failed to comply with the appraisal independence standards or the Uniform Standards of Professional Appraisal Practice (USPAP). The information collection expires on July 31, 2022.

A. JUSTIFICATION

1. Circumstances that make the collection necessary:

As provided in section 1473(p) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act),¹ on January 12, 2011, the Appraisal Subcommittee (ASC), of the Federal Financial Institutions Examination Council (FFIEC) determined that no national hotline existed to receive complaints of non-compliance with appraisal standards. A notice of that determination was published in the **Federal Register** on January 28, 2011 (76 FR 5161). As required by the Dodd-Frank Act, the ASC established a hotline to refer complaints to appropriate state and Federal regulators. For those instances where the ASC determines the FDIC, OCC, FRB, or NCUA is the appropriate regulator, the agencies developed the Interagency Appraisal Complaint Form as a means to efficiently collect necessary information.

2. Use of information collected:

The Interagency Appraisal Complaint Form is designed to collect information necessary for one or more agencies to take further action on a complaint from an appraiser, an individual, a financial institution, or other entities. The FDIC will use the information to take action on the complaint to the extent it relates to an issue within its jurisdiction.

3. Consideration of the use of improved information technology:

The Appraisal Complaint Form is available for members of the general public to submit their complaints or inquiries via an interactive form on the Internet.

4. Efforts to identify duplication:

There is no duplication. The ASC Hotline and Appraisal Complaint Form have

¹ Dodd-Frank Wall Street Reform and Consumer Protection Act § 1473, Pub. L. 111-203, 124 Stat. 1376, July 21, 2010; 12 U.S.C. § 3351(i)...

been developed in response to an ASC determination that no national hotline exists to receive complaints of noncompliance with appraisal independence standards or the USPAP.

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

This collection does not have a significant impact on a substantial number of small entities. As of December 31, 2021, there were 3,128 FDIC-supervised IDIs, including 2,184 (70 percent) that are “small” entities according to the Regulatory Flexibility Act (RFA).^[1] The estimated burden per response for this ICR is only 30 minutes and the estimated number of responses is 116. Even if all respondents were small entities, the impact of this information collection is not significant. Furthermore historical response data reflects that during the past five years, all responses except for 2 have been by individual consumers. Accordingly, the ICR does not impact a substantial number of small entities.

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

This capability is an optional method of submitting complaints and inquiries to the FDIC by appraisers, individuals, and other entities.

7. Special circumstances necessitating collection inconsistent with 5 CFR Part 1320.5(d)(2):

None. The information is collected in a manner consistent with 5 CFR Part 1320.5(d)(2).

8. Efforts to consult with persons outside the agency:

A 60-day notice seeking public comment on the FDIC’s renewal of the information collection was published on February 9, 2022 (87 FR 7452). No comments were received.

9. Payments or gifts to respondents:

None.

10. Any assurance of confidentiality:

[1]^[1] The Small Business Administration (SBA) defines a small banking organization as having \$600 million or less in assets, where an organization's “assets are determined by averaging the assets reported on its four quarterly financial statements for the preceding year.” See 13 CFR 121.201 (as amended by 84 FR 34261, effective August 19, 2019). In its determination, the “SBA counts the receipts, employees, or other measure of size of the concern whose size is at issue and all of its domestic and foreign affiliates.” See 13 CFR 121.103. Following these regulations, the FDIC uses a covered entity’s affiliated and acquired assets, averaged over the preceding four quarters, to determine whether the covered entity is “small” for the purposes of RFA.

Confidential information will be kept private to the extent allowed by law.

11. Justification for questions of a sensitive nature:

The information collection does not request information of a sensitive nature.

12. Estimate of hour burden including annualized hourly costs:

Summary of Estimated Annual Burden (OMB No. 3064-0190)						
Information Collection Description	Type of Burden (Obligation to Respond)	Frequency of Response	Number of Respondents	Number of Responses per Respondent	Hours per Response	Annual Burden (Hours)
Interagency Appraisal Complaint Form	Reporting (Voluntary)	On Occasion	116	1	0.5	58
Source: FDIC.						

Total estimated annual burden hours: 58

Total estimated annual cost: 58 hours x \$68.16 = \$3,953.28

Occupation and Hourly Compensation Associated with the Interagency Appraisal Complaint Form IC (OMB No. 3064-0190)			
Estimated Category of Personnel Responsible for Complying with the PRA Burden	Total Estimated Hourly Compensation	Estimated Weights	Estimated Total Weighted Labor Cost Component
Executives and Managers*	\$130.97	20%	\$26.19
Lawyers**	\$156.66	0%	\$0.00
Compliance Officer***	\$69.32	40%	\$27.73
IT Specialists†	\$96.62	0%	\$0.00
Financial Analysts††	\$84.35	0%	\$0.00
Clerical‡	\$35.59	40%	\$14.24
Total Estimated Weighted Average Hourly Compensation Rate:		100%	\$68.16

Source: Bureau of Labor Statistics: "National Industry-Specific Occupational Employment and Wage Estimates: Industry: Credit Intermediation and Related Activities (5221 And 5223 only)" (May 2020), Employer Cost of Employee Compensation (September 2021), Consumer Price Index (September 2021).

* Occupation (SOC Code): Management Occupations (110000)

** Occupation (SOC Code): Legal Occupations (230000)

*** Occupation (SOC Code): Compliance Officers (131040)

† Occupation (SOC Code): Computer and Mathematical Occupations (150000)

†† Occupation (SOC Code): Financial and Investment Analysts, Financial Risk Specialists, and Financial Specialists, All Other (132098)

‡ Occupation (SOC Code): Office and Administrative Support Occupations (430000)

13. Estimate of start-up costs to respondents:

None.

14. Estimates of annualized cost to the federal government:

None.

15. Analysis of change in burden:

There is no change in the method or substance of the collection. The overall increase in burden hours (from 40 hours to 116 hours) is the result of economic fluctuation. In particular, the number of respondents increased while the hours per response remained the same.

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

The information contained in this collection is not published.

17. Exceptions to expiration date display:

Not applicable.

18. Exceptions to certification:

None.

B. STATISTICAL METHODS

Not Applicable