



200 W. Madison  
Suite 1500  
Chicago, IL 60606

T 312-335-4100  
F 312-335-4400  
[www.appraisalinstitute.org](http://www.appraisalinstitute.org)

February 1, 2017

The Honorable Steve Bullock  
Governor  
State Capitol  
Helena, MT 59620

Dear Governor Bullock:

The Appraisal Institute (AI) respectfully sends you this letter to advise you of an action by the Montana Board of Real Estate Appraisers (MBREA) that we believe usurps your authority and violates Montana statute. The MBREA at its recent meeting voted to take a formal position on a legislative issue pending before the U.S. Congress without prior approval by you and/or the Department of Labor and Industry (DLI). Based on this action, the Appraisal Institute respectfully requests that the DLI and the MBREA be directed to halt any further action on this matter until you and your office have the opportunity to conduct a full review and establish the state's official position, if any. AI would be happy to provide any information that you may require as part of your review.

Prior to the January 26 meeting, the AI sent a letter (attached) to Mr. Stevens in regard to the item on the MBREA January 26 agenda captioned, "Discussion of support letter for the Appraisal Subcommittee [sic] and the Appraisal Foundation." The AI questioned whether it was appropriate for the MBREA to discuss this issue, as it did not fall within the powers and duties of the board established in Section 37-54-105 of the Montana Code. The AI also questioned whether it would be appropriate for the MBREA to take an official position on this federal legislation without first consulting your office. The MBREA was even reminded that the Montana Board Member Training Manual clearly states that agencies, departments and boards must seek approval from your office before taking positions on legislation. Despite our letter, the MBREA proceeded with its discussion and a vote to take the aforementioned steps.

At its January 26, 2017, meeting, the MBREA voted unanimously to direct Chair Thomas Stevens to draft a letter to the U.S. House of Representatives' Housing and Insurance Subcommittee expressing the MBREA's support for the existing appraiser regulatory structure, including the roles of The Appraisal Foundation (TAF) and the Appraisal Subcommittee (ASC). The Board directed that the letter specifically oppose unknown and unspecified federal legislation that has not been introduced. The Board also directed that its letter be sent to the appraiser regulatory authority in all 54 states and territories with a request that they send similar communications to Congress.

Following the approval of a motion to establish the Board's position and to send the letter, the MBREA Counsel advised that only the Governor's office could establish the state's position on federal legislation. Counsel stated that he would have to confer with other legal advisers within DLI regarding the appropriateness of the Board's actions and whether prior approval from your office would be necessary.

**Letter to Governor Bullock**

**February 1, 2017**

**Page -2-**

We believe it is necessary that you, your office and the DLI first have an opportunity to adequately analyze the impact of actual federal legislation on the State of Montana and then determine whether or not it is appropriate for the state to take a position. Therefore, we respectfully ask that the Chief Legal Counsel at DLI be advised to halt any further action on this matter by the MBREA until your review and determination.

Thank you, in advance, for your consideration. If the AI may be of any assistance, please contact Scott DiBiasio, Manager of State and Industry Affairs, at (202) 298-5593 or [sdibiasio@appraisalinstitute.org](mailto:sdibiasio@appraisalinstitute.org).

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Amorin".

Jim Amorin, MAI, SRA, AI-GRS  
2017 President

cc: Ms. Pam Bucy, Commissioner  
DLI

Ms. Judy Bovington, Chief Legal Counsel  
DLI

Mr. Thomas Stevens, Chair  
MBREA

Mr. Gene Allison, Board Counsel  
MBREA

Ms. Sharon Peterson, Executive Officer  
MBREA