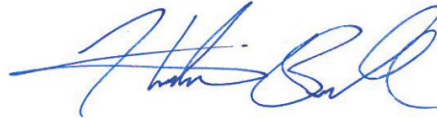


**UNITED STATES DEPARTMENT OF AGRICULTURE**

Farm Service Agency  
Washington, DC 20250

<b>General Program Administration 1-FLP (Revision 1)</b>	<b>Amendment 283</b>
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**Approved by:** Acting Deputy Administrator, Farm Loan Programs



**Amendment Transmittal**

**A Reason for Amendment**

Subparagraph 148 B has been amended to address when an appraisal or evaluation is released.

<b>Page Control Chart</b>		
<b>TC</b>	<b>Text</b>	<b>Exhibit</b>
	6-33 through 6-36	



**147 Training Requirements for Performing Real Estate Administrative Appraisal Reviews****A State Responsibility**

State Offices are responsible for ensuring adequate number of employees are trained and available to perform administrative appraisal reviews.

**B Obtaining/Maintaining Real Estate Administrative Appraisal Review Authority**

To obtain the delegation, employees are required to:

- take the appropriate training to obtain administrative appraisal review authority
- demonstrate, to SED's or designee's satisfaction, sufficient experience and training.

Delegated authority for real estate administrative appraisal reviews requires continuing education to be completed every 3 years.

SED may contact POAD, Appraisals Branch to help develop a customized training plan for their State for initial delegations and continuing education.

**C Training Plan**

The POAD, Appraisals Branch will contact the States within the regions during the 1<sup>st</sup> quarter of each FY to establish a training plan for the State's FLP staff. The training plan for each region for the FY will be published by the end of the 1<sup>st</sup> quarter on the training page of Appraisals Branch SharePoint site under the following link:

**<https://usdagcc.sharepoint.com/sites/FSA-POAD-AB>**.

**D Training Material**

Currently available training modules can be found by clicking the training dropdown in the left navigation pane on the Appraisal SharePoint site at

**<https://usdagcc.sharepoint.com/sites/FSA-POAD-AB>**.

In addition, the AgLearn course titled "Administrative Appraisal Review" is required training for all employees receiving administrative appraisal review authority and should be taken as a prerequisite to Administrative Appraisal Review Training. The "Administrative Appraisal Review" course can be located in the "Find Learning" section in AgLearn.

## 148 Release of Appraisal Report

### A General

An appraisal report, paid for or performed by FSA, is considered an administrative document for collateral valuation and may not be released to the public or other parties except through FOIA, in accordance with subparagraph 141 I and this subparagraph.

### B Release to Applicant or Borrower Per the Equal Credit Opportunity Act (ECOA)

Pursuant to 12 CFR §1002.14(a), for any loan making or servicing purpose, FSA must provide an applicant or borrower a copy of any real estate appraisal or written real estate valuation paid for or performed by FSA.

\*--FSA must promptly provide a copy of the real estate appraisal or the real estate evaluation to the applicant upon:

- FSA's acceptance of the appraisal report
- receipt or completion of FSA-2132.--\*

Copies shall be provided electronically (via e-mail) and must contain the following language in the body of the e-mail:

“In accordance with the Equal Credit Opportunity Act (ECOA), the Farm Service Agency is providing you with a copy of the appraisal report or written real estate valuation developed in connection with your loan application. Enclosed is a copy of the appraisal or valuation report for [**property address**].

Please carefully review the contents of the enclosed report. This document provides an estimation of the value of the property in question and has been compiled based on a thorough valuation of the property itself, comparable market sales, and other relevant factors.

If you have any questions regarding the content of the report or the appraisal/evaluation process, please contact this office at [**County Office Address**] or telephone [**phone number**].”

## 148 Release of Appraisal Report (Continued)

### B Release to Applicant or Borrower Per the Equal Credit Opportunity Act (ECOA) (Continued)

\*--The real estate appraisal or written real estate evaluation must be provided to the applicant--\* at least three business days prior to loan closing or other such consummation of the transaction. The applicant may waive the three-day waiting period upon written request to the Agency, but any such waiver must be provided three business days prior to loan closing or other such consummation of the transaction. The real estate appraisal or written real estate valuation completed on a withdrawn or denied application must also be provided promptly to the applicant, but in no case later than 30 days after the denial or withdrawal.

FSA will document the date that a real estate appraisal or written real estate evaluation is provided to the applicant by placing a copy of the electronic notification in the file.

### C Release to Lender

An appraisal report may be released to a lender if the lender is either:

- an intended user stated in the report

**Note:** A lender that is listed as an intended user in the appraisal report may not request changes or add requirements to the appraisal assignment. FSA, as the client, is the only party that may request changes or add requirements to the appraisal assignment.

- participating in a loan transaction and has a participation arrangement with FSA.

**Note:** The participation arrangement will be in writing with the applicant or borrower's acknowledgement.

### D Release to Peer Review Committee or Regulatory Authority

A real estate appraisal report may be released to a peer review committee or regulatory authority upon written request with consultation with POAD, Appraisals Branch. The SED shall inform the review committee in writing that, appraisal information developed for USDA is protected from unauthorized use and unauthorized disclosure pursuant to the administrative and/or civil remedies/criminal penalties identified in applicable Federal statutes to include the Privacy Act of 1974 (5 U.S.C. 552a - as amended).

To ensure proper awareness, individuals/organizations granted access to federally protected information are advised that they may be held legally liable should they commit an unauthorized use/unauthorized disclosure of the protected information in violation of Federal statute.

**149 USPAP Work File****A Work File**

The USPAP record keeping rule requires that an appraiser prepare a work file for each appraisal or technical review request. The work file must be in existence before issuing any report. Refer to the USPAP record keeping rule for information about USPAP requirements to be included in the work file.

**B File Organization and Digital File Structure**

See 32-AS, paragraphs 86 and 87 for guidance about work file folder organization and digital folder organization and file naming conventions. If shared drive is not available, the staff appraiser should store their digital work files on their OneDrive file system.

Appraisal or technical review work files should be maintained in a digital format that allows digital storage within an organized hierarchy file folder structure. Since NATS will be used to track appraisals or technical reviews that are performed by a vendor appraiser or POAD, Appraisals Branch staff appraiser the work order number will be identified in the file structure.