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**Commonwealth of Massachusetts**  
Division of Occupational Licensure  
**BOARD OF REGISTRATION OF REAL ESTATE**  
**APPRAISERS**

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**NOTICE OF PUBLIC HEARING AND PUBLIC COMMENT**  
**EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE**

Pursuant to Massachusetts General Laws c. 30A and c. 13, s. 92; and c. 112, ss. 176 and 283, a public hearing will be held on behalf of the Executive Office for Administration and Finance by the Board of Registration of Real Estate Appraisers, regarding 801 CMR 4.02, Fees for Licenses, Permits, and Services to be Charged by State Agencies, regarding proposed new fees for licensing appraisal management companies and corrections to licensing fees for individual appraisers. **The hearing will be held at 10:30 a.m. on Friday, October 20, 2023.** This hearing will be held in person at Division of Occupational Licensure, 1000 Washington Street – Room 1B, Boston, Massachusetts 02118 and by videoconference at <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>, Meeting ID: 255 910 054 637, Passcode: Wfnd7W, or call in to (857) 327-9245, Phone Conference ID: 223 432 563#. Interested parties will be given an opportunity to present testimony orally or in writing at the hearing. Written comments may be emailed to [kristin.m.mitchell@mass.gov](mailto:kristin.m.mitchell@mass.gov) or mailed to the Board of Registration of Real Estate Appraisers, 1000 Washington Street, Suite 710, Boston, Massachusetts, 02118-6100, Attention: Kristin Mitchell, Executive Director. A copy of the proposed new fees and corrected fees may be obtained at the Board's website at [Board of Registration of Real Estate Appraisers | Mass.gov](https://www.mass.gov/info-details/board-of-registration-of-real-estate-appraisers) or by contacting Ms. Mitchell at 617-894-4502. The Board will also accept written comments regarding the regulations until 5:00 p.m. on Friday October 20, 2023.

## Small Business Impact Statement

(As required by M.G.L. c. 30A §§ 2, 3 & 5)

**CMR No:** 801 CMR 2.04

### Estimate of the Number of Small Businesses Impacted by the Regulation:

The proposed corrections to license fees for individual appraisers do not change the fees currently charged, thus there is no impact. See lines 1-17, 801 CMR 4.02(264)

There are approximately 151 appraisal management companies licensed in Massachusetts, the large majority of which are NOT believed to be small businesses.

**NOTE: LICENSURE IS NOT REQUIRED FOR SMALL AMC ENTITIES (those that within a given 12-month period, oversee an appraiser panel of less than 16 individual appraisers in MA only, or less than 25 appraisers in 2 or more states); this information applies to each answer in this Small Business Impact Statement.**

### Select Yes or No and Briefly Explain

|                                     |   |   |
|-------------------------------------|---|---|
| Yes<br><br><input type="checkbox"/> | No<br><br><input checked="" type="checkbox"/> | <p>Will small businesses have to create, file, or issue additional reports?</p> <p>The proposal does not change fees for individual appraisers.</p> <p><b>NOTE: LICENSURE IS NOT REQUIRED FOR SMALL AMC ENTITIES (those that within a given 12-month period, oversee an appraiser panel of less than 16 individual appraisers in MA, or less than 25 appraisers in 2 or more states); this information applies to each answer in this Small Business Impact Statement.</b> For larger AMCs with appraiser panels larger than those minimum sizes, which must register to be licensed, the proposed fees do not require additional reporting by regulated parties.</p> |
| Yes<br><br><input type="checkbox"/> | No<br><br><input checked="" type="checkbox"/> | <p>Will small businesses have to implement additional recordkeeping procedures?</p> <p>The proposal does not change license fees for individual appraisers.</p> <p>Licensure is not required for small AMCs, as explained above. For larger AMCs that must register, the proposed fees do not expand recordkeeping requirements beyond the separately proposed, underlying regulations setting qualifications for licensure.</p>  |
| Yes<br><br><input type="checkbox"/> | No<br><br><input checked="" type="checkbox"/> | <p>Will small businesses have to provide additional administrative oversight?</p> <p>Licensure is not required for small AMCs, as explained above. For larger AMCs, the proposed fees do not affect requirements for administrative oversight of AMCs.</p>  |
| Yes<br><br><input type="checkbox"/> | No<br><br><input checked="" type="checkbox"/> | <p>Will small businesses have to hire additional employees in order to comply with the proposed regulation?</p> <p>Licensure is not required for small AMCs, as explained above. For individual appraisers and larger AMCs that must register, the proposed fees do not impose requirements that would require hiring more employees.</p>   |
| Yes                                 | No  | <p>Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?</p>  |

|                                 |   |  |
|---------------------------------|---|--|
| <input type="checkbox"/>        | <input checked="" type="checkbox"/>       | Licensure is not required for small AMCs, as explained above. For larger AMCs that must register, these fees do not require hiring of professionals.   |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?</p> <p>The proposal does not change license fees for individual appraisers.</p> <p>Licensure is not required for small AMCs, as explained above. For larger AMCs that must register, these fees do not require any AMC to purchase a product or make any capital investment to comply.</p>   |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective?</p> <p>(Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.)</p> <p>Not applicable, because licensing required by statute cannot be replaced with operational standards. Prerequisites for AMC licensure must meet specific federal guidelines. This section does not depart from federal guidelines.</p>              |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Do any other regulations duplicate or conflict with the proposed regulation?</p> <p>There are no other fees that duplicate or conflict with this section.</p>   |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?</p> <p>The proposal does not change license fees for individual appraisers.</p> <p>Licensure is not required for small AMCs, as explained above. For larger AMCs that must register, these fees do not require AMCs to cooperate with Board requests for information or enforcement activities, other than the requirement to pay the fee.</p>   |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?</p> <p>These fees do not require small businesses to provide educational services.</p>  |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts?</p> <p>The proposal does not change license fees for individual appraisers.</p> <p>Licensure is not required for small AMCs, as explained above. For larger AMCs that must register, the cost of mandatory licensing and the proposed fees are designed to have minimal impact on regulated parties, and licensing is rewarded because it qualifies AMCs to be listed on the National Registry, where they gain increased exposure to the market for their services. Thus the fees will not deter formation of businesses.</p> |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?</p> <p>The fee is unlikely to encourage formation of small businesses.</p>   |

|                                 |   |  |
|---------------------------------|---|--|
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Does the regulation provide for less stringent compliance or reporting requirements for small businesses?</p> <p>The proposal does not change license fees for individual appraisers.</p> <p>Licensure is not required for small AMCs, as explained above. For larger AMCs that must register, qualification requirements must meet minimum federal requirements, thus different fees for smaller businesses would not cover the state's overhead.</p>  |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?</p> <p>The regulation only adopts fees for mandatory licensing of AMCs and thus does not affect schedules or deadlines for compliance or reporting.</p>  |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Did the agency consolidate or simplify compliance or reporting requirements for small businesses?</p> <p>The proposal does not change fees for individual appraisers.</p> <p>Licensure is not required for small AMCs, as explained above. For larger AMCS that are required to register, the proposed fees do not reduce compliance or reporting requirements.</p>   |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?</p> <p>Not applicable, licensing requirements set by law cannot be replaced with operational standards. Prerequisites for AMC licensure must meet specific federal guidelines. This section does not depart from federal guidelines.</p>   |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Are there alternative regulatory methods that would minimize the adverse impact on small businesses?</p> <p>The Division of Occupational Licensure is required by G.L. c. 112, § 283 to collect fees for mandatory licensing; the proposed fees are commensurate with the costs of providing this public service and are comparable to fees charged by other states; as a result, they cannot be reduced for small businesses without offsetting increases in fees for larger businesses.</p> |