



www.txappraisers.org

Connections

Official Publication of the
**Association of
 Texas Appraisers, Inc.**

Mission Statement of the Association of Texas Appraisers

The Association of Texas Appraisers was organized to provide opportunities for continuing education and professional association for real estate appraisers and other interested parties within the State of Texas; to establish and maintain minimum requirements for membership; to confer membership designations to properly qualified appraisers; and to provide and maintain an organization that serves the needs of its members.

From the Desk of the President

Well, in the last ATA Connections Newsletter I commented about how time flies. Well, dang, it still does. We have made it through all the turkey and pie from Thanksgiving and celebrated our blessings with our families and friends. Now comes another holiday season, and I want to wish all of you a very Merry Christmas!



Rick Neighbors

As we approach the end of 2012, we look at the upcoming year and all the potential challenges that may come our way. Hopefully we can each keep our businesses alive in spite of the current economy. It is said that we have to work harder and smarter. Good in theory, but hard in practice! In my appraisal business, I cover many very rural areas over several counties, and just the fuel costs alone can be daunting, not to mention cameras that break, computers that act up, and a government that seems to add to our burden each year. But I try to remain optimistic. ☺

Inside this issue:

New Members and Designations	2
Upcoming ATA Meetings	3
Membership Campaign	4
Trainees Looking for Sponsors	4
Special Disto Offer	4
Door Prize Winners	4
USPAP Q & A and 3rd Exposure Draft	4
Recap of TALCB Nov. 9 Meeting	5
Advice for Computer Users	5
Interesting New Website	6
A Word from Ramir Rodriguez	7
Who Has Been Suing Appraisers	8
Thank You Note from GCCMF	10
Current ATA Members	11
Disto Order Form	12
ATA South Padre Island Reg. Form	13
ATA Mid-Year Meeting Reg. Form	14

The ATA is one of our best tools for success! As we ATA Members work together, bounce ideas off each other, and strive to keep our CE up to date, we can be proud of our association and its growth! We have become a force in our industry and folks are listening more each year.

The Board of Directors strive each day to keep the ATA and its members in our thoughts, and we work to make our association run smoothly and profitably. But we need to hear from you! Don't be bashful or hesitant to contact myself, Teresa, or any Board member that you are comfortable talking with, and let us know your thoughts and ideas.

As you all know, our Executive Director of the ATA is Teresa Walker. Teresa is the 'go to' person when you have an event question, comment or need. She runs the everyday workings of our association. That is what she is paid to do, which is required by our bylaws and she is doing an excellent job!

Con't on page 2

2012-2013 Board of Directors

Rick Neighbors, ATA-R, President	Bobby Crisp, ATA-R, Director
Arturo Palacios, Vice President	Donna Green-Harris, ATA-G, Director
Mava Jalufka, Secretary	David McInturff, ATA-R, Director
Frank Baker, ATA-R, Treasurer	Mike Plumlee, ATA-R, Director
Dennis Crawford, ATA-R, Director	Mike Braught ATA-R, Past President

Please keep this in mind. If she has questions about procedure, she takes it up with the President and the Board of Directors. If it is something that requires our input, we meet, discuss and make decisions. As President, some of my job duties are to create an agenda for board meetings, convene scheduled meetings, and preside at those meetings, and facilitate the workings of our association. Of course, I am always happy to hear from members, but don't be surprised if I have to refer you to Teresa...or another board member, for detailed guidance. We on the Board of Directors are a team...and our primary function is to keep the ATA and its member's best interests foremost in our thoughts and decisions. Sometimes we ruffle feathers, but that is not our intent. ☺

Recently we had some confusion over our South Texas meetings, and I received a lot of good input and a lot of you expressed your concerns. Rest assured, this is an ATA event, put on by the ATA, financed and run by the ATA. You will receive your CE credits accordingly. Teresa has booked the instructors, the accommodations, and the speakers.

ATA has a bunch of great folks in The Valley and we're looking forward to seeing all of you at the South Padre Island meeting. Bring a friend and show them how ATA is one of the best things going.

If you will look on the ATA's website, you can get the particulars of who, what, when, where, etc. of the meeting on South Padre Island.

Also, please make note of our biggest ATA meeting in February in New Braunfels. This has grown yearly to be the "main event" for our ATA Membership. Our next Board of Directors meeting will be held there and if there are things that you would like for us to address, this is the venue. Let us know!

We hope to see you all there! All the information on that event is also on our website at www.txappraisers.org

In closing, I want to again express my thanks for all the great support I have received this year from the members of the ATA. Please keep it up! I look forward to your thoughts!

Sincerely,

Rick Neighbors ATA-R

Welcome New Members

The president and members of the Board of Directors would like to welcome our newest members: **John Patrick Bain**, Plano; **Charles Bratton**, Ft. Worth; **Danny Byers**, Springlake; **Roy Wayne Courtney**, Longview; **Israel Galindo**, Tyler; **Mary Golden**, Keller; **Roy Hill**, Southlake; **Elizabeth Meisel**, Bedford; **Virginia Ann Piper**, Dallas; **Ruth Rhodes**, San Antonio; **Stephanie Samson**, Keller; **Frank Santos**, Houston; **April Schulze**, Helotes; **Christopher Scott**, Houston; **Jeffery Smith**, La Vernia, **Randy Tarpley**, Greenville; **Rachel Zamora**, Corpus Christi and **Jose Zamora**, Corpus Christi. Also, welcome back **Edgar Herrera**, Edinberg.



Designation Information

Congratulations to who was recently awarded designations. Donald "Gene" Ender, ATA-R, David McInturff, ATA-R, Judy Pierce, ATA-G, Robert "Sully" Sullivan, ATA-R and Ed Woodruff, ATA-R.

If you are interested in applying for a designation with ATA, please go to our website, www.txappraisers.org, and click on the Membership link and download the Designation Application.

"Opportunity is missed by most people because it is dressed in overalls and looks like work."

-Thomas A. Edison

SAVE THE DATE

COMING
UP

Upcoming Meetings:

South Padre Island—Jan. 22-23 (11 hrs)

ATA Mid Year Meeting, New Braunfels, Feb. 22-23 (12 hrs)

Don't miss the ATA South Padre Island Meeting January 22-23 at the Hilton Garden Inn, 7010 Padre Blvd, South Padre Island, TX.



The following sessions will be presented:

- Tuesday, January 22, from 8:00 a.m. - 5:00 p.m., Diana Jacob will present Write it Right, No. 148 - 8 hrs ACE/MCE*. (This course is intended for those who want to avoid problems by improving the quality of their reports with both writing and exhibits. It can also be used as a remedial course for those who have been sanctioned by appraisal regulators. It incorporates the requirements of Fannie/Freddie/FHA/USPAP in a well-presented, easily understood format to help appraisers avoid criticism.)
- Wednesday, January 23, from 9:00 a.m. - Noon, Troy Beaulieu will present Overview of the Complaint Process, No. 077** (What You Should Know) - 3 hrs ACE. (The course addresses the Complaint Process Overview, Investigations Overview, Complaint Case Resolution, SOAH Hearing Process Overview, Common USPAP Violations, Experience Audits Process Overview, and Sponsor/Trainee Relationship and Obligations.)

Attendees will have the opportunity to network with fellow appraisal professionals at the breaks and lunch.

A block of rooms has been reserved for ATA attendees at the Hilton Garden Inn. Sleeping rooms are \$75 (plus tax) per night for single/double rooms with partial ocean view and \$99 (plus tax) for full ocean view. Reservations must be received by **Dec. 21, 2012**. After this date, reservations will be accepted on a space and rate availability basis. Call (956) 761-8700 and mention code ATA to receive this discounted rate.

To register, use the **Registration Form on page 13**. For information on Exhibiting or Sponsoring this event, contact info@txappraisers.org.

ATA's Seventh Mid-Year Meeting will be held on February 22-23, 2013 at the McKenna Events Center, 801 West San Antonio Street, New Braunfels.



The following sessions will be presented:

- Friday, February 22, from 8:30 a.m. - 11:30 a.m. - TREC Ethics MCE*** (presented by Candy Cooke, ATA-G)
- Friday, February 22, from 12:30 p.m. - 1:00 p.m. - Welcome and TALCB Update
- Friday, February 22, from 1:00 p.m. - 5:00 p.m. - Interagency Guidelines, No. 078** - 4 hrs ACE, presented by Diana Jacob. (The course is designed for lenders, appraisers, and brokers to give them an understanding of the special requirements of regulators that apply to all appraisal services and evaluations performed for federally regulated institutions.)
- Friday, February 22, from 5:00 p.m. - 6:00 p.m. - Networking Reception
- Saturday, February 23, from 8:00 a.m. - 5:00 p.m. - Residential Sales—The Adjustment Process, No. 151** - 8 hrs ACE/MCE, presented by Diana Jacob. (The course explores fundamental skills of developing a residential Sales Comparison Approach focusing on the evidence of support for adjustments. The text opens with the discussion of the Principles behind the Sales Comparison Approach and the adjustments. The course spends the majority of its time in three key areas: 1. Recognizing the role of the Sales Approach in the Residential Appraisal 2. The need to support the adjustment process 3. Understanding how to identify and develop reasonable adjustments for residential properties.)

A block of rooms has been reserved for ATA members at the Courtyard Marriott, 750 IH-35 North. Sleeping rooms are \$99 (plus tax) per night for single/double. Reservations must be received by **Feb. 1, 2013**. After this date, reservations will be accepted on a space and rate availability basis. Call (800) 321-2211 and mention code APR to receive this discounted rate.

To register, use the **Registration Form on page 14**. For information on Exhibiting or Sponsoring this event, contact info@txappraisers.org.

New Membership Campaign

Don't forget to nominate your colleagues for ATA membership! Whenever someone you refer becomes a member, ATA will thank you with a \$20 gift certificate for use toward your membership dues. This campaign will last until **February 15, 2013**.



Trainees Looking for Sponsors

ATA will keep a list of trainees looking for sponsors updated on our website. If you are a sponsor looking for trainees, log on to www.txappraisers.org/resources.html. If you are a trainee (or know a trainee) looking for a sponsor, please email us your contact information and we'll add your name to the list.

Special Offer for Disto 5 & Disto 8 for ATA Members

ATA is offering the Disto 5 for \$429 and the Disto 8 for \$699 to members. That's almost 20% off the retail price. If you would like to purchase one of these Disto's, please complete the form on page 12 or log on to www.txappraisers.org/disto.html.

Door Prize Winners from the Ft. Worth Meeting

Israel Galindo
Russell Eaton

Kenneth Smith
Danny Ryan

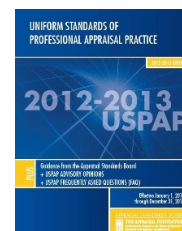
David Flores
Ken Jones

USPAP Q & A and ASB's 3rd Exposure Draft

You might want to read over the latest USPAP Q&A issued by the Appraisal Standards Board on November 13 at <https://appraisalfoundation.sharefile.com/d/sc27b73788ae45df8>.

Topics of interest to real property appraisers include:

- Altering photos in reports
- Prior service disclosure (date explanation)
- Discussion about Exposure Time & how to report it
- Is Replacement Cost New considered to be an appraisal?



The ASB also issued its 3rd Exposure Draft of Proposed Changes for the 2014-15 Edition of the Uniform Standards of Professional Appraisal Practice on November 30th. The deadline to comment is January 25, 2013. The ASB's work plan for the 2014-15 edition of USPAP includes reviewing and revising as needed the following areas of USPAP:

- Reporting and Communication Requirements
- Reporting Options
- Retirement of STANDARDS 4 and 5
- Other revisions and additions as needed to ensure clarity and relevance.

Comments should be directed to ASBComments@appraisalfoundation.org.

Recap of TALCB Meeting, November 9, 2012

By Diana Jacob and Bobby Crisp, ATA-R

The Texas Appraiser Licensing & Certification Board (TALCB) held a board meeting on Friday, November 9, 2012 at the Capitol Building in Austin, TX.



The Board discussed some items that will be of concern to all appraisers in Texas. There were some proposed changes to the complaint process during the previous board meeting. A new “TALCB COMPLAINT INTAKE FORM” was introduced and passed. This new form and procedure will allow TALCB to perform an inquiry regarding a possible complaint and allow a process to justify (or not) the merit of an issue brought before the board.

Another important issue was the adoption of an amendment to 22 TAC 153.20 regarding Guidelines for Revocation, Suspension, Denial of Licensure or Certification; Probationary Licensure. The amendment added language saying “The board may suspend or revoke a license, certification, authorization or registration issued under provisions of this Act or deny issuing a license, certification, authorization or registration to an applicant at any time when it has been determined that the person applying for or holding the license, certification, authorization, or registration (25) after conducting reasonable due diligence, knowingly accepting an assignment from an appraisal management company that is not exempt from registration under the Act which (A) has not registered with the board; or (B) is registered with the board but not placed the appraiser on its panel of appraisers maintained with the board.”

This means that any assignment an appraiser receives from an AMC, that appraiser must confirm that the AMC is licensed in Texas, and that the appraiser is registered with the AMC through the TALCB website. If the AMC is exempt from registration with Texas, it must be confirmed by the appraiser. All of this must be done prior to accepting any appraisal assignment from the AMC placing the order.

Here’s the key ladies and gentlemen - it’s a mandatory workfile issue. You must have evidence in your workfile about any engagement for business. If you accept work from an unlicensed AMC you need proof you received documentation that there was an exemption for that AMC. It is critical to look for the TX Registered AMC number or have evidence that there is an exemption when you work for AMCs. Although it seems yet another brick to pile on the appraiser, when you think about it long enough, you’ll realize it’s not a difficult burden. You’ve already been doing business with TX Registered AMCs. This legislation is about when you’re approached to do business with an AMC that is not licensed in Texas. They either have the right because they’re exempt or they don’t have the right to conduct business in Texas. Knowing up-front puts the “bandits” on notice - “Don’t Mess with Texas”.

TALCB meetings, documents and video are available on the [TALCB website](#).

The next board meeting is scheduled for February 15, 2012.

Advice Every Computer User Should Know

by Zach Bodack-Global DMS

Computers have completely revolutionized the way the world works, and every business now-a-days relies on these powerful machines to help run their daily operations at a high-level. However, this doesn’t mean that all business professionals are the most tech-savvy, and many of them run into problems that could have been avoided—viruses, lost data, lack of speed, etc. To help you avoid these issues and maximize your computer’s functionality, the GlobalDMS blog offers the following advice:



The opinions and statements expressed herein are those of the individual authors and do not necessarily reflect the viewpoints of the Association of Texas Appraisers or of its individual members.

Uninstall Old Applications: When downloading and installing new applications on to your computer from either the internet or a software provider, it is wise to delete old applications that you're not planning to use anymore to keep the computer's speed running at a high-level—the more that's on it, the slower it will run. Apply Regular Maintenance: Computer maintenance may seem like a confusing venture, but I'm not talking about defragging your entire hard-drive here. What I'm referring to are simple, yet effective tasks that will be sure to keep your computer running smoothly. For PC users: update windows regularly, run virus and spyware scans regularly, back up your hard drive, clean temporary files with a program like CCleaner, and uninstall unused programs. For MAC users: apply software updates regularly, backup your hard drive, organize your files, archive old files, uninstall unused programs, and run the built-in Disk Utility to scan your device for errors and to repair disk permissions.

Retrieve Deleted Files: When you delete a file from your computer, you must remember that you're not completely deleting it from the actual hard drive. All you're doing is removing the index information that tells your computer where the file is located. If you accidentally delete something, don't panic, and simply download an undelete utility from the internet that will help you retrieve your lost data—Recuva works very well for PC users, and macintosh-data-recovery.com is a great tool for MAC users.

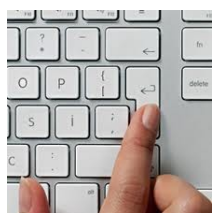
Set Up a Backup System: This is a very important task that many people overlook until it's too late and all their important files and documents are gone. Setting up a backup only takes minutes to do, and is a very easy process for both PC and MAC users. To backup your files to an external drive, use the tools that are already built into your computer—MAC: Apple's Time Machine; PC: Windows Backup. This will keep your important files and documents safe and secure even if your computer crashes, and will allow you to easily upload everything on to your new computer in a matter of minutes.

Apply & Regularly Update Virus Protection: Everyone knows about the threat of viruses and other malicious malware, but many people still overlook and lack the proper protection that's needed to keep them out. First, it is essential that you install some good antivirus software to help protect your computer from the many threats out there—particularly on unsecure websites and in junk/spam emails. Second, it is important to use common sense when surfing the web, such as not opening suspicious links, not opening junk/spam emails, ignoring pop-ups and exiting them immediately, staying away from unsecure websites, and not installing programs from an untrustworthy source.



Secure your Personal Information: The internet isn't always the safest of places, especially when it comes to storing your personal information—such as address, phone number, bank accounts, etc. To keep yourself better protected, use strong passwords, remove personal information and files whenever possible, and never use public Wi-Fi networks without virus protection.

Utilize Shortcuts: All computers provide a magnitude of keyboard shortcuts that will optimize your production level if you use them properly. It may seem like a pain to learn these shortcuts at first, but once you use them several times, you will be sure to notice the difference and your mouse will begin to collect dust. Some good keywords to know for both MAC (Command) and PC (Control) users are:



- Control/Command + N: automatically creates a new document in programs you're using
- Control/Command + S: automatically saves your documents
- Control/Command + P: automatically opens your print options
- Control/Command + T: automatically opens a new tab in your web browser

Interesting new website

Here's a new website that might be of interest to you. Check it out at www.showmystreet.com.

A Word From Ramir Rodriguez – Treasure Valley Factors

Before I share my thoughts in this edition of the ATA Connection, I would like to tell you that I attended another successful Appraisal Summit & Expo in Las Vegas, NV last October. It was by far their best conference yet!



The Summit provided a schedule and atmosphere where “boots on the ground” appraisers from all across the country were able to learn from great speakers and network with other attendees and exhibitors. I even saw some ATA members in attendance! It was the most informative and comprehensive Appraisal Summit & Expo I have ever attended.

And last but not least, I would like to thank the co-hosts of the Summit especially Columbia Institute and National Association of Appraisers. Thank you also to Teresa Walker and all involved behind the scenes to make this event happen. I look forward to attending Appraisal Summit & Expo 2013 and hope to see more ATA members there!

‘TIS THE SEASON... FOR POTENTIAL CASH FLOW DANGERS

This is a wonderful time of the year for most of us. Family gatherings, feasts, shopping, travel, and (if you’re like me) watching football take up much of our time during these months. On top of that, 2012 brought something that added to the hectic season – the presidential election.

The busy schedules that people have during the holiday season can have a negative impact on your appraisal business’s cash flow. Learning to recognize the cash flow dangers that can come from the holiday season and knowing what you can do to avoid them can help you avoid cash flow challenges after the holidays, finish your year strong, and start 2013 on the right foot!

Danger #1: Decision 2012

The result of the election quickly shifted to the topic of small businesses and what to expect in 2013. The Washington Post reported shortly after the election that in order to be successful in 2013, “Many advisers to small businesses say companies need to keep an eye on what’s happening with taxes and regulations, but they still need to try to expand and grow.” If taxes are increased, small businesses will definitely feel it and some will be forced to cut costs and/or downsize their organization.



What You Can Do - You are not immune to this potential tax increase. The more money out of your pocket, the more important it will be for you to ensure your cash flow is sure and steady. As suggested, stay informed of what’s happening and open yourself to appraisal services that can help your appraisal business grow.

Danger #2: Vacations

Businesses usually experience an increase in vacation requests as we get closer to the holiday season. With many people taking time off of work due to travel to be with their families there will be a decrease in staff for many businesses. This means that if your accounts payable contact is out of the office it can mean you may not get paid until the next scheduled payment batch.

What You Can Do – Continue to follow your billing and collection practices but may have to ramp up your communication with your client. For instance, ask your client if their accounts payable person is planning to be out of the office for an extended period of time during the holidays. And if so, find out who will be covering for him/her and what their contact information is. Also ask when they will be scheduling payments – will it be different because of the holidays? Knowing all of these details will avoid any payment hiccups from your client.

Danger #3: Christmas

The holiday season is a time of giving. Many of us rush to the stores on Black Friday or shop online during Cyber Monday to get the best deals on presents for our spouses, families, and friends. As a

result, many of us experience what I call a “spending hangover” where after the holidays we’re wondering what happened to all of our money due to excessive spending.

What You Can Do – Budget, budget, budget! To make sure you do not experience “spending hangover” after the holidays, allow yourself to only spend money that you have. There is nothing worse than starting the new year paying excessive bills.

Ramir Rodriguez is a Business Development Officer with Treasure Valley Factors. He has helped businesses understand how factoring can help them get paid on completed work and grow their business. Ramir has a B.S. in Business Administration with an emphasis in Management from Eastern Oregon University. For more information on factoring please visit the blog [Factoring Helps](#) or [email Ramir](#). Don't forget also to connect with Ramir on [Twitter](#) and [LinkedIn](#) and "Like" Treasure Valley Factors on [Facebook](#)!

Solar Panel Valuation Spreadsheet

Those of you who live in areas where solar panel are used for energy production, domestic hot water heating and swimming pool heating may be interested in using the Excel spreadsheet developed by Sandia National Laboratories and the associated User Manual.

This will calculate the value of the solar system based on multiple factors you obtain at the property, and plug into the spreadsheet. The process uses future income and expenses to capitalize the current value of a solar system.

You can download the spreadsheet and user manual from http://energy.sandia.gov/?page_id=8047

Who Has Been Suing the Most Appraisers? Two Names You Know. Two Names You've Probably Never Heard.

By Peter Christensen

These are four of the parties who have been suing the most appraisers in 2011-12. I suspect most appraisers won't recognize two of the names, unless the appraisers are defendants in one of their cases. The parties are in no particular order, but the last one does file the most lawsuits.



LSF6 Mercury REO Investments. This is an investment fund of a private equity company named Lone Star. LSF6 bought discounted mortgage debt from bankrupt CIT Group in 2008. In late 2011, LSF6 began suing appraisers in New York as part of what appears to be an experiment with mass appraiser litigation to recover damages from appraisers relating to the defaulted mortgages. The mortgages and appraisals at issue date to 2005 to 2007. So far, LSF6 has sued at least 50 individual appraisers and small appraisal firms in New York. LSF6, however, has lost some of its early New York cases or been forced to abandon others. Its masterminds made some obvious legal mistakes. Perhaps seeking a new testing ground, LSF6 filed one of its most recent lawsuits against an appraiser in a Western state. If LSF6's experiment with mass appraiser litigation pays off for its private equity investors, the appraisal industry will have a dark future of voluminous appraiser litigation.

Lehman Brothers Holdings, Inc. This company hardly needs an introduction. It is the financial services firm commonly blamed for the near destruction of our economy in 2008. So, what's this former giant doing suing individual residential appraisers? Well, one of Lehman's mortgage origination machines at the height of the real estate and mortgage bubble was its subsidiary Aurora Bank. Lehman acquired mortgages from that subsidiary and packaged many for sale to other parties. Though it filed for bankruptcy in 2008 and remains in bankruptcy, Lehman began filing sporadic negligence lawsuits last year against appraisers who appraised for loans by Aurora back in 2005-2006. These lawsuits have been filed or threatened against appraisers in CA, CO, FL, GA, MD and TN (to name a few states). Lehman filed its most recent lawsuit

against an appraiser this month in MI.

Heritage Pacific Financial. This entity is an investment vehicle of some type that purchases defaulted mortgage debt for pennies on the dollar and then tries to recover some of the debt through creative means. One of its strategies has been to sue the borrowers for fraud, not just breach of the debt instrument. Because insolvent borrowers rarely fight in court, Heritage Pacific often obtains default judgments against the borrowers without a fight. A judgment for fraud can be non-dischargeable in bankruptcy and thus potentially will remain collectible against the borrower forever (a judgment can be renewed perpetually in California) or as long as judgments are enforceable. The judgments are then either collected on or sold to third parties according to marketing literature from Heritage Pacific. In the last couple of years, Heritage Pacific also has tried to collect from appraisers. It has sued appraisers for professional negligence and misrepresentation, contending that the appraisers are liable for the unpaid loan balances -- though Heritage Pacific may only have paid pennies on the dollar for the already defaulted debt.

With respect to its borrower actions, Heritage Pacific is facing at least one class action for unfair debt collection practices. Separately, it has been subject to state action for alleged securities violations concerning its investment offerings. The Center for Investigative Reporting's California Watch published a report on Heritage Pacific earlier this year.

Federal Deposit Insurance Corporation. The FDIC's tear against appraisers continues unabated. From January 1, 2011 through today, it has sued approximately 140 individual appraisers and small appraisal firms relating to defaulted loans of failed lenders under its supervision as receiver. It has identified approximately 400 additional individual appraisers by name as grossly negligent in its two lawsuits against national AMCs. Most or all of those 400 appraisers recently received a document entitled "notice of claim" which purported to give notice that civil claims for damages would be made against them relating to the appraisals in the FDIC's two AMC lawsuits, but the notices do not appear to have come from the FDIC. In 2011-



12, it has sued appraisers located in AZ, CA, FL, GA, IL, MD, ME, MI, MN, NC, NJ, NV, NY, OH, SC, UT and WA. Almost all the appraisals that the FDIC has recently sued over date to 2005 to 2007. The FDIC filed its most recent case against an appraiser in September in OH; the appraiser appraised a property for loan extended by failed Amtrust Bank in November 2007. ***(This is sort of an extraneous note, but it's important: (a) some appraisers in the higher risk states are being sold E&O policies that exclude coverage for damages awarded to the FDIC -- know what you are buying; and (b) if an appraiser without coverage is threatened or sued by the FDIC and the appraiser delivered the appraisal through an AMC, the appraiser should inquire about whether the AMC's E&O policy names independent contractors as insureds. Many AMCs unknowingly purchase policies which extend coverage to their contracting panel appraisers because they purchase policies not designed for appraisal management.)***

The FDIC's litigation tactics against appraisers also have been questioned. One of the issues that has been raised both in court and among appraisers is that the FDIC has been using a law firm called the Mortgage Recovery Law Group to make demands on, subpoena and sue appraisers across the country. The firm is staffed by personnel formerly employed by Indymac Bank, which itself failed and is under FDIC receivership. One attorney in the FDIC's law firm held the title "Director of Quality and Fraud Risk Management" at Indymac. Another non-attorney staffer held the title "Vice President of Fraud Prevention and Loss Mitigation." In some cases, these law firm personnel play the role of a witness for the FDIC; in other cases, the law firm's lawyers represent the FDIC as attorneys. A few may think the FDIC's utilization of former management insiders at the failed bank is clever, but others may think it's repugnant that former insiders are now profiting from their management work in Indymac's wheelhouse.

Other cases have raised issues about the FDIC's selection of appraisers as the principal targets in many of its professional liability lawsuits. The FDIC actually has sued or named in lawsuits more individual appraisers than officers and directors of failed banks. In doing so, the FDIC has looked past the most direct causes of loan losses incurred by the lenders under its supervision, while seeking to push down liability to the smallest, easiest targets. In one of its cases, the FDIC sued two elderly appraisers -- husband and wife -- over apprais-

ATA Members as of December 1, 2012

Carole Alexander	Michael Eddleton	Roddy J. Layman	Israel B. Saenz, Jr.
Dwayne Andrews	Donald Ender, ATA-R	Carol Lea	Raul Alberto Salinas
Edward Ansari	Chris Evans	Nester Leamon, ATA-G	Stephanie Samson
Phillip Arledge, ATA-R	Amir Faghih	Lonald Lee Leitzman	Frank Joseph Santos
Monica S. Arredondo	Bill Fenoglio	Billy Locke	John Schneider
Wayne Atkinson	Sam Alan Ferreri	James Loper	April Schulze
Kimberly Attallah	Kari Floyd	Phillip Lumpkins, ATA-R	Cynthia Carson Schwirtlich, ATA-R
John Patrick Bain	Laurie Fontana	Clarence Lyons, Sr.	Christopher Scott
Frank Baker, ATA-R	Angela K. Fritz	Cynthia Kay Macik	Melanie Sellers
Spencer Balentine	Arnold C. Fulmer	John Macy, ATA-R	George R. Shafer, ATA-R
Jonnie Vic Barnett	William Funk, ATA-G	Brad C. Mallett	Patrick Sheehy
John Baxley, ATA-R	Israel R. Galindo	Brian Marlow	Scott Sherrill
Ken Becker	Eduardo Garces	Ian Martinez	Buster Sherry, ATA-R
Joseph Benes, ATA-G	Mario Garza	Bridget McDougall	Thomas Shirley, ATA-R
Christopher John Bidegary	Wade Gibson, ATA-G	Sarah McDowell	Deborah Shoemaker
Dan Birchman	Patrick Goebel, ATA-R	Patrick McEuen	Edward Shuman, ATA-R
Bernerd Boarnet, ATA-G	Mary L. Golden	David McInturff, ATA-R	Quincy Simon
Charles Bowers	Edward Gray	John David McKinney	Howard Eugene Six
Charles Bratton	Pamela Green	Kevin McWatters	Jay H. Smith
Michael Braught, ATA-R	William Green	Elizabeth Meisel	Jeffery L. Smith
Randall Brice	Donna Green-Harris, ATA-G	Gary K. Miller	Paul Smith
Donald Brillhart	Donald J. Hall	Kimberley June Mitchell	Laura Stehling
Ruth Brillhart	James Monte Hall	Carolyn Marie Moody	Loren Stiner
Eileen Brown, ATA-R	David Gene Hankins	Larry Muennink, ATA-G	William Streep
Kenneth Bruce, ATA-G	Ron Hanz, ATA-G	Kevin Muhammad	Robert Sullivan, ATA-R
Michael F. Bubela	Carol Harris	Ace Curtis Myrick	Randall E. Tarpley
J.D. Buchwald	George Harrison	Richard Neighbors, ATA-R	Rick Taylor
Dona Buie, ATA-G	David Heaps	Virginia O'Dell, ATA-G	Sheron Taylor
Danny L. Byers	Robert Hough Henderson	Eufemia Olivarez, ATA-R	Jerold Mark Terry
Valeriano Eugenio Cadena, Jr.	Jeffrey Herren	Ramon A. Olivarez, ATA-G	Garland Tredway, ATA-R
Jericho N. Cagle	Edgar A. Herrera, ATA-R	Arturo Palacios	Kathryn Tredway, ATA-R
David Cale	Richard T. Herrington	Simon A. Palacios, Jr.	Wren Tuttle
Jo Ann Carr	Roy Hill	George Paraskevas	Jacob Valverde
Ann C. Carter	Barbara B. Holland	Bobby G. Partin	Victor V. Vaughan
Stacey L. Cartwright, ATA-R	Darrell L. Holland	Paulette Partin	Robert Visser
Jacob A. Casanova	David Holle	Dotti J. Pennebaker	Gary Voit, ATA-R
Olivo Castillo, Jr.	Walter D. Hull	Tonja Perez	Wayne Douglas Walker
William A. Chuoke, III	Michael R. Ingram	Judy Pierce, ATA-G	Bonnie Walker-Cox
Scott Coker, ATA-R	Sara Millspaugh Ingram, ATA-R	Daniel A. Pinard, ATA-L	Michael Warren
Patrick D. Coleman	Joe Ireland	Virginia Ann Piper	Roy Weber
Lisa Condra	Sally A. Ireland	Michael Plumlee, ATA-R	Craig White
Candace Cooke, ATA-G	Raulie Irwin, ATA-G	Blake Douglas Posey	Terry D. White
Raymond Dale Cookus	Charles P. Ivy	Randy Posey	Jerry H. Whitley
Paul Cooper	Diana Jacob	Terry L. Posey	Ted Whitmer
Slade Cooper	Mava Jalufka	Roger William Powell	Stephen Peter Whyte
George W. Cornelius, ATA-G	David Jauer	Richard R. Prigmore, Jr.	Jamie S. Wickliffe
Eric Cotton	Oliver L. Jernigan	Kendall Pruett, ATA-R	Edward E. Woodruff, ATA-R
Roy Wayne Courtney	Kenneth Jones, ATA-R	Deborah Prukop	Jose A. Zamora
Dennis Crawford, ATA-R	Robert Jones	Jessica Putz	Rachel A. Zamora
Karis Crawford	Debbie Jordan	Pauline Rabe	
Bobby Crisp, ATA-R	Wade Jordan, ATA-R	Lora Render	
Kay Y. Crofts	Benny Z. Judkins	William Render, ATA-R	
Rob Cunningham	Steve Kahane	Margie Reyes	
Marlin Dwaine Daugherty, Jr.	Robert Keeney, ATA-R	Ruth A. Rhodes	
Chris L. Davis	Vicky R. Keeney	James T. Rice	
Ronald O. Davis	David Kellogg	Gary L. Ridley	
Yves de Diesbach, ATA-R	David B. Kemp	Philip L. Ridley	
AnnA DeMoss, ATA-R	Etta Marie Kirchman	Christopher J. Rieve	
Timothy DeReese	A. Clay Kistler, II, ATA-G	Paul H. Rios	
Eric T. Divjak	Patrick G. Klier	Frank Roberts, ATA-R	
Charles Drapela, ATA-R	Lauren Lamm	John Robins	
Michael Dresch	Roger Lane	Jerry R. Robinson	
Bianca Dulfer	Bryan Lantzy	Charles Lee Rogers	
Wendell Duncan, ATA-R	Renee E. Latham, ATA-R	Kristen Rummel	
Dwayne Durham	Connie Simpson Layman	Danny Ryan	





Special Offer for ATA Members Only

DISTO D8—\$799-msrp ~~\$699~~



The most versatile laser distance meter in the world! Equipped with a digital Pointfinder, high-resolution 2.4" colour display, 360° tilt sensor and bluetooth® technology, the Leica DISTO™ D8 is a real world first and offers completely new measuring options.

- + Digital Pointfinder with 4x zoom
- + Large colour display screen (2.4 inches)
- + 360° Inclination measurement
- + Bluetooth® - reliable data transfer
- + DISTO™ transfer software and AutoCAD® plug-in included

DISTO D5—\$499-msrp ~~\$429~~



World First: First laser distance meter with digital Pointfinder (4x zoom), large 2.4" color display and ± 45° tilt sensor is now available!

The Leica DISTO™ D5 is designed with many functions and features to make measuring easier, particularly when you are working outdoors.

- + Digital Pointfinder with 4x zoom
- + Large colour display screen (2.4 inches)
- + Inclination measurement up to ± 45°
- + Power Range Technology™
- + Robust with IP 54

Name: _____

Address: _____

City/State/Zip: _____

Phone: _____

E-mail: _____

Method of Payment: _____ Check No: _____

___Discover ___Visa ___MC ___AMEX

Card#: _____ Exp. Date: _____

Signature: _____ CVC #: _____

<input type="checkbox"/> DISTO 8	\$699
<input type="checkbox"/> DISTO 5	\$429
<input type="checkbox"/> Shipping (2 day)	\$29.99
<input type="checkbox"/> Shipping (Ground)	\$12.99
<input type="checkbox"/> Tax (8.25%)	\$_____
Total: _____	

Mail Order Form to:
ATA
13530 Escort Drive
San Antonio, TX 78233

or order on-line at www.txappraisers.org/disto.html

Question/Comments: Call (210) 837-7123 or email
info@txappraisers.org

Association of Texas Appraisers - Meeting Registration Form

ATA South Padre Island Meeting
Hilton Garden Inn—South Padre Island
January 22-23, 2013

Name: _____ E-Mail: _____
Address: _____ Phone: _____

Member	\$99
Non-Member	\$198
Total Due	\$ _____

Mail Registration and Payment to:

Association of Texas Appraisers
13530 Escort Drive
San Antonio, TX 78233

Or Register and Pay on-line at:

www.txappraisers.org (click the Meetings link)

For more information, contact:
Teresa Walker (210) 837-7123
(info@txappraisers.org)



Registration form and payment must be received by Jan. 19. No refunds after January 19.

Meeting Times:

Day One: Class 8:00 a.m. - 5:00 p.m.

Day Two: Class 9:00 a.m. to Noon

Don't forget to make your Hotel Reservations.

A block of rooms has been reserved for ATA attendees at the [Hilton Garden Inn](#), 7010 Padre Blvd, South Padre Island, TX. Sleeping rooms are \$75 (plus tax) per night for single/double rooms with partial ocean view and \$99 (plus tax) for full ocean view. Reservations must be received by **Dec. 21, 2012**. After this date, reservations will be accepted on a space and rate availability basis. Call (956) 761-8700 and mention code ATA to receive this discounted rate.

*If you select this option, you must bring your laptop to the meeting.

Association of Texas Appraisers - Meeting Registration Form

7th Mid-Year Meeting

McKenna Events Center, New Braunfels

Feb. 22-23, 2013

Name: _____ E-Mail: _____

Address: _____ Phone: _____

Member Friday a.m. MCE	\$25
Non-Member Friday a.m. MCE	\$35
Member Fri. & Sat.	\$99
Non-Member Fri. & Sat.	\$198
Lunch Tickets for Guests	\$20

Total Due \$ _____

Mail Registration and Payment to:

Association of Texas Appraisers
13530 Escort Drive
San Antonio, TX 78233

Or Register and Pay on-line at:

For more information, contact:
Teresa Walker (210) 837-7123
(info@txappraisers.org)

www.txappraisers.org (click the Meetings link)



Registration form and payment must be received by Feb. 19. No refunds after Feb. 19.

Meeting Times:	Friday MCE Ethics	Register 8:00 a.m.	Class 8:30 - 11:30 a.m.
	Friday ACE	Register 11:30-12:30 p.m.	Class 12:30 - 5:00 p.m.
	Saturday ACE/MCE	Breakfast 7:30 a.m.	Class 8:00 a.m. - 5:00 p.m.

Don't forget to make your Hotel Reservations.

A block of rooms has been reserved for ATA members at the Courtyard Marriott, 750 IH-35 North. Sleeping rooms are \$99 (plus tax) per night for single/double. Reservations must be received by **Feb. 1, 2013**. After this date, reservations will be accepted on a space and rate availability basis. Call (800) 321-2211 and mention code APR to receive this discounted rate.

Look forward to seeing you there.