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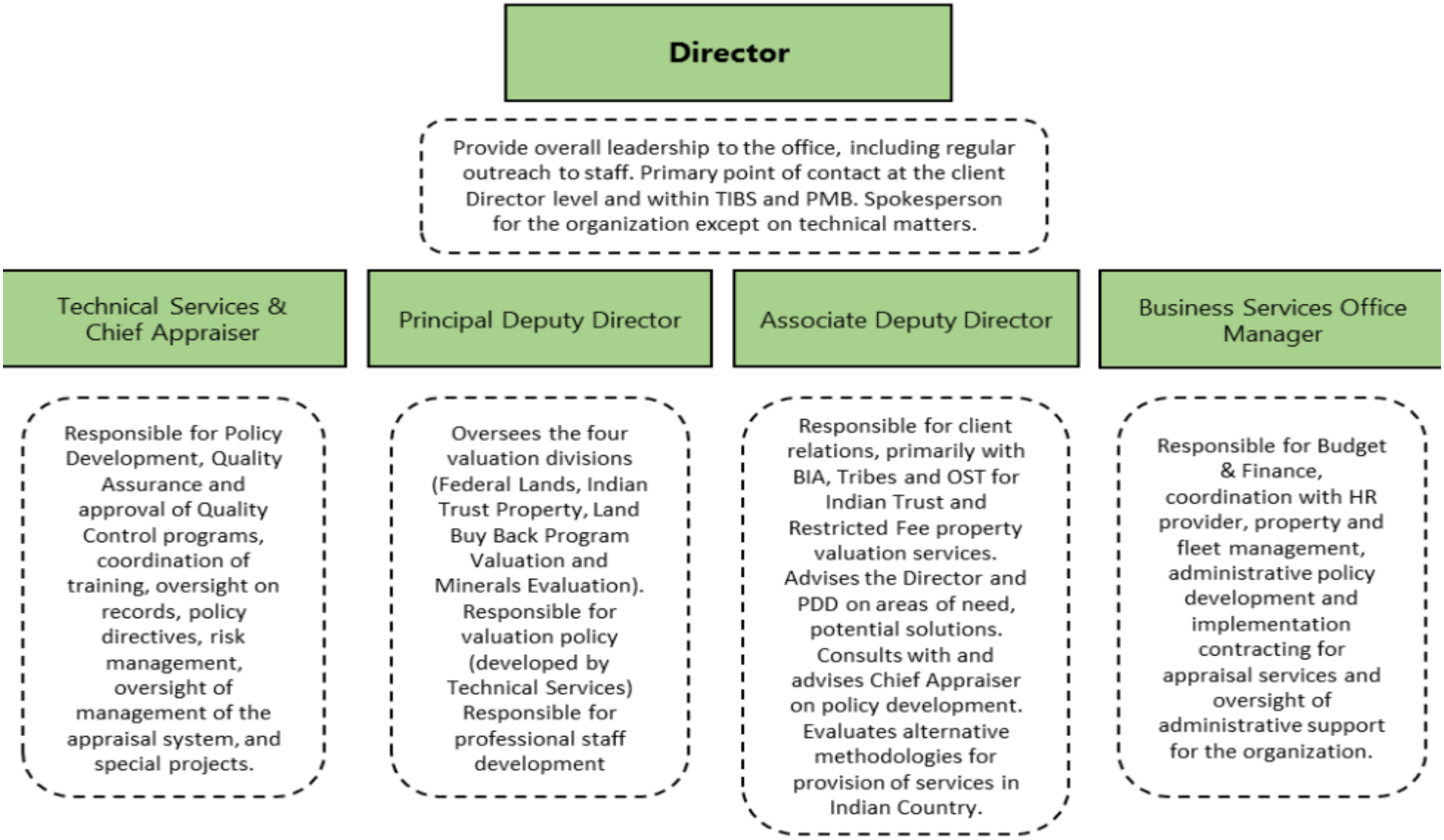
April 2018 v2

Appraisal and Valuation Services Office

Department of Interior

Appraisal and Valuation Services Office Organization Structure



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April 2018

Office of the Associate Deputy Director

Appraisal and Valuation Services Office

Department of the Interior

4400 Masthead St NE
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Why was AVSO created?

In June 2016, P.L. 114-179, the Indian Trust Asset Reform Act (ITARA) was signed into law. Section 305(a) required that the appraisals and valuations of Indian trust property be administered by a single bureau, agency, or other administrative entity within the Department by December 22, 2017.

As a result, the Office of Appraisal Services and the Office of Valuation Services have consolidated as the **Appraisal and Valuations Services Office (**AVSO) under the Office of the Secretary, Department of the Interior.

AVSO will increase efficiency by leveraging staff resources and information technology programs for appraisals.

The AVSO Organization consists of:

Director

Principal Deputy Director

- Deputy Director, Land Buy Back Valuation Division
- Deputy Director, Indian Tribal Property Valuation Division
- Deputy Director, Division of Minerals Evaluation

Associate Deputy Director

Chief Appraiser & Technical Services

Chief Business Services Division

The Associate Deputy Director is responsible for:

CLIENT RELATIONS

Primarily with BIA, Tribes and Office of the Special Trustee for Indian Trust and Restricted Fee property valuation service's.

ADVISORY

to the AVSO Director and Principal Deputy Director on areas of need for potential solutions for Indian Real Estate.

CONSULTANT

to the Chief Appraiser on policy development and evaluating alternative methodologies for provision of services in Indian Country.

SELF DETERMINATION

providing management and supervision of P.L.93.638 activities and serving as AVSO Approving Official.

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DEPARTMENTAL GUIDANCE
WAIVING DEPARTMENTAL REVIEW OF APPRAISALS AND VALUATIONS OF INDIAN PROPERTY

1.0 Purpose: This document provides Department of the Interior (Department) guidance in the implementation of Waiving Departmental Review of Appraisals and Valuations Indian Property (43 CFR Part 100).

2.0 Scope: Appraisals and Valuations of Indian property must be submitted to the ***Department*** if relied upon or required for transactions requiring Secretarial approval under Titles 25 and 43 of the CFR (other than those under the Federal Land Policy and Management Act).[43 CFR § 100.300]

Upon request by Tribes or individual Indian property owners who comply with specific criteria cited in 43 CFR Part 100, the Department will accept Appraisals or Valuations without review or approval.

3.0 No Waiver Requested If a waiver is **not** specifically requested [43 CFR § 100.301(a)(1)] at the time the Appraisal or Valuation is submitted, the Department will review the appraisal or valuation report even if the appraiser of record meets the minimum qualifications. [43 CFR § 100.302]

4.0 No Departmental Review: The Department ***will not*** review the appraisal or valuation of Indian property and the appraisal or valuation will be considered final as long as [43 CFR § 100.301 (a)]:

(1) The submission acknowledges the intent of the Indian tribe or individual Indian to waive Departmental review and approval;
(2) The appraisal or valuation was completed by a qualified appraiser meeting the requirements contained in Section 6.1 (43 CFR § 100.200); and
(3) No owner of any interest in the Indian property objects to use of the appraisal or valuation without Departmental review and approval [43 CFR § 100.301(a)(3)].

4.1 Departmental Review Required: The Department ***will*** review and approve appraisals or valuations of Indian property if:

(1) Any of the criteria in 43 CFR § 100.301 (a) is not met; or
(2) The appraisal or valuation was submitted for:
  (i) Purchase at probate under 43 CFR Part 30;
  (ii) The Land Buy-Back Program for Tribal Nations;
  (iii) An acquisition by the United States to which the Uniform Appraisal Standards for Federal Land Acquisitions applies; or
  (iv) Specific legislation requiring the Department to review and approve an appraisal or valuation.

5.0 Waiver Package Submittal: **The tribe or individual Indian requesting a waiver must submit the review waiver package to the *Secretary of the Interior (Secretary) at the same time the* appraisal or valuation report is submitted. [43 CFR § 100.204]**

(A waiver will not be granted after an appraisal review has been initiated by the Department.)

5.1	**Appraisal Purpose & Intended Use:**	The appraisal submitted for waiver of review must be for the purpose and intended use of the specific transaction for which the waiver is being requested. (ex., an appraisal for lending purposes cannot be used for sale or exchange purposes).
5.2	**Appraisal Date of Value**	Effective date of the appraisal is current relative to transaction and intended use of the appraisal or valuation.
5.3	**Waiver Package Requirements:**	Tribes or Individual Indians requesting a waiver must submit the following to the Secretary for verification of appraiser's qualifications [43 CFR § 100.203]: (a) A copy of the appraiser's current Certified General Appraiser license; (b) A copy of the appraiser's qualifications statement; (c) The appraiser's self-certification that the appraiser meets the Minimum Qualifications as cited in 43 CFR § 100.200; and (d) If the property contains natural resource elements that contribute to the value of the property, such as timber or minerals, a list of the appraiser's additional qualifications for the specific type of property being valued in the appraisal report.
6.0	**Appraiser's Qualifications Review:**	The Secretary will verify the appraiser's qualifications to determine whether the appraiser meets the minimum qualifications for a qualified appraiser [§100.202].
6.1	**Minimum Qualifications for Qualified Appraisers**	Minimum qualifications for qualified appraisers (1) The appraiser must hold a current Certified General Appraiser license in the State in which the property appraised or valued is located; (2) The appraiser must be in good standing with the appraiser regulatory agency of the State in which the property appraised or valued is located; and (3) The appraiser must comply with the Uniform Standards of Professional Appraisal Practice (USPAP) rules and provisions applicable to appraisers (including but not limited to Competency requirements applicable to the type of property being appraised or valued and Ethics requirements). This includes competency in timber and mineral valuations if applicable to the subject property. [43 CFR § 100.200]
6.2	**National Appraiser Registry & State Licensing Agencies:**	National Appraisal Registry link: https://www.asc.gov/National-Registry/FindAnAppraiser.aspx State Appraiser Regulatory Program link: https://www.asc.gov/State-Appraiser-Regulatory-Programs/StateContactInformation.aspx
7.0	**Not in Agreement with Appraisal or Valuation Conclusions:**	If the Indian tribe or individual Indian does not agree with the appraisal or valuation prepared by their qualified appraiser, the Indian tribe or individual Indian ***should not*** submit the appraisal or valuation for a waiver by the Department for review and approval [43 CFR §100.303].
8.0	**Department Liability:**	The Department is not liable for any deficient or inaccurate appraisal or valuation provided by the tribe or individual Indian that it did not review or approve, even if the Department approved a transaction for Indian property (including but not limited to a lease, grant, sale, or purchase) based on the appraisal or valuation [43 CFR § 100.304].

MODEL REQUEST TO WAIVE
DOI REVIEW OF APPRAISAL OR VALUATION REPORT

Items required for a complete waiver request package:

- ☐ The Tribe or Individual Indian property owner may use this model form or provide their own signed statement acknowledging the intent to waive Departmental review of the identified Appraisal or Valuation Report.
- ☐ Signed Appraisal or Valuation Report (Waiver Request and required documents listed below must be submitted with the Appraisal or Valuation Report. A waiver will not be granted after an appraisal review has been initiated by the department.);
- ☐ A copy of the appraiser's current Certified General Appraiser license;
- ☐ A copy of the appraiser's qualifications statement;
- ☐ If the property contains natural resource elements that contribute to the value of the property, such as timber or minerals, a list of the appraiser's additional qualifications for the specific type of property being valued in the appraisal report.
- ☐ The appraiser's self-certification that the appraiser meets the following criteria:
  - (1) The appraiser must hold a current Certified General Appraiser license in the State in which the property appraised or valued is located;
  - (2) The appraiser must be in good standing with the appraiser regulatory agency of the State in which the property appraised or valued is located; and
  - (3) The appraiser must comply with the Uniform Standards of Professional Appraisal Practice (USPAP) rules and provisions applicable to appraisers (including but not limited to Competency requirements applicable to the type of property being appraised or valued and Ethics requirements). This includes competency in timber and mineral valuations if applicable to the subject property.

Please Note:

-
- Appraisals and valuations of Indian property must be submitted to the Department if relied upon or required for transactions requiring Secretarial approval under titles 25 and 43 of the CFR (other than those under the Federal Land Policy and Management Act).
- Effective date of the appraisal is current relative to transaction and intended use of the appraisal or valuation.
- Do Not submit a Waiver for an Appraisal or Valuation in which you desire the Department to review even when completed by a qualified appraiser.
- Do Not submit a Waiver Request for an Appraisal or Valuation that you do not agree with.
- The Department is not liable for any deficient or inaccurate appraisal or valuation provided by the tribe or individual Indian that the Department did not review or approve, even if the Department approved a transaction for Indian property (including but not limited to a lease, grant, sale, or purchase) based on the appraisal or valuation [43 CFR § 100.304].

Report Identification

Property Tract #: _____

Report File #:: _____

Report Date: _____

Appraiser: _____

By signing below, it is the property owner's intent to request a waiver of Departmental Review of the identified Appraisal or Valuation Report.

_____ _____

Signature, Property Owner Date

By signing below, the Department representative has reviewed and certifies this waiver request complies with the requirements set forth in 43 § CFR 100.

_____ _____

Signature, Department Representative Date