

You have received your appraisal....now what?

- ✓ Submit your intentions to the Authorized Officer that you may wish to pursue a second appraisal. Submit this request within 60 days of being notified of the appraisal results.

- ✓ Thoroughly read the entire appraisal, look at the comparable sales, ask questions. If you believe you have found errors or wish to have a written response to your concerns, send a letter to the Authorized Officer.

- ✓ If you wish to pursue a second appraisal after you have received your second appraisal instructions from the Authorized Officer, contact the Sr. Review Appraiser. You need prior approval of appraiser selection. The Reviewer can answer any questions that the appraiser may have about the assignment.

- ✓ The second appraisal and Statement of Material Differences must be submitted to the Authorized Officer within 1 year of when the permit holder was originally notified of the new appraisal results and within 60 days of actually receiving the report.

- ✓ If the second appraisal is approved, the cabin owner must request the Authorized Officer to consider the second appraisal for fee determination.

- ✓ Permit holder will receive a letter from the Authorized Officer stating his/her decision for fee determination. This decision is appealable. The Authorized Officer may use the Forest Service appraisal, the second appraisal, or somewhere in the middle, to determine the fee. Information contained in the Statement of Material Differences will be considered as well.

Still not pleased with the outcome...the appeal process

Appeal rights for decision on fee based upon a second appraisal:

- When the Authorized Officer has made a decision on your fee based upon the submittal of an approved second appraisal, you have the right to appeal.

Appeal needs to be factual in content on an issue or issues that the Deciding Officer can possibly change.

- Example: specific valuation factors, sales used, sale analysis and conclusions, specifics as to why the Authorized Officer used the first appraisal rather than second, etc.

Non-changeable appeal issues

- Example: the 5% factor is too high, change the date of value, keep the fee the same, arbitrarily cut the fee by a percentage, not affordable, the appraiser is not ethical, etc.

Appeal rights decision based on new fee implementation from the bill of collection:

Appeal needs to be factual in content on an issue or issues that the Deciding Officer can possibly change.

- Example: factual errors in the appraisal report with regard to the physical description of the lot, incorrect sales data, error in math, error in sales analysis, fee phase-in error, etc.

Non-changeable appeal issues

- Examples: Fee is too high and unfair, 5% factor should be changed, take into account the permit restrictions, comparing permitted land to private land, change the appraisal cycle date, change the typical lot, appraiser is not ethical, CUFFA is unconstitutional, I can't sell my cabin, the system is broken like health care, I was not re-issued a 20 year permit, the County will now raise my taxes, etc.

Final fee determination was higher than the second appraisal...

- ❖ CUFFA does not provide for the Forest Service Review Appraiser to recommend a base fee mid-range for the authorized officer, this is an administrative decision if both appraisals are compliant with the basic specifications.
- ❖ A new base fee determined to be within a range of values of the two approved appraisals is possible. Sole reliance on the 2nd appraisals may not always be prudent. Final decisions may recognize **the contribution of both approved appraisals**.
- ❖ The Forest Service does not automatically disregard the fee to be determined from the Agency Contracted appraisal that was performed just because the holder's second appraisal comes in with a lower value. Both approved appraisals are utilized.

How can you have two approved appraisals?

- When the second appraisal is reviewed, it is done so as a "stand alone" document. This means that the reviewer is not comparing it to the agency-contracted report. The reviewer checks for compliance to contract specifications, is the estate appraised correct, any math errors, etc.
- If the second appraisal is approved and there is disparity between the two values, the decision maker (District Ranger or Forest Supervisor) usually solicits staff input from the reviewer as to the probable cause in value disparity. At this point, the reviewer can compare the information found in both reports and state whether one report has more supported credibility than the other based upon the data in the reports.