



# Board of Real Estate Appraisers

Records Retention Schedule

Prepared by the State Records Branch  
Public Records Division

Approved by the State Archives and Records Commission



Kentucky Department for  
Libraries and Archives

This records retention schedule governs retention and disposal of records created, used and maintained by the Board of Real Estate Appraisers. **Government records in Kentucky can only be disposed of with the approval of the State Archives and Records Commission (the Commission). If records do not appear on a Commission-approved records retention schedule, agencies should not destroy those records.** This agency-specific schedule was drafted by Board of Real Estate Appraisers personnel and Archives and Records Management Division staff, and reviewed and approved by the Commission. This schedule provides the legal authority for Board of Real Estate Appraisers to destroy the records listed, after the appropriate retention periods have passed.

Board of Real Estate Appraisers personnel should use this agency-specific schedule in combination with the *General Schedule for State Agencies (General Schedule)*, also approved by the Commission. The *General Schedule* applies to records that are created, used and maintained by staff at all or most state agencies. Agency-specific retention schedules are used only by specific agencies and apply to records that are created only by a particular state agency, or to records that a state agency is required to retain longer than the approved time period on the *General Schedule*. The *General Schedule* and agency-specific retention schedule should cover all records for Board of Real Estate Appraisers.

This retention schedule applies to state agency records and information regardless of how it is created or stored. For example, information created and sent using e-mail is as much a public record as materials created or maintained in paper. Kentucky law defines public records, in part, as "documentary materials, *regardless of physical form or characteristics*, which are prepared, owned, used, in the possession of or retained by a public agency" (KRS 171.410[1]). This means that records management standards and principles apply to all forms of recorded information, from creation to final disposition, regardless of the medium. Records retention scheduling is important in developing, using, and managing computer systems and other electronic devices. Records management practices encourage cost-effective use of electronic media through accurate retention scheduling and legal destruction of records.

**All state government employees are responsible for maintaining records according to the retention schedule, whether those records are stored electronically or in paper. Information must be accessible to the appropriate parties until all legal, fiscal, and administrative retention periods are met, regardless of the records storage medium.**

This retention schedule covers the content of records created by Board of Real Estate Appraisers, including records created or stored using computers and computer systems. The *General Schedule for Electronic and Related Records* applies to records related to computers or a computer system. Examples of these include system documentation and use records, backup files, or website format and control records.

### **Audits and Legal Action**

Agency records may be subject to fiscal, compliance or procedural audit. If an agency should maintain records longer than the approved retention period, as may be the case with some federal audits, then all affected records should be retained until the audit has been completed and the retention period met. In no case should records that are subject to audit be destroyed until the audit has been completed and retention periods met, or the records have been officially exempt from any audit requirements.

Records may also be involved in legal or investigative actions, such as lawsuits, administrative hearings or open records matters. These records must be retained at least until all legal or

investigative matters have concluded, regardless of retention period. This includes all appeals of lawsuits.

### **Vital Records**

Vital records are essential to the continued functioning of an agency during and after an emergency. Vital records are also essential to the protection of the rights and interests of an agency and of the individuals for whose rights and interests it has a responsibility. Vital records are identified in the retention schedule with a (V).

### **Confidential Records**

While all records created, used and maintained by government agency personnel are public records, not all of those records are open to public inspection. Whether a record is open to public inspection is determined by the state's Open Records laws and other relevant state or federal statutes and regulations. Restriction of public inspection of confidential records may apply to the whole record or only to certain information contained in the record.

Kentucky's public records are considered open for public inspection unless there is some specific law or regulation that exempts them. Agency personnel who believe certain records are confidential should submit a citation from Kentucky Revised Statutes, Administrative Regulations, Code of Federal Regulations, or similar authority. **State agency heads have the responsibility to know all the appropriate confidentiality laws, statutes and regulations that apply to the records maintained by their agency and to see that those laws are enforced.** Even though a record series may or may not be marked confidential on a retention schedule, contradictory laws or regulations that are passed after the schedule has been approved must be honored.

### **Copies of Records**

Agency personnel often make copies of records for internal use or reference purposes. Agencies should designate one copy as the official copy and make sure it is retained according to the records retention schedule. Agencies can destroy all other copies when no longer useful.

### **Updating the Retention Schedule**

Per 725 KAR 1:010, the head of each state government agency is required to designate a member of his or her staff to serve as a records officer. The agency records officer represents that agency in its records-related work with the Archives and Records Management Division. The agency records officer is responsible for assisting the Archives and Records Management Division in drafting a records retention schedule, and in finding any schedule updates to bring before the Commission. The retention schedule should be reviewed on a regular basis to suggest appropriate changes to the Commission.

## **Real Estate Appraisers Board**

The Real Estate Appraisers Board is charged with protecting the public interest through regulation, examination and licensing of Kentucky real estate appraisers and the registration of Appraisal Management Companies pursuant to KRS Chapter 324A and 201 KAR Chapter 30. The Real Estate Appraisers Board approves and monitors pre-licensing and certification education, experience and testing; and approves and monitors continuing education for real estate appraisers. The Board also investigates complaints against real estate appraisers and Appraisal Management Companies.

The Board is funded solely through fees charged to obtain and renew a license to practice real property appraising and to register to do business as an Appraisal Management Company in Kentucky.

RECORDS RETENTION SCHEDULE

Signature Page

Board of Real Estate Appraisers
Agency

March 14, 2013
Schedule Date

Unit

June 12, 2014
Change Date

June 12, 2014
Date Approved By Commission

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APPROVALS

The undersigned approve of the following Records Retention Schedule or Change:

[Signature]
Agency Head

04/21/2014
Date of Approval

[Signature]
Agency Records Officer

4/21/14
Date of Approval

[Signature]
State Archivist and Records Administrator
Director, Public Records Division

6/10/2014
Date of Approval

[Signature]
Chairman, State Archives and Records Commission

6/12/14
Date of Approval

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The undersigned Public Records Division staff have examined the record items and recommend the disposition as shown:

[Signature]
Records Analyst/Regional Administrator

April 17, 2014
Date of Approval

[Signature]
Appraisal Archivist

6/10/2014
Date of Approval

[Signature]
State/Local Records Branch Manager

6/10/14
Date of Approval

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The determination as set forth meets with my approval.

[Signature]
Auditor of Public Accounts

6-12-14
Date of Approval

STATE ARCHIVES AND RECORDS COMMISSION  
Public Records Division  
Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS  
RETENTION SCHEDULE

General Government  
Real Estate Appraisers Board

Record Group  
Number  
2522

Series	Records Title and Description	Function and Use
06417	<b>Application File - Incomplete</b>	This series documents incomplete applications submitted to the Real Estate Appraisers Board for certification and/or issuance of license as a certified general real property appraiser, certified residential real property appraiser, licensed real property appraiser or associate real property appraiser as defined by KRS Chapter 324A.
	<b>Access Restrictions</b>	KRS 61.878 (1)(a) re personal information
	<b>Contents</b>	Series may contain: Application form with name, address, date of birth, Social Security Number of applicant; correspondence; and since the application is incomplete for various reasons, it may or may not include the following: education documents; transcripts; transfer documents from another state.
	<b>Retention and Disposition</b>	Retain in Agency and destroy one (1) year after receipt.
06418	<b>Certification/License File (V)</b>	This series documents the application and issuance of a license and/or certification to applicants to perform the duties of an appraiser pursuant to KRS Chapter 324A and the regulations promulgated thereto. An appraiser is an individual licensed or certified by the Real Estate Appraisers Board who, for a fee or other consideration, develops and communicates a real estate appraisal or provides an opinion of the value or any interest in real estate in conformity with the minimum Uniform Standards of Professional Appraisal Practice. Licenses are renewed annually and if six (6) months or more elapse after the renewal date, the former certificate or license holder shall be required to meet all requirements as if applying for initial certification or licensure.
	<b>Access Restrictions</b>	KRS 61.878 (1)(a) re personal information
	<b>Contents</b>	Series may contain: License application; date of birth; Social Security number; home address and phone number; examination results; education history; employment history; background check; address changes; renewal documentation; record of payment for fees; correspondence; inactive applications per the written request to the Board by applicant; and if applicable, complaints and disciplinary actions
	<b>Retention and Disposition</b>	Retain in Agency three (3) years after date of expiration or termination of license, then destroy.
06419	<b>Temporary Appraisal Licenses and Certificates</b>	This series documents temporary licenses and certificates issued by the Real Estate Appraisers Board to a real estate appraiser from another state who is licensed or certified in that state per the requirements of KRS 324A and 201 KAR 30:120. Temporary licenses and certificates are issued due to federally-related transactions and for one (1) specific assignment detail.
	<b>Access Restrictions</b>	KRS 61.878 (1)(a) re personal information; 201 KAR 30:120 Section 1(5) re confidentiality of assignment if divulging information creates a breach per Uniform Standards of Professional Appraisal Practice (12 U.S.C. 3331-3351)
	<b>Contents</b>	Series may contain: Application for temporary license or certification; Applicant's name, address, Social Security Number and information necessary to identify the applicant; correspondence under seal issued by appraiser's licensing or certifying agency in the applicant's resident state; type and number of license or certificate; dates of certification and expiration of license or certificate; how license or certificate issued (result of passing examination, or reciprocity, or other means); complete record of disciplinary actions or pending proceedings against the applicant; agreement re Commonwealth rules and regulations; identification the appraisal assignment to be performed, as well as beginning and ending dates for performing assignment; fee documentation; and correspondence.
	<b>Retention and Disposition</b>	Retain in Agency three (3) years after date of expiration or termination of license, then destroy.

STATE ARCHIVES AND RECORDS COMMISSION  
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STATE AGENCY RECORDS  
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General Government  
 Real Estate Appraisers Board

Record Group  
 Number  
 2522

Series	Records Title and Description	Function and Use
06420	<b>Appraisal Management Company File</b>	This series documents the operations and actions of an appraisal management company per the requirements of 324A.150, 201 KAR 30:310-375, which require that it register with the Real Estate Appraisers Board. An appraisal management company is a registrant or person who performs the actions necessary to administer a network of state-licensed appraisers to fulfill requests for appraisal management services on behalf of a client, including but not limited to recruiting appraisers; contracting with appraisers to perform appraisal services; collecting and negotiating fees; and receiving, submitting, reviewing and/or verifying appraisal reports. The Board may inspect records, without prior notice, periodically, or if the Board determines that the records are pertinent to an investigation of a complaint against registrant.
	<b>Access Restrictions</b>	KRS 61.878 (1)(a) re personal information; KRS 61.878 (1)(h) during investigation
	<b>Contents</b>	Series may contain: Name and address of registrant and/or organization; list of real estate appraisers; correspondence; surety bond documentation; and if applicable as a result of request of Board: billing statements, fees collected; copies of documentation filed with Secretary of State; third party billing documentation; and if applicable, complaints, investigations and recommendations.
	<b>Retention and Disposition</b>	Retain in Agency three (3) years after date company is inactive, then destroy.
06421	<b>Grievance/Disciplinary Action File</b>	This series documents investigations and findings of real estate appraisers and appraisal management companies as a result of a written complaint by persons or organization, including the Real Estate Appraisers Board upon its own volition, regarding alleged violation(s) of KRS 324A and the regulations promulgated thereto. In the event the investigation reveals the alleged violation did occur, any disciplinary action(s), including but not limited to fines, reprimands, suspension, revocation, refusal to renew, or any combination, or legal proceedings, are also incorporated in Series 06418, Certification/License File.
	<b>Access Restrictions</b>	KRS 61.878 (1)(a) re personal information; KRS 61.878 (1)(h) during ongoing investigation period
	<b>Contents</b>	Series may contain: Written documentation of complaint or grievance against real estate appraiser or appraisal management company; date alleged violation occurred; complainant name, address, phone number; name of real estate appraiser or appraisal management company and address; name of investigator; date of investigation; findings; correspondence; and if applicable, legal documentation.
	<b>Retention and Disposition</b>	Retain in Agency permanently.
06422	<b>Disciplinary Action Log</b>	This series documents the electronic log of any disciplinary actions regarding real estate appraisers and appraisal management companies pursuant to KRS 324A.052.
	<b>Access Restrictions</b>	
	<b>Contents</b>	Series may contain: Name of real estate appraiser or real estate appraisal company, date of investigation and disciplinary action invoked.
	<b>Retention and Disposition</b>	Retain in Agency permanently. Update as needed.
06423	<b>Complaint File/ Non-Disciplinary Action</b>	This series documents unsubstantiated grievances or investigations of real estate appraisers and appraisal management companies alleging violations of KRS 324A and the regulations promulgated thereto that do not result in any disciplinary action or the investigation reveals that the alleged violation did not occur.
	<b>Access Restrictions</b>	
	<b>Contents</b>	Series may contain: Written documentation of grievance; name and address of complainant; if applicable, investigation findings and recommendations; and correspondence.
	<b>Retention and Disposition</b>	Retain in Agency three (3) years after date of conclusion and recommendation of findings, then destroy.

STATE ARCHIVES AND RECORDS COMMISSION  
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STATE AGENCY RECORDS  
 RETENTION SCHEDULE

General Government  
 Real Estate Appraisers Board

Record Group  
 Number  
 2522

Series	Records Title and Description	Function and Use
06425	<b>Education Provider Files</b>	This series documents the process of approval by the Real Estate Appraisers Board for instructors and institutions to provide services for the required education and continued education to appraisers pursuant to KRS 324A and the regulations promulgated thereto. Providers must submit applications for approvals each year and are renewed annually. This series also documents the evaluation forms completed by students enrolled in each course and submitted to the Real Estate Appraisers Board for review for course approval percentage rating and instructor per 201 KAR 30:170.
	<b>Access Restrictions</b>	
	<b>Contents</b>	Series may contain: Application including Instructor name, address, phone number; copy of current resume or curriculum vitae; copy of baccalaureate degree or higher; employment history; course outline; correspondence; Real Estate Appraisers Board approval; student evaluation forms; and if applicable, withdrawal of approval by the Board.
	<b>Retention and Disposition</b>	Retain in Agency three (3) years after approval by Board, then destroy.
06426	<b>Appraisal Management Company Applicants Register Listing (V)</b>	This series represents the register of all applicants for registration as an Appraisal Management Company as required by KRS 324A.160
	<b>Access Restrictions</b>	
	<b>Contents</b>	Series may include: Name of applicant; date of the application; applicant's business address and current status of the registration.
	<b>Retention and Disposition</b>	Retain in Agency permanently. Update as needed.
06485	<b>Criminal Background Checks</b>	This series documents criminal background checks for applicants for licensure or certification as a real estate appraiser per KRS 324A.100 and/or applicants for license or certification as an appraisal management company per KRS 324A.152. The Real Estate Appraisers Board requires a national and state criminal background check for each initial application and shall provide information and fingerprints to the Department of Kentucky State Police for submission to the Federal Bureau of Investigation. The initial criminal background is no longer valid after issuance of license or certification; however, future criminal background checks may be required by the Board at some point, if applicable.
	<b>Access Restrictions</b>	KRS 61.878 (1)(a)
	<b>Contents</b>	Series may contain: Name, address, phone number, Date of Birth, Social Security Number, fingerprints, and findings as a result of the background check.
	<b>Retention and Disposition</b>	Retain in Agency thirty (30) days after issuance or denial of license or certification, then destroy.

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# *Electronic System With Included Records Series*

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## **General Government Cabinet**

### *Real Estate Appraisers Board*

**System Description:** The Kentucky Real Estate Appraisers Board is charged with protecting the public interest through regulation, examination and licensing of Kentucky real estate appraisers and the registration of Appraisal Management Companies. This database is used to monitor each Kentucky Certified/Licensed Appraiser as well as applicants for appraisers license, personal information, license, examination, continuing education requirements, experience requirements, license number, license issue date and license expiration date concerning Certified General, Certified Residential, Licensed Real Property and Associate appraisers.

**System Contents:** System contents include licensee information: name, address, social security number, continuing education, experience submission date, test completed, email address, date of birth, social security number, first license issue date and license expiration date.

**General Schedule Items:** F0141 - Accounts Receivable Records

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**System Title:** Kentucky Real Estate Appraisers Board Database    **Alternate Title:** KREAB

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<i>Series #:</i>	<i>Series Title:</i>	<i>Disposition Instructions:</i>
06417	Application File - Incomplete	Retain in Agency and destroy one (1) year after receipt.
06418	Certification/License File	Retain in Agency three (3) years after date of expiration or termination of license, then destroy.
06419	Temporary Appraisal Licenses and Certificates	Retain in Agency three (3) years after date of expiration or termination of license, then destroy.
06422	Disciplinary Action Log	Retain in Agency permanently. Update as needed.
06426	Appraisal Management Company Applicants Register Listing	Retain in Agency permanently. Update as needed.
F0141	Accounts Receivable Records	Destroy eight (8) years after transaction, end of contract or end of liability, or after audit, whichever is longest. Destroy Legal Claim Files eight (8) years after settlement closure.