

RD AN No. 4646 (1980-D)
May 2, 2012

TO: State Directors
Rural Development

ATTENTION: Single Family Housing Program Directors,
Guaranteed Housing Specialists and Coordinators,
State Appraisers, State Contracting Officers, and
Program Support Staff

FROM: Tammye Treviño (Signed by *Tammye Treviño*)
Administrator
Housing and Community Facilities Programs

SUBJECT: Single Family Housing Guaranteed Loan Program

- Liquidation Value Appraisals
- Definition of Value Type and Procedure

PURPOSE/INTENDED OUTCOME:

The purpose of the Administrative Notice (AN) is to renew guidance on the definition of a *liquidation value* type appraisal and outline the steps taken in obtaining a report from a Qualified State Licensed or Certified Appraiser, in conjunction with Real Estate Owned (REO) guaranteed under the Single Family Housing Guaranteed Loan Program (SFHGLP). The intended outcome of this AN is to establish a consistent understanding nationwide of the terminology utilized with this value type, and outline general acceptable appraisal procedures for developing and reporting an appraisal for liquidation value.

COMPARISON WITH PREVIOUS AN:

This AN replaces RD AN No. 4548 (1980-D), issued February 3, 2011, which expired January 31, 2012.

EXPIRATION DATE:
January 31, 2013

FILING INSTRUCTIONS:
Preceding RD Instruction 1980-D

BACKGROUND:

RD Instruction 1980-D, Section 1980.376(a)(1)(ii), in part, states that when a lender acquires the property in liquidation and no sales offer is accepted within the 6-month marketing period following acquisition, the Agency will obtain and use a liquidation value appraisal. The value established will be utilized to base a loss claim payment by applying a cost factor established by the Department of Veterans Affairs (VA), which estimates REO expenses. The most current cost factor may be found in RD Instruction 1980-D, Exhibit D.

For a REO claim calculation, a third party liquidation value appraisal, obtained by the Agency, will be the liquidation value as it takes into consideration market pressures on a distressed property.

This AN provides direction on the current terminology utilized regarding the definition of liquidation value appraisal and the general procedures to be followed when requesting a liquidation appraisal report.

IMPLEMENTATION RESPONSIBILITIES:

There are numerous types of appraised value. An authoritative source for the definition of these various values is the Appraisal Institute's 4th Edition of The Dictionary of Real Estate Appraisal, available online for purchase at the Appraisal Institute's website at: <http://www.appraisalinstitute.org/ecom/publications>.

Liquidation value is defined as follows:

“Liquidation value: the most probable price that a specified interest in real property is likely to bring under all of the following conditions:

- 1. Consummation of a sale will occur within a severely limited future marketing period specified by the client.*
- 2. The actual market conditions currently prevailing are those to which the appraised property interest is subject.*
- 3. The buyer is acting prudently and knowledgeably.*
- 4. The seller is under extreme compulsion to sell.*
- 5. The buyer is typically motivated.*
- 6. The buyer is acting in what he or she considers his or her best interest.*
- 7. A limited marketing effort and time will be allowed for the completion of a sale.*
- 8. Payment will be made in cash in U.S. dollars or in terms of financial arrangements comparable thereto.*
- 9. The price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.”*

This definition clearly differs from that of market value due to the *motivation of the seller* and the *limited marketing period factors*.

An appraisal report must be prepared by a Qualified State Licensed or Certified Appraiser and comply with the Uniform Standards of Professional Appraisal Practice (USPAP). The following are items that should be identified in an appraisal order process when ordering a liquidation value appraisal:

- When the appraisal assignment is to determine liquidation value, the Agency's Statement of Work (SOW) must clearly identify the value type and definition to be reported.
- Additionally, the severely limited future marketing period should be identified in the SOW. The client specified marketing period as identified by SFHGLP is 30 days and must be used by the appraiser whenever the typical marketing period exceeds 30 days. If the typical marketing period is identified by the appraiser as less than 30 days the appraiser should base their estimate of value on the shorter period and identify the time period used. The appraisal should be developed based on the actual physical condition of the property.
- Appraisal reports should be Uniform Appraisal Dataset compliant and the most recent version of one of the following:
 - Uniform Residential Appraisal Report (Fannie Mae Form 1004 or Freddie Mac Form 70)
 - Manufactured Home Appraisal Report (Fannie Mae Form 1004C or Freddie Mac Form 70-B)
 - Individual Condominium Unit Appraisal Report (Fannie Mae Form 1073 or Freddie Mac Form 465)

The agency allows modification of the above forms to capture the liquidation value. As part of the appraisal assignment, the appraiser will be requested to complete the following to support the value and condition of the property:

- Market Conditions Addendum to Appraisal Report (Fannie Mae Form 1004MC or Freddie Mac Form 71). This form will further enhance and document a clear and accurate understanding of the market trends and conditions prevalent to neighborhoods. If information is unavailable document the Appraisal Report on the attempts when information is not available to support completion of this form.
- Photographs documenting the interior inspection are part of the appraisal assignment. Interior photographs should include the living room, kitchen, bathroom, furnace, central air unit (if applicable), water heater, electrical panel and photographs of any damage or deferred maintenance.
- The appraisal order should summarize the appraisal assignment information and confirm the appraisal fee, payment method, responsible party for payment, verify method of delivery and confirm any special instructions or assignment conditions, as discussed with the appraiser.
- *Prior to ordering a liquidation appraisal*, the Agency approval official responsible for determining the need for requesting a liquidation value appraisal, in accordance with Section 1980.376(a)(1)(ii) of RD Instruction 1980-D, will request a certification of funds from the Fiscal Control Branch (FCB) in the Office of the Deputy Chief Financial Officer in St. Louis, Missouri. The request

should be sent to **dcfo-fcb2@stl.usda.gov**. FCB will reply by email within 24 hours certifying funds are available for the proposed appraisal order. Please include in the request:

- Borrower identification number – obtained from the Guaranteed Loan System (GLS). **DO NOT REFERENCE A SOCIAL SECURITY NUMBER OR A BORROWER’S NAME**
- Lender’s name
- Appraiser’s name
- Amount of quoted appraisal fee

This is an important step. Funding in past fiscal years has been ample to cover all liquidation value appraisal requests. However, to ensure funds are available for your request, this step must be followed. Questions on this portion of the process may be directed to: **FCB at (314) 457-4143**. States who order liquidation value appraisals on behalf of the Centralized Servicing Center are responsible for fund certification.

- It is suggested that confirmation of the residential appraisal order be obtained from the vendor once an order is placed.

The appraisal should be ordered by Rural Development staff and paid by using Form RD 1980-46, “Report of Liquidation Expense Transaction 4040.” The program loan cost expense account is not utilized for payment of SFHGLP liquidation value appraisals. Please complete the form with the following information. You may access a fillable form online at the forms website located at: <http://www.rurdev.usda.gov/regs/formstoc.html>

The form **CANNOT** be scanned and emailed with the Personally Identifiable Information (PII) required of the form. **It must be faxed or mailed to the address/number provided below.**

- In Block 1, insert the 14 digit case number. This is the State, County and borrower ID number. **This procedure differs from requesting fund certification.** PII information of borrowers must be protected when working with sensitive information. The format is either ##-###-##### or #####.
- Continue completion of blocks 2 through 7 as published in the Forms Manual Insert (FMI).
- The actual cost of the appraisal is to be inserted into Block 8.
- Complete the total amount of Block 8 in Block 10.
- Leave Blocks 11 and 12 blank.
- In Block 13, “Remarks,” insert the following:
- *“Loss Claim Appraisal – Single Family Housing Guaranteed Loan Program”* followed by the **BORROWER IDENTIFICATION NUMBER** assigned in GLS. It is helpful to utilize the following format to identify the number in block 13:
Borrower ID: #####

- By regular mail, forward the completed form and invoice requesting payment to:
USDA, Rural Development
DCFO – FC-350/GLB
PO Box 200011
St. Louis, MO 63120-0011
- By priority mail, forward the completed form and invoice requesting payment to:
USDA, Rural Development
4300 Goodfellow Blvd.
Bldg. 104 South End
2nd Floor, Post H37
St. Louis MO 63120
General Branch Telephone #: (314) 457-4192
- By fax, forward the completed form and invoice requesting payment to:
(314) 457-4279

It is important that the appraisal be obtained and the loss claim payment request be completed in a timely manner to prevent unnecessary payment of accrued interest. In addition, this loss settlement calculation can be completed immediately following the foreclosure sale or at any time during the 6-month marketing period. If the lender then sells the property for an amount greater than the appraised amount used in calculating the loss, this recovery would be paid to the Government in accordance with RD Instruction 1980-D, Section 1980.377.

Questions pertaining to this AN can be directed to Michelle C. Corridon of the Single Family Housing Guaranteed Loan Division at (804) 287-1595; or, via email at michelle.corridon@wdc.usda.gov.