



Protecting Yourself

HOW YOUR WORKFILE IS YOUR BEST DEFENSE



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The Timeline:

- June 20, 2019 – Congressional hearings – “[What’s Your Home Worth? A Review of the Appraisal Industry](#)”
- August 2020 – “[Black Homeowners Face Discrimination in Appraisals](#)” – New York Times
- November 2020 – “[An unconscious bias? Biracial Denver couple says they faced discrimination on home appraisal](#)” – The Denver Channel (ABC7 – Denver)
- January 2021 – “[For Black homeowners, a common conundrum with appraisals](#)” – Washington Post
- March 12-13, 2021



The Workfile

“data, information, and documentation necessary to support the appraiser’s opinions and conclusions to show compliance with USPAP”

- Uniform Standards of Professional Appraisal Practice, 2020-202.....



The Workfile

1. the name of the client and the identity, by name or type, of any other intended users;\
 2. true copies of all written reports, documented on any type of media. (A true copy is a replica of the report transmitted to the client. A photocopy or an electronic copy of the entire report transmitted to the client satisfies the requirement of a true copy.);
 3. summaries of all oral reports or testimony, or a transcript of testimony, including the appraiser's signed and dated certification; and
 4. all other data, information, and documentation necessary to support the appraiser's opinions and conclusions and to show compliance with USPAP, or references to the location(s) of such other data, information and documentation.
- Uniform Standards of Professional Appraisal Practice, Record Keeping Rule, 2020-202.....



The Workfile

“That which makes me appear better at my job than I really am.”

- C. M. Capilla, undated



Resources

- Blog #28: [“What Does the State look For When it Asks for a Copy of the Appraisal Report and the Appraisal’s Workfile?”](#) – Tim Andersen, MS – Real Estate Appraisal, SRPA, MAI
- [Risk Management for Real Estate Appraisers and Appraisal Firms](#) – Peter Christensen



- 1. If you see something, save it.*
- 2. If you say something, support it.*
- 3. Would a peer reach similar conclusions based on your file?*

- JOSHUA WALITT, SRA, AI-RRS, MNAA





Craig Capilla is a trial lawyer, concentrating his practice in a wide range of civil litigation, including professional liability and commercial claims. He has successfully defended residential and commercial appraisers and appraisal firms accused of negligence or improper activity in their valuation services. Craig has also represented numerous licensed professionals in Illinois and Wisconsin state licensing matters including real estate brokers, real estate appraisers, and medical doctors, process servers, mortgage loan originators and brokers. He has represented clients in both state and federal lawsuits and has appeared in various judicial circuits across Illinois and in Wisconsin. He has also assisted professionals with licensing proceedings in Iowa, Minnesota, Michigan, Colorado, Idaho, Delaware, Maryland, Nevada, and Missouri.

Craig earned a B.A. from the University of Michigan in 2004, majoring in History and Political Science. He then earned a Juris Doctor from the DePaul University College of Law in 2007. Craig is authorized to practice law in Illinois, Wisconsin, and is a member of the trial bar of the United States District Court for the Northern District of Illinois, and is also admitted to practice before the United States district Court for the Eastern District of Wisconsin, Northern District of Indiana, Western District of Michigan, and the United States Court of Appeals, Seventh Circuit.

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