

**CONSERVATION EASEMENT
QUALIFIED APPRAISER REQUIREMENTS**

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Definition of Qualified Appraisal and Appraiser (*excerpted from Internal Revenue Code Section 170(f)(11)(E)(ii)*)

For purposes of this paragraph—

(i) Qualified appraisal - The term “qualified appraisal” means, with respect to any property, an appraisal of such property which—

(I) is treated for purposes of this paragraph as a qualified appraisal under regulations or other guidance prescribed by the Secretary, and (II) is conducted by a qualified appraiser in accordance with generally accepted appraisal standards and any regulations or other guidance prescribed under subclause (I).

(ii) Qualified appraiser - Except as provided in clause (iii), the term “qualified appraiser” means an individual who—

(I) has earned an appraisal designation from a recognized professional appraiser organization or has otherwise met minimum education and experience requirements set forth in regulations prescribed by the Secretary,

(II) regularly performs appraisals for which the individual receives compensation, and

(III) meets such other requirements as may be prescribed by the Secretary in regulations or other guidance.

(iii) Specific appraisals - An individual shall not be treated as a qualified appraiser with respect to any specific appraisal unless—

(I) the individual demonstrates verifiable education and experience in valuing the type of property subject to the appraisal, and

(II) the individual has not been prohibited from practicing before the Internal Revenue Service by the Secretary under section 330 (c) of title 31, United States Code, at any time during the 3-year period ending on the date of the appraisal.

Barber & Mann Opinion of a Qualified Appraiser for a Conservation Easement:

- ☛ Education courses taken related to the assignment, particularly courses related to charitable contribution appraisals
- ☛ Familiar with IRS code 170
- ☛ In possession of books, articles, and reports concerning Conservation Easements
- ☛ Reads and is familiar with new federal tax court decisions regarding valuation
- ☛ Successfully defended audits or appeals from IRS

If the CE may be used in a match grant contribution, be familiar with Yellowbook requirements. (Uniform Appraisal Standards for Federal Land Acquisition)