

FAQs RELATING TO CRIMINAL BACKGROUND CHECKS

Why does the Department of Financial Institutions require a criminal background check on existing appraisers?

Over the past few years, the Appraiser Qualifications Board (AQB) has encouraged states to consider completing background checks on existing appraisers. The statute was changed by the legislature, effective July 2014.

How does this process work?

In addition to completing an initial or renewal application for an appraisal credential to the Department of Financial Institutions (Department), you will need to apply for a clearance card with the Arizona Department of Public Safety (DPS). There are two ways to complete an application for clearance card:

Online: Go to azdps.gov under Fingerprint Clearance Cards/Online Application. This is known as the *Electronic Fingerprint Application System (EFAS)*.

By Mail: Request a DPS packet by sending an email to REAInfo@azdfi.gov. Please include your mailing address and a DPS packet will be mailed to you. The packet includes an application, fingerprint card, and pre-addressed envelope to DPS.

The fee if completing the application by mail is \$67.00. They will accept business checks, but not personal checks. The check should be made payable to the Department of Public Safety (DPS). If you choose to apply online, there may be a minimal additional charge. Once you have applied for the clearance card, Department of Financial Institutions staff will verify your submission on the DPS website. The background check and issuance of a clearance card can take a few months to complete.

If the Department can verify your submission to DPS, and if all of the other required documents are submitted appropriately, your application will be administratively complete and will be processed as soon as possible. The processing of the background check will NOT delay the issuance of your license or certificate.

I applied for a background check in 2010 with my initial application. Must I do this again?

Yes. If you are renewing, be aware that the clearance card process is different from the background check process that was utilized in the past. The prior background check only disclosed historical information for the applicant (i.e. previous arrests/ convictions records). The new clearance cards are valid for six years from the date of issuance. With the clearance cards, the Appraisal Division will not only be notified of an applicant's previous arrests/ convictions history but also if the licensee is arrested anywhere in the United States in the six years following the issuance of the clearance card.

What will DPS be looking at when they complete the background check?

If a criminal history is detected, DPS will compare the criminal record of the applicant to those offenses listed in Arizona Revised Statute §41-1758.03. A list of criminal offenses can be found in the following link:

<http://www.azleg.gov/FormatDocument.asp?inDoc=/ars/41/01758-03.htm&Title=41&DocType=ARS>

(Please note, for a complete list of the crimes researched by DPS, you may need to refer to the other statutes mentioned in this link such as A.R.S. §41-1758.07).

What happens if DPS fails to issue a clearance card?

DPS uses the FBI database for their research. The U.S. Department of Justice Order rules allows the subject of an FBI record to request a copy of his/her record. The individual may submit fingerprints, an Applicant Information Form, and payment directly to the FBI according to procedures in Title 29 Code of Federal Regulations §16.30 – 16.34. FBI contact phone for information about record review is (304)625-3878. Forms can be obtained at www.fbi.gov under Criminal History Summary Checks. Please note this information is not subject to public records requests. You may be eligible for an appeal process that can be undertaken by the Arizona Board of Fingerprinting.

What will happen to my license or certificate if I refuse to submit to a background check?

Appraisal credentials cannot be issued if you do not apply for a clearance card.

I just had a clearance card issued by another Arizona Department or Agency. Can that card be used?

It is our understanding that if the Department can verify that you have a valid clearance card with enough remaining time on this card for the period of your appraisal credential renewal, you will not need to complete another clearance card. Please include your Clearance Card number on our application where shown.

I have a clearance card from another state. Do I still have to complete the background check for you?

This is an Arizona state requirement, and information is not shared between states. You will need to complete another background check.

What should I do when I am notified by DPS that my fingerprints are not legible?

If you receive a notice from DPS telling you that your fingerprints are not legible, you will need to reapply with a new fingerprint card. We understand that DPS requires three (3) attempts at the fingerprinting card before they will pursue another method of obtaining your information. It may be possible to submit the final two fingerprint cards together when you re-submit the application. Please call DPS at (602)223-2279 for additional information.

For additional questions please visit <http://www.azdps.gov/services/fingerprint/#2>