



**THE COMMONWEALTH OF MASSACHUSETTS  
AUTO DAMAGE APPRAISER LICENSING BOARD**

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May 7, 2026

Office of State Secretary  
Regulations Division  
State House  
Room 117  
Boston, MA 02133

Re: Meeting Notice and Agenda Items for the Massachusetts Auto Damage Appraiser Licensing Board Tuesday, May 12, 2026, 11:00AM at One Federal Street, Public Meeting Room located on the 6<sup>th</sup> Floor Gold Public Conference Room, Boston, Massachusetts

Dear Concerned Parties:

In accordance with Massachusetts General Laws Chapter 30A, §§ 18-25 and Governor Charles D. Baker's "ORDER SUSPENDING CERTAIN PROVISIONS OF THE OPEN MEETING LAW, G.L. c. 30A, § 20" issued on March 12, 2020, Chapter 20 of the acts of 2021 "An Act Extending Certain COVID-19 Measures Adopted During the State of Emergency", the Auto Damage Appraiser Licensing Board (ADALB or Board) will hold a public meeting on Tuesday, May 12, 2026, 11:00AM at One Federal Street, Boston, Massachusetts in the Public Meeting Room located on the 6<sup>th</sup> Floor. The topics to be discussed during the meeting of the Board will be the following:

- I. Call to order.
- II. Approval of the Board minutes for the Board meetings held on March 4, 2026.
- III. Report by Board Member Peter Smith on the Part-II examination for motor vehicle damage appraiser.

IV. Report by Board Member Peter Smith about the changes to the “ADALB Application for Complaint Form” posted on the ADALB’s website, which contains the following:

Submitted by:

Name (Required)

First Last

Business Address (Required)

Street Address

Address Line 2

City

State/Province / Region

ZIP / Postal Code

Phone (Required)

Email (Required)

Appraiser License Number (If Applicable)

Licensed Appraiser Seeking Complaint  
Against

Name(Required)

First Last

License Number (Required)

Business Name

Business Address

Street Address

Address Line 2

City

State / Province / Region

ZIP / Postal Code

Email

**Describe the incident that led to your application for complaint.  
Your complaint must include:**

1. A citation of the specific section of 212 CMR 2.00 which was violated by the appraiser.

2. A statement of facts of the complaint, including the dates and times that the events occurred.
3. Attach copies of appraisals, correspondence and any other documents which detail the facts of the complaint.

**Please note that all applications for complaints are examined to determine their factual basis.**

**The act of filing an application for complaint does not assure or imply that disciplinary action will be taken against the licensed appraiser.**

Description of Incident (Required)

Upload Files:

Drop files here or Select files

(Max. file size: 2 MB, Max. files: 5).

I Affirm and verify under the pains and penalties of perjury that the information provided is true, correct, and complete to the best of my knowledge. I am aware that a penalty of perjury may be imposed as provided for under M.G.L. Chapter 268, §1A when a statement or declaration signed under the penalties of perjury is willfully false in a material matter. The Application for Complaint Form and any documents filed with it, may be subject to public disclosure pursuant to the Massachusetts Public Record Law.

(Required)

By checking this box I Agree

- V. Review of a proposed amendment to the ADALB’s Regulation, 212 CMR 2.00 et seq. that were adopted at the Board meeting that was held on March 4, 2026. “Review of Complaints Filed Against Appraisers” by amending proposed Section 4 by deleting the sentence “The decision of the designated Board member will be final and binding.” And replacing it with, “The Board may review the decision of the designated Board Member and only vote to accept it or reject it. If the Board votes to accept the decision, the decision shall be final and binding. If the Board votes to reject the decision, the Board will review the application of complaints in accordance with this section.”

VI. Proposed Advisory Ruling by Board Member Peter Smith:

May 12, 2026

TO ALL CONCERNED PARTIES RE: Advisory Ruling 2026-01

Pursuant to its authority, the Auto Damage Appraiser Licensing Board voted by a vote of ----- at the Board's meeting held on May 12, 2026, to adopt this Advisory Ruling.

**ADVISORY RULING**

The Massachusetts Division of Standards ("DOS"), which administers registration of motor vehicle repair shops under M.G.L. c. 100A, no longer requires a motor vehicle repair shop to employ a licensed auto damage appraiser as a condition of obtaining or renewing a motor vehicle repair shop registration.

This change in DOS registration practice does not alter, modify, or relieve any licensed appraiser, independent appraiser, insurer, employer of appraisers (including insurers and repair shops), or registered motor vehicle repair shops of their obligations under 212 CMR 2.00. Any instance in which a motor vehicle repair shop represents an appraiser's work product absent that appraiser's direct preparation and negotiation of the appraisal shall constitute noncompliant activity and shall be subject to the same enforcement, oversight, and regulatory action applicable to unlicensed appraisal conduct or appraisal activity undertaken in connection with improperly asserted or wrongfully represented employment of a licensed appraiser.

The Board notes that an "Appraisal" is defined in 212 CMR 2.01 as:

**a written motor vehicle damage report as defined in M.G.L. c. 26, § 8G ...**  
(Emphasis added).

This definition applies to every appraisal activity referenced within 212 CMR 2.04. 212 CMR 2.04(1)(b) requires:

**All repair shops shall maintain one or more licensed appraisers in their employment for the purpose of preparing motor vehicle damage appraisals. No staff or independent appraiser shall knowingly negotiate a repair figure with an unlicensed individual or an unregistered repair shop.**  
(Emphasis added).

Because 212 CMR 2.04 establishes mandatory operational requirements governing motor vehicle repair shop appraisals and supplemental appraisals, including the requirement that such appraisals be prepared by a licensed appraiser employed by the motor vehicle repair shop, these obligations remain fully applicable and enforceable independent of the Division of Standards' motor vehicle repair shop registration criteria.

The regulation sets forth the following mandatory regulatory requirements under 212 CMR 2.04:

- **Preparation of an Appraisal – 212 CMR 2.04(1)(e)**
- **The registered motor repair shop must prepare an appraisal for the purpose of negotiation.**
- **Supplemental Appraisal Requirement - 212 CMR 2.04(1)(h)**
- **The registered repair shop shall complete a supplemental appraisal prior to making the request (the supplemental request)**
- **Expedited Supplemental Process - 212 CMR 2.04(1)(i)**
- **a request for a supplemental appraisal allowance in the form of an itemized supplemental appraisal of the additional cost to complete the repair of the damaged vehicle, prepared by a licensed appraiser employed by the repair shop.**

These provisions require motor vehicle repair shops to prepare appraisals for the purposes of negotiation, complete supplemental appraisals prior to making supplemental requests, and when applicable, prepare supplemental appraisals under the expedited supplemental process. Each of these activities is expressly governed by 212 CMR 2.04 and must, therefore, be performed by a licensed appraiser employed by the motor vehicle repair shop.

Accordingly, any registered motor vehicle repair shop preparing an appraisal, completing a supplemental appraisal, submitting an expedited supplemental appraisal request, or participating in any appraisal activity as defined in 212 CMR 2.04 must comply with 212 CMR 2.04(1)(b), including the requirement to employ one or more licensed appraisers for the purpose of preparing motor vehicle damage appraisals.

Licensed staff and independent appraisers are also reminded that they shall not knowingly negotiate a repair figure with an unlicensed appraiser or with an unregistered repair shop, consistent with 212 CMR 2.04(1)(b).

This Advisory Ruling is issued to reaffirm the continuing applicability of the Board's regulations and to assist appraisers, insurers, and registered motor vehicle repair shops in understanding their responsibilities under 212 CMR 2.00.

This Advisory Ruling shall be effective upon its posting on the Auto Damage Appraiser Licensing Board public website. Failure to comply with this ruling could result in fines and penalties as provided for by law.

On behalf of the ADALB,

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Michael D. Powers, Legal Counsel to the Board

- VII. Next meeting date.
- VIII. Other business – reserved for matters the Chair did not reasonably anticipate at the time of the posting of the meeting and agenda.
- IX. Review of Complaints.

Review of Application for Complaints 2025-28, 2025-29, and Complaints 2026-01, 2026-02, 2026-03, 2026-04, 2026-05, 2026-06, 2026-07, 2026-08, 2026-09, 2026-10, 2026-11, 2026-12, 2026-13, 2026-14, 2026-15, 2026-16, and 2026-17, During the review, the Board will review and discuss whether the complaints should be dismissed or whether the complaints will proceed to the next step of the ADALB's Complaint Procedures.

X. Executive Session.

Executive Session to review Complaints 2025-28, 2025-29. The licensed appraiser attorney requested the matter be heard in the executive session and sent a written response. The review by the Board will be conducted in accordance with the Auto Damage Appraiser Licensing Board's Complaint Procedures to determine whether: the Board lacks jurisdiction, the complaints are based on frivolous allegations, lack sufficient evidence, lack legal merit or factual basis, no violation of the regulation is. Such discussion during the executive session is allowed under M.G.L. c. 30A, §21(a)(1) and in accordance with the Office of the Attorney General's Open Meeting Law (OML) decisions such as Board of Registration in Pharmacy Matter, OML 2013-58, Department of Public Safety Board of Appeals Matter, OML 2013-104, Auto Damage Appraisers Licensing Board Matter, OML 2016-6, and Auto Damage Appraisers Licensing Board Matter, OML 2019-50. Section 21(a) states "A public body may meet in executive session only for the following purposes: (1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties. A public body shall hold an open session if the individual involved requests that the session be open. If an executive session is held, such individual shall have the following rights: i. to be present at such executive session during deliberations which involve that individual; ii. to have counsel or a representative of his own choosing present and attending for the purpose of advising the individual and not for the purpose of active participation in the

executive session; iii. to speak on his own behalf; and iv. to cause an independent record to be created of said executive session by audio-recording or transcription, at the individual's expense. The rights of an individual set forth in this paragraph are in addition to the rights that he may have from any other source, including, but not limited to, rights under any laws or collective bargaining agreements and the exercise or non-exercise of the individual rights under this section shall not be construed as a waiver of any rights of the individual.

The licensed appraiser attorney has requested the matter be heard in the executive session.

The Board will adjourn in the executive session.

XI. Motion to Adjourn.

On behalf of the ADALB,



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Michael D. Powers  
Counsel to the ADALB

I certify that this Notice was sent by email to the Massachusetts Office of Administration and Finance, to the Office of the Secretary for the Commonwealth and forwarded by e-mail to the IT Services for the Commonwealth.



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Michael D. Powers  
Counsel to the ADALB

Date: May 7, 2026

Reasonable accommodations for people with disabilities are available upon request. You can make a request by sending an email to Michael D. Powers at:

Michael.d.powers@mass.gov. Please include your name and contact information, and the type of accommodation you will need, including as much detail as you can. Please be advised that while we will try our best to grant requests received after the Friday before the meeting, they may not be possible to fulfill, so please make your request as soon as you know you will need it.