



Office of the Sheriff
Parish of Orleans ~ State of Louisiana

Marlin N. Gusman
Sheriff

INTRAOFFICE MEMORANDUM

RECEIVED
2/27/12

To: Sheriff Marlin N. Gusman
From: Chief Peter C. Rizzo
Date: February 27, 2012
Re: Ann Garvey Sens

Pursuant to your inquiry, under the law the parties to the litigation are served with a notice to appoint appraiser. If neither the plaintiff nor the defendant appoints an appraiser within 48 hours of the scheduled auction, the Sheriff is required to appoint an appraiser for them. This is done by the Supervisor of the Real Estate Section calling the appraiser with the list of addresses of properties on which appraisals are needed, and advice as to whether or not the appraisal is being obtained for either the plaintiff, the defendant, or as a referee. It is noted that referee appraisers are needed when the lower appraisal is not at least 90% of the value of the higher appraisal. The appraiser is then required to come to the Sheriff's office and enter the appraisal amount in the Sheriff's appraisal book as required by law, and sign his or her name at the appropriate place.

Please be advised that Mrs. Ann Sens performs appraisals for Sheriff's sales handled by this office. Attached please find a copy of her resume, along with a certificate indicating that she completed an appraisal course with Donaldson Real Estate School, Inc. Pursuant to R.S. 13:4364, the Sheriff is required to appoint appraisers for plaintiffs and defendants involved in seizures of real estate and moveable property if the litigants do not appoint appraisers themselves. The statute authorizes the payment of a fee up to \$350.00 for such services. However, this office limits the appraisal fee to \$150.00, unless there are extenuating circumstances such as the appraisal of a large building, hotel, or other edifice that requires special review. In such instances, a court order is required in order to exceed the statutory limitations. The fees paid to appraisers are not paid out of the Sheriff's general fund or operational expenses, but they are paid by the plaintiff in the litigation, along with other routine court costs.