

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control 780 Department or Agency Alabama Real Estate Appraiser Board

Rule No. 780-X-16-.02

Rule Title: Checklist

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the State's police power and the protection of the Public health, safety, or welfare? Yes

Is there another, less restrictive method of Regulation available that could adequately Protect the public? No

Does the proposed rule have the effect Of directly or indirectly increasing the costs Of any goods or services involved and, if so, to what degree? Yes, \$15 annually

Is the increase in cost, if any, more harmful To the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process Designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? Yes

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer J. Dixie Buckner

Date 8-5-2011

Alabama Real Estate Appraisers Board

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Real Estate Appraisers Board

RULE NO. & TITLE: 780-X-16-.02
Checklist

INTENDED ACTION: Amendment

SUBSTANCE OF PROPOSED ACTION: To correct the checklist that is part of the license application form packet with the increase in application fee for each appraiser license classification and to include the increase in the Appraiser National Registry fee which is effective January 1, 2012 as provided for in the Frank-Dodd Act.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may submit their views regarding the proposed amended rule in writing to the Alabama Real Estate Appraisers Board, P.O. Box 304355, Montgomery, Alabama 36130-4355 no later than October 12, 2011.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Written comments concerning this change must be received by the Alabama Real Estate Appraisers Board no later than October 12, 2011, 12:00 noon, 100 North Union Street, Suite 370, Montgomery, AL 36104.

CONTACT PERSON AT AGENCY: Neva C. Conway
Assistant Attorney General


Lisa Brooks

**Economic Impact Statement
For APA Rule
(Section 41-22-23(f))**

Control No. 780 Department or Agency Alabama Real Estate Appraiser Board

Rule No: 780-X-16-.02

Rule Title: Checklist

New Amend Repeal Adopt by Reference

This rule has no economic impact.

This rule has an economic impact, as explained below:

1. NEED/EXPECTED BENEFIT OF RULE:

Reflect the increase in the National Registry fee provided for by the Dodd Frank Act.

2. COSTS/ BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE:

This is the amount set by the Appraisal Subcommittee, collected by REAB when licenses are issued or renewed and forwarded to the Appraisal Subcommittee .

3. EFFECT OF THIS RULE ON COMPETITION:

None. This requirement is the same for all states and US territories.

4. EFFECT OF THIS RULE ON COST-OF-LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

None

5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

None

6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:

N/A

7. THE SHORT-TERM/LONG TERM ECONOMIC IMPACT OF THIS RULE ON AFFECTED PERSONS, INCLUDING ANAYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:

This is a \$15 per year increase for licensees. The fee was established in 1990 and this is the first increase since 1990.

8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:

None

9. THE EFFECT ON THE ENVIROMENT AND PUBLIC HEALTH:

None

10. DETRIMENTAL EFFECT ON THE ENVIROMENT AND PUBLIC HEATH IF THE RULE IS NOT IMPLEMENTED:

This is an expense that REAB cannot absorb and stay in existence to carry out its consumer protection responsibilities.

780-X-16-.02 Checklist.

CHECKLIST FOR BECOMING LICENSED AND/OR CERTIFIED APPRAISER

1. Meet personal, work experience and educational requirements. Educational courses taken after January 1, 1993 require prior approval by the Board. For Trainee Real Property Appraisers applying for licensure as a Certified General Real Property Appraiser, a personal interview with the Real Estate Appraisers Board may be required.
2. Complete state application for (1) Trainee Real Property Appraiser; (2) State Registered Real Property Appraiser; (3) Licensed Real Property Appraiser; (4) Certified Residential Real Property Appraiser; (5) Certified General Real Property Appraiser.
3. Return completed **TYPED** application with transcripts, course evaluation forms and non-refundable application fees to address below.
4. a. Effective August 1, 2005 June 21, 2011, the following fees ~~will be~~ are in effect:

Trainee Real Property Appraiser:

Application Fee - ~~\$125.00~~ 150.00
Annual License Fee - 275.00
Total Amount - ~~\$400.00~~ 425.00

Licensed Real Property Appraiser:

Application Fee - ~~\$250.00~~ 275.00
Annual License Fee - 275.00
Washington Registry Fee - 25.00
Total Amount - ~~\$550.00~~ 575.00

State Registered Real Property Appraiser:

Application Fee - ~~\$250.00~~ 275.00
Annual License Fee - 275.00
Total Amount - ~~\$525.00~~ 550.00

Certified Residential Real Property Appraiser:

Application Fee - ~~\$250.00~~ 275.00
Annual License Fee - 275.00
Washington Registry Fee - 25.00
Total Amount - ~~\$550.00~~ 575.00

Certified General Real Property Appraiser:

Application Fee - ~~\$250.00~~ 275.00
Annual License Fee - 275.00
Washington Registry Fee - 25.00
Total Amount - ~~\$550.00~~ 575.00

- b. Effective January 1, 2012, the following fees will be in effect:

Trainee Real Property Appraiser:

Application Fee - \$150.00
Annual License Fee - 275.00
Total Amount - \$425.00

Licensed Real Property Appraiser:

Application Fee - \$275.00
Annual License Fee - 275.00
Washington Registry Fee - 40.00
Total Amount - \$590.00

State Registered Real Property Appraiser:

<u>Application Fee -</u>	<u>\$275.00</u>
<u>Annual License Fee -</u>	<u>275.00</u>
<u>Total Amount -</u>	<u>\$550.00</u>

Certified Residential Real Property Appraiser:

<u>Application Fee -</u>	<u>\$275.00</u>
<u>Annual License Fee -</u>	<u>275.00</u>
<u>Washington Registry Fee -</u>	<u>40.00</u>
<u>Total Amount -</u>	<u>\$590.00</u>

Certified General Real Property Appraiser:

<u>Application Fee -</u>	<u>\$275.00</u>
<u>Annual License Fee -</u>	<u>275.00</u>
<u>Washington Registry Fee -</u>	<u>40.00</u>
<u>Total Amount -</u>	<u>\$590.00</u>

5. If all requirements are met, you will receive:

Approval and Admission letter for exam (if required) and notification of instructions for scheduling exam.
6. After satisfactory completion of the examination applicant is required to send to the Board office the original picture examination score along with appropriate license and/or certification fee. Your Certificate of licensure and/or certification will be sent after required information is received.
7. Satisfactory completion of an exam must be made within twenty-four months after application is approved by the Board. The applicant may take exam as many times within the twenty-four month period as he or she chooses until a passing grade is obtained. After twenty-four-month expiration applicant must submit new application and necessary fees.

FIVE CATEGORIES OF APPRAISERS IN ALABAMA

1. **Trainee Real Property Appraiser** – This classification requires the trainee to work under the direct supervision of a certified or licensed real property appraiser who has been approved by the Board as a Mentor. The scope of practice for the appraiser trainee classification is the appraisal of those properties, which the supervising appraiser Mentor is permitted to appraise.
2. **State Registered Real Property Appraiser** – The “State Registered Real Property Appraiser” classification includes those individuals who may perform real estate appraisals on non-federally related properties (those properties which are the subject of appraisal for non-federally related transactions) including: (1) complex appraisals of 1 to 4 unit non-federally related residential properties having transaction value of \$250,000 or less; other non-federally related non-residential properties having transaction value of \$250,000 or less. (2) non-complex appraisals of 1 to 4 unit non-federally related residential properties having transaction values of \$1,000,000 or less. (3) This classification does not include the appraisal of subdivisions wherein a development analysis/appraisal is necessary and utilized.
3. **Licensed Real Property Appraiser** – This classification includes those individuals who are licensed to perform real estate appraisals on properties involved in federally-related transactions including: (a) complex appraisals of 1 to 4 unit residential properties having transaction value of \$250,000 or less; (b) non-complex appraisals of 1 to 4 unit residential properties having transaction value of \$1,000,000 or less; (c) appraisals of other types of real estate having transaction value of \$250,000 or less. The Licensed Real Property Appraiser is authorized to give a “Certified Appraisal” on a federally-related transaction, in accordance with FIRREA requirements.

4. **Certified Residential Real Property Appraiser** – This classification refers to those individuals licensed by the Board as being qualified to perform federally-related residential real estate appraisals on 1 to 4 unit residential properties without regard to the complexity or dollar amount. These appraisers are also permitted to appraise non-residential properties having a transaction value of \$250,000 or less. The Certified Residential Real Property Appraiser is authorized to give a “certified appraisal” on a federally-related transaction in accordance with FIRREA requirements.
5. **Certified General Real Property Appraiser** – This classification shall consist of those persons certified by the Board as qualified to perform appraisals on all types of real estate, regardless of complexity or transaction value. This classification allows the appraiser to give a “certified appraisal” on a federally-related transaction in accordance with FIRREA requirements.

EDUCATION AND EXPERIENCE REQUIREMENTS

1. The **“Trainee Real Property Appraiser”** – no experience required. Applicant must provide proof of 75 hours of appraisal education as set out in §780-X-3-.06(a)(6) completed during last ten years, including a 15-hour Uniform Standards of Professional Appraisal Practice during last two years. USPAP courses taken to meet this requirement shall be a Board approved USPAP course taken prior to January 1, 2003 or, if taken on or after January 1, 2003 the National USPAP course or its equivalent as determined by the AQB taught by an instructor certified by the AQB. Trainee’s appraisal experience must be under the direct supervision of a Licensed or Certified Real Property appraiser who has been approved by the Board as a Mentor. If the Trainee plans to use these experience points as part of the experience needed for licensure, the work must be included in the Trainee’s assignment log, and the appraisal report must be signed by the supervising appraiser.
2. The **“State Registered Real Property Appraiser”** – Applicant must have a minimum of 100 points or 1000 hours of actual appraisal experience earned during at least 12 months. Experience credit will be given for appraisals completed within the last five years. Applicant must provide proof of 75 hours of appraisal education as set out in §780-X-3-.06(b)(6) completed during last ten years, including a 15-hour Uniform Standards of Professional Appraisal Practice during the last two years. USPAP courses taken to meet this requirement shall be a Board approved USPAP course taken prior to January 1, 2003 or, if taken on or after January 1, 2003 the National USPAP course or its equivalent as determined by the AQB taught by an instructor certified by the AQB.
3. The **“Licensed Real Property Appraiser”** – Applicant must have been an appraiser for twenty-four (24) months and have a minimum of 200 points or 2000 hours of actual appraisal experience. Experience credit will be given for appraisals completed within the last five years. Applicant must provide proof of satisfactory completion of at least one hundred fifty (150) hours of appraisal education as set out in §780-X-3-.06(c)(6) completed during last ten years, including a 15-hour Uniform Standards of Professional Appraisal Practice during the last two years. USPAP courses taken to meet this requirement shall be a Board approved USPAP course taken prior to January 1, 2003 or, if taken on or after January 1, 2003 the National USPAP course or its equivalent as determined by the AQB taught by an instructor certified by the AQB.
4. The **“Certified Residential Real Property Appraiser”** – Applicant must have been an appraiser and appraising real property for no less than 24 months with a minimum of 250 points or 2500 hours of actual appraisal experience. Experience credit will be given for appraisals completed within the last five years. Applicant must provide proof of satisfactory completion of at least two hundred (200) hours of appraisal education as set out in §780-X-3-.06(d)(6) completed during last ten years, including a 15-hour Uniform Standards of Professional Appraisal Practice course during the last two years. USPAP courses taken to meet this requirement shall be a Board approved USPAP course taken prior to January 1, 2003 or, if taken on or after January 1, 2003 the National USPAP course or its equivalent as determined by the AQB taught by an instructor certified by the AQB.

5. The **“Certified General Real Property Appraiser”** – Applicant must have been an appraiser and appraising real property for no less than 30 months with a minimum of 300 points or 3000 hours of actual appraisal experience. At least 150 of the 300 points (or 1500 of the 3000 hours) of experience must be in non-residential appraisals. Experience credit will be given for appraisals completed within the last five years. Applicant must provide proof of satisfactory completion of at least three hundred (300) hours of appraisal education as set out in §780-X-3-.06(e)(6) completed during last ten years, including a 15-hour Uniform Standards of Professional Appraisal Practice course during the last two years. USPAP courses taken to meet this requirement shall be a Board approved USPAP course taken prior to January 1, 2003 or, if taken on or after January 1, 2003 the National USPAP course or its equivalent as determined by the AQB taught by an instructor certified by the AQB.

The Alabama Real Estate Appraisers Board does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

CHECKLIST.DOC
8/8/03-8/8/11

Author:

Statutory Authority: Code of Ala. 1975,

History: New Rule: Filed February 27, 1996; effective April 3, 1996. **Amended:** Filed January 16, 1997; effective February 20, 1997. **Amended:** Filed February 23, 1998; effective March 30, 1998. **Amended:** Filed August 21, 2001; effective September 25, 2001. **Amended:** Filed December 4, 2003; effective January 8, 2004. **Amended:** Filed April 7, 2006; effective May 12, 2006. **Amended:** Filed May 22, 2008; effective June 26, 2008.