

APA-1
Revised 4/2018

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 780 Department or Agency Alabama Real Estate Appraisers Board
Rule No. 780-X-12-.02
Rule Title: Continuing Education Requirements.

 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? No

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? N/A

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 action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

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 Services Agency.

Signature of certifying officer Lisa Brooks

Date July 19, 2019

(DATE FILED)
(STAMP)

ALABAMA REAL ESTATE APPRAISERS BOARD
100 N. Union Street, Suite 370
Montgomery, Alabama 36104

July 19, 2019

Notice of Intended Action

Rule No. & Title: 780-X-12-.02 Continuing Education Requirements

Intended Action: Amendment

Substance of Amendment: To remove the Trainee Orientation Course from the list of mandatory courses for Trainee appraiser classification continuing education.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may submit their views regarding the proposed amended rule orally or in writing to the Alabama Real Estate Appraisers Board, P.O. Box 304355, Montgomery, Alabama 36130-4355; 334-242-8747 no later than 9:00 A.M. on September 19, 2019. A public hearing will be held on September 19, 2019 at 9:15 A.M., 100 N. Union St., Third Floor conference room, RSA Union Building, Montgomery, Alabama, 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Written or oral comments concerning this change must be received by the Alabama Real Estate Appraisers Board no later than September 10, 2019 at 10:00 A.M., P.O. Box 304355, Montgomery, Alabama, 36130-4355 or 100 North Union Street, Suite 370, Montgomery, AL 36104 or 334-242-8747.

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


Lisa Brooks

780-X-12-.02 Continuing Education Requirements.

(1) As a prerequisite to renewal of a license for any classification of real property appraiser, a licensed real estate appraiser shall on forms prescribed by the Board present evidence satisfactory to the Board of having completed continuing education as follows:

(a) All classes of state licensed real property appraisers seeking renewal of their license shall present evidence to the Board of having completed the equivalent of twenty eight hours of continuing education every two years. For the renewal cycle beginning on September 1, 2003, at least seven of said hours shall be a Board approved USPAP course taken prior to January 1, 2003 or, if taken between January 1, 2003 and the date of renewal, the National USPAP course or its equivalent as determined by the AQB taught by an instructor certified by the AQB and at least one instructor of the class must be a state certified appraiser. In all renewal cycles thereafter, at least seven of said hours shall be the National USPAP course or its equivalent as determined by the AQB taught by an instructor certified by the AQB.

1. A classroom hour is defined as fifty minutes out of each sixty minute segment.

2. Credit toward the classroom hour requirement may be granted only where the length of the educational offering is at least two hours.

3. Credit for the classroom hour requirement may be obtained from the following:

- (i) Colleges or Universities
- (ii) Community or Junior Colleges
- (iii) Real Estate Appraisal or Real Estate Related Organizations
- (iv) State or Federal Agencies or Commissions
- (v) Proprietary Schools
- (vi) Other providers approved by the Board

4. Credit may be granted for educational offerings which cover real estate related appraisal topics such as those listed below and which are consistent with the purpose of continuing education stated in subparagraph (3) below.

- (i) Ad Valorem Taxation
- (ii) Arbitrations
- (iii) Business courses related to practice of real estate appraisal
- (iv) Construction estimating
- (v) Ethics and standards of professional practice
- (vi) Land use planning, zoning and taxation
- (vii) Litigation
- (viii) Management, leasing, brokerage, timesharing
- (ix) Property development
- (x) Real property appraisal (valuations/evaluations)
- (xi) Real Estate law
- (xii) Real Estate financing and investment
- (xiii) Real Estate appraisal related computer applications
- (xiv) Real Estate securities and syndication
- (xv) Real property exchange
- (b)(1) Reserved

~~(c) Continuing Education Requirement for Trainee Real Property Appraisers. To be eligible for renewal of a Trainee Real Property Appraiser License, three and one-half (3.5) hours of the twenty-eight hours of continuing education must be earned from attendance at the Trainee Orientation Course approved by the Board and attendance at one Board meeting. This requirement applies to each Trainee Real Property Appraiser seeking renewal~~

~~in every two year cycle regardless of the length of time the Trainee license has been held.~~

(2) Up to 50 percent of the Continuing education credit may be granted for participation, other than as a student, in appraisal educational processes and programs. Examples of activities for which credit may be granted are teaching, program development, authorship of textbooks, or similar activities which are determined to be equivalent to obtaining continuing education.

(3) The purpose of continuing education is to ensure that the appraiser participates in a program that maintains and increases his or her skill, knowledge and competency in real estate appraising.

Author: Alabama Real Estate Appraisers Board

Statutory Authority: Code of Ala. 1975, §§34-27A-5, 34-27A-15, 34-27A-19.

History: **Emergency adoption** filed February 15, 1991; effective February 18, 1991. **Permanent adoption** filed April 8, 1991; effective May 15, 1991. **Amended:** Filed November 20, 1992; effective December 26, 1992. **Amended:** Filed April 21, 1994.

Emergency adoption: Filed May 5, 1994; effective June 1, 1994.

Amended: Filed June 22, 1994; effective July 27, 1994.

Amended: Filed February 23, 1998; effective March 30, 1998.

Amended: Filed December 4, 2003; effective January 8, 2004.

Amended: Filed July 26, 2005; effective August 30, 2005.

Amended: Filed July 26, 2010; effective August 30, 2010.

Amended: Filed April 12, 2011; effective May 17, 2011.

Amended: Filed August 24, 2012; effective September 28, 2012.

Amended: Filed May 20, 2016; effective July 4, 2016.