

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-6-.03
Rule Title: Qualifying Experience- Licensed Real Property Appraiser

 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-6-.03 Qualifying Experience – Licensed Real Property Appraiser

Intended Action: Amendment

Substance of Amendment: To add requirement that only appraisal assignments are to be included on an appraisal log and that the letter of engagement for each appraisal is to be attached to the log.

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-6-.03 Qualifying Experience -Licensed Real Property Appraiser. As of the date the application is filed with the Board, a minimum of 1,000 hours appraisal experience is necessary for approval of a Licensed Real Property Appraiser license. Experience shall be recorded on the log contained in the application. The log must contain all appraisals the applicant has signed or is entitled to claim for experience credit, beginning with the most recent appraisals (up to and including the date the application is filed with the Board) and going back, up to 5 years, until the required number of experience hours is documented. Evaluation assignment reports shall not be included on the log of appraisal report assignments. The applicant must attach to the log the engagement letter for each appraisal assignment on the log in the order that the assignment is listed on the log. Applicants may claim the full experience credit allowed for an appraisal, regardless of the number of signing appraisers. In evaluating experience offered as qualifying experience under Code of Ala. 1975, §34-27A-11, the Board will look for the following minimum experience:

(a) Residential and Non-Residential Appraisals Counted. Appraisals of both residential and non-residential properties can be included in the experience points necessary for the State Licensed Real Property Classification. Experience for a dwelling (residential appraisal) will be awarded only if there is an interior and exterior inspection. Only appraisals that meet the minimum appraisal requirements of USPAP will be considered for experience credit.

(b) Six Months Experience. A minimum of six calendar months experience shall be required for this classification. Experience credit will be given for appraisals completed within the last five years.

(c) USPAP Compliance. Appraisals must comply with USPAP for hours to be awarded for experience credit. The Board will select a representative sample of appraisals from the logs submitted by the applicant. The applicant will submit the selected sample for the Board to examine for compliance with USPAP. If the sample complies with USPAP the Board will consider that all of the experience submitted by applicant complies with USPAP. A determination by the Board that the sample does not comply with USPAP shall be presumptive that all of the appraisals submitted for experience credit do not comply with USPAP. The applicant then has the burden and shall have the opportunity to demonstrate that the experience claimed is

USPAP compliant at a reconsideration hearing held pursuant to Rule 780-X-3-.05.

(d) Residential Appraisal Hours. Residential maximum appraisal hours may be awarded as follows:

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| 1. | one unit dwelling (including a site) | 10 hours |
| 2. | two to four unit dwelling | 20 hours |
| 3. | residential lot (1-4 family) | 5 hours |
| 4. | residential subdivision sites (NOT TO EXCEED FIVE POINTS) | 5 hours per lot |
| 5. | farm or timber acreage suitable for a house site less than 10 acres | 10 hours |
| | 10-100 acres | 20 hours |
| | over 100 acres | 30 hours |
| 6. | all other unusual structures, committee acreages, which are much larger or more complex than typical properties described herein items 1 to 4 and 6. | submitted to for determination 5 to 50 hours |
| 7. | review appraisals shall be worth 20% of the hours awarded to the appraisal. | |
| 8. | restricted appraisal reports shall not exceed 25% of required experience hours. | |
| 9. | Rural residence - one unit primary dwelling, 10 acres or less | 10 hours |
| 10. | Ranchette - Part time rural use 10 to 25 acres with main dwelling and outbuildings such as additional residence, barns or other outbuildings | 30 hours |

Hours for non-residential appraisals shall also be awarded pursuant to section 780-X-6.05 below.

Author: Alabama Real Estate Appraisers Board
Statutory Authority: Code of Ala. 1975, §34-27A-11.

History: Repealed and Replaced: Filed February 23, 1998;
effective March 30, 1998. Amended: Filed June 18, 2003;
effective July 23, 2003. Amended: Filed July 20, 2007;
effective August 24, 2007. Amended: Filed November 25, 2008;
effective December 30, 2008. Amended: Filed December 3, 2013;
effective January 7, 2014. Amended: Filed March 25, 2014,
effective April 29, 2013. Amended: Filed August 23, 2018,
effective November 8, 2018.