

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 780 Department or Agency Alabama Real Estate Appraisers Board
Rule No. 780-X-6-.05

Rule Title: Qualifying Experience- Certified General 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-.05 Qualifying Experience – Certified General 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-.05 Qualifying Experience - Certified General Real Property Appraiser. As of the date the application is filed with the Board, the equivalent of three thousand (3000) hours of appraisal experience is necessary for approval of a license for the Certified General Real Property classification. 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 evaluation of experience credit offered as qualifying experience under Code of Ala. 1975, §34-27A-11, the Board will take into consideration the following:

(a) Hours Required. A total of 3000 hours is required for general certification.

(b) Residential Experience Limited. 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.

(c) At least eighteen months experience. Three thousand hours obtained within at least eighteen months shall be required for a general certification, of which at least 1500 hours shall be on non-residential property. The quantitative experience requirements must be satisfied by time spent on the appraisal process. The appraisal process consists of: analyzing factors that affect value; defining the problem; gathering and analyzing data; applying the appropriate analysis and methodology; and arriving at an opinion and correctly reporting the opinion in compliance with USPAP. Experience will not be allowed for appraisals that do not demonstrate that the candidate participated in all elements of the appraisal, including the inspection process. Experience credit will be given for appraisals completed within the last five years.

(d) 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.

(e) General Appraisal Points. General maximum appraisal hours shall be awarded as follows:

1.	Apartments	
	5-20 units	40 hours
	21-100 units	80 hours
	over 100 units	100 hours
2.	Hotels/Motels	
	50 or fewer units	60 hours
	51-150 units	80 hours
	over 150 units	100 hours
3.	Meeting, conference or auditorium	
	20,000 square feet or less	50 hours
	over 20,000 square feet	60 hours
4.	Industrial or warehouse building	
	20,00 square feet or less	40 hours
	over 20,000 square feet	80 hours
	over 100,000 square feet and multiple tenant	100 hours
5.	Office Buildings	
	10,000 square feet or less	60 hours
	10,001 square feet or less	80 hours

- | | | |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| | 10,001 square feet or more
and multiple tenants | 100 hours |
| 6. | Condominium residences with
income Approach to value | |
| | 5 to 30 units | 60 hours |
| 7. | Retail Buildings | |
| | 10,000 square feet or less | 60 hours |
| | over 10,000 square feet,
single tenant | 80 hours |
| | over 50,000 square feet and
multiple tenants | 100 hours |
| 8. | Acreage of non-residential
land for Commercial or
multiple family use | |
| | Less than 10 acres | 30 hours |
| | 100 acres or more | 60 hours |
| | 100 acres or more with
income approach to value | 80 hours |
| 9. | Timber or farm acreage | |
| | 100 to 200 acres | 30 hours |
| | over 200 acres | 60 hours |
| | over 200 acres with income
approach to value | 80 hours |
| 10. | All other unusual structures
or which are much larger or
more complete than the
properties described
typical herein described
herein items (1)-(9) | submitted to
committee for
determination
50 to 150 hours |
| 11. | Reviews of appraisals shall
be worth 20% of the hours
awarded to the appraisal. | |
| 12. | Restricted appraisal reports
shall not exceed 25% of
required experience hours. | |

13. No more than 40% of the cumulative hours may be earned from any one category items (1)-(10). The applicant may request the waiver of this requirement for unique depth experience in a single area.
14. Pasture or Grazing Enterprises
- | | |
|---------------------|----------|
| 25-50 acres | 10 hours |
| 50-100 acres | 20 hours |
| 100-500 acres | 30 hours |
| 500-2,000 acres | 60 hours |
| 2,000 acres or more | 80 hours |
15. Row Crop Enterprises
- | | |
|---------------------|-----------|
| 25-50 acres | 20 hours |
| 50-100 acres | 30 hours |
| 100-500 acres | 40 hours |
| 500-2,000 acres | 60 hours |
| 2,000 acres or more | 100 hours |
16. Orchard, Vineyard, and Plant Nursery Enterprises
- | | |
|-----------------|----------|
| 0-50 acres | 20 hours |
| 50-100 acres | 40 hours |
| 100-500 acres | 50 hours |
| 500-2,000 acres | 80 hours |
17. Aquaculture Enterprises
- | | |
|-----------------|-----------|
| 0-50 acres | 20 hours |
| 50-100 acres | 60 hours |
| 100-500 acres | 80 hours |
| 500-2,000 acres | 100 hours |
18. Truck Farm Enterprises
- | | |
|-----------------|----------|
| 0-50 acres | 20 hours |
| 50-100 acres | 40 hours |
| 100-500 acres | 60 hours |
| 500-2,000 acres | 80 hours |

19. Dairy Enterprises
- | | |
|-------------------------------|----------|
| 0-50 cow milking herd | 40 hours |
| 50-100 cow milking herd | 60 hours |
| 100 and over cow milking herd | 80 hours |
20. Diversified agricultural operations of over 500 acres involving two or more of the above enterprises; assuming multiple disciplines are exhibited in the report. 100 hours
21. Specialized agricultural properties submitted to committee for determination
22. Timber and Timber Land Appraisals
- | | |
|--------------------|------------------------------------------|
| 40-100 acres | 20 hours |
| 100-500 acres | 30 hours |
| 500-2,000 acres | 50 hours |
| 2,000-10,000 acres | 70 hours |
| Over 10,000 acres | submitted to committee for determination |
23. No more than 40% of the cumulative hours may be earned from any one category (items 16-24). The applicant may request a waiver of this requirement for unique depth of experience in a single area.

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 May 29, 2015;
effective July 3, 2015. Amended: Filed September 25, 2018,
effective November 9, 2018.