

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 780 Department or Agency Alabama Real Estate Appraisers Board
Rule No. 780-X-16-02
Rule Title: Checklist
 New 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 *Dina Brooks*

Date May 31, 2018

(DATE FILED)
(STAMP)

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

May 31, 2018

Notice of Intended Action

Rule No. & Title: 780-X-16-.02 Checklist

Intended Action: Repeal and New

Substance of Amendment: To change the education qualification for real property appraiser based on amendments by AQB pursuant to FIRREA.

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 10:00 A.M. on August 6, 2018. A public hearing will be held on July 19, 2018 at 9:30 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 August 6, 2018 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-16-.02 Checklist. Repeal

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 June 21, 2011, the following fees are in effect:

Trainee Real Property Appraiser:

Application Fee -	\$150.00
Annual License Fee -	<u>275.00</u>
Total Amount -	\$425.00

Licensed Real Property Appraiser:

Application Fee -	\$275.00
Annual License Fee -	275.00
Washington Registry Fee -	<u>25.00</u>
Total Amount -	\$575.00

State Registered Real Property Appraiser:

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

Certified Residential Real Property Appraiser:

Application Fee -	\$275.00
Annual License Fee -	275.00
Washington Registry Fee -	<u>25.00</u>
Total Amount -	\$575.00

Certified General Real Property Appraiser:

Application Fee -	\$275.00
Annual License Fee -	275.00
Washington Registry Fee -	<u>25.00</u>
Total Amount -	\$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 -	<u>275.00</u>
Total Amount -	\$425.00

Licensed Real Property Appraiser:

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

**State Registered Real Property
Appraiser:**

Application Fee - \$275.00
Annual License Fee - 275.00
Total Amount - \$550.00

**Certified Residential Real Property
Appraiser:**

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

**Certified General Real Property
Appraiser:**

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

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

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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. **Amended:** Filed November 18, 2011; effective December 23, 2011.

CHECKLIST FOR BECOMING LICENSED AND/OR CERTIFIED APPRAISER

1. Meet personal, work experience and educational requirements. 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 P.O. Box 304355, Montgomery, AL, 36130.

4. a. Effective August 1, 2018, the following fees are in effect:

Trainee Real Property Appraiser:

Application Fee -	\$150.00
Annual License Fee -	<u>335.00</u>
Total Amount -	\$485.00

Licensed Real Property Appraiser:

Application Fee -	\$275.00
Annual License Fee -	<u>335.00</u>
Washington Registry Fee -	<u>40.00</u>
Total Amount -	\$650.00

State Registered Real Property Appraiser:

Application Fee -	\$275.00
Annual License Fee -	<u>335.00</u>
Total Amount -	\$610.00

Certified Residential Real Property Appraiser:

Application Fee -	\$275.00
Annual License Fee -	<u>335.00</u>
Washington Registry Fee -	<u>40.00</u>
Total Amount -	\$650.00

Certified General Real Property Appraiser:

Application Fee -	\$275.00
Annual License Fee -	<u>335.00</u>
Washington Registry Fee -	<u>40.00</u>
Total Amount -	\$650.00

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.

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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 a high school diploma or its equivalent and 75 hours of appraisal education as set out in §780-X-3-.06(a) completed during last five years, including a 15-hour Uniform Standards of Professional Appraisal Practice during last two years. USPAP courses taken to meet this requirement must be 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 hours 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 Mentor.
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 a high school diploma or its equivalent and 75 hours of appraisal education as set out in §780-X-3-.06(b) 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 must be taught by an instructor certified by the AQB.

3. The **“Licensed Real Property Appraiser”** – Applicant must have been an appraiser for six (6) months and have a minimum of 1000 hours of actual appraisal experience. Experience credit will be given for appraisals completed within the last five years. Applicant must provide proof of a high school diploma or its equivalent and satisfactory completion of at least one hundred fifty (150) hours of appraisal education as set out in §780-X-3-.06(c) 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 must be 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 twelve (12) months with a minimum of 1500 hours of actual appraisal experience. Experience credit will be given for appraisals completed within the last five years. Applicant must provide a transcript of college education and proof of satisfactory completion of at least two hundred (200) hours of appraisal education as set out in §780-X-3-.06(d). Appraisal education must be completed during last ten years and the 15-hour Uniform Standards of Professional Appraisal Practice course must be completed during the last two years. USPAP courses taken to meet this requirement must be 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 18 months with a minimum of 3000 hours of actual appraisal experience. At least 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 a Bachelor degree or higher from an SEC accredited college or university and at least three hundred (300) hours of appraisal education as set out in §780-X-3-.06(e) 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 must be 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.

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. **Amended:** Filed November 18, 2011; effective December 23, 2011. **Repealed and Replaced:** Filed: July 19, 2018; effective September 4, 2018.