

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 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 J. Lisa 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-6-.03 Qualifying Experience-Licensed Real Property Appraiser

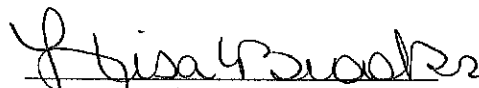
Intended Action: Amendment

Substance of Amendment: To change the experience 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-6-.03 Qualifying Experience -Licensed Real Property Appraiser. As of the date the application is filed with the Board, a minimum of ~~2,000~~ 1,000 hours or ~~200 points~~ 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 ~~points~~ hours is documented. Applicants may claim the full experience credit allowed for an appraisal, regardless of the number of signing appraisers, ~~for all appraisals signed on or after January 1, 2014.~~ 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.

(b) ~~Two Years Six Months~~ Experience. A minimum of ~~two calendar years~~ six calendar months experience shall be required for this classification. ~~All experience points cannot be earned in one calendar year.~~ Experience credit will be given for appraisals completed within the last five years.

(c) USPAP Compliance. Appraisals must comply with USPAP for ~~points~~ 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 ~~Points or~~ Hours.
 Residential maximum appraisal ~~points or~~ hours shall may be awarded as follows:

- | | | |
|-----|--|--|
| 1. | one unit dwelling (including a site) | 1 point or 10 hours |
| 2. | two to four unit dwelling
ours | 2 points or 20 h |
| 3. | residential lot (1-4 family) | 1/2 point or 5 hours |
| 4. | residential subdivision sites
(NOT TO EXCEED FIVE POINTS) | 1/2 point or 5 hours
per lot |
| 5. | farm or timber acreage suitable
for a house site less than 10
acres | 1 point or 10 hours |
| | 10-100 acres | 2 points or 20 hours |
| | over 100 acres | 3 points or 30 hours |
| 6. | all other unusual structures,
committee
acreages, which are much larger
or more complex than typical
properties described herein | submitted to

for determination 1/2
to 5 points or 5 to
50 hours |
| | items 1 to 4 and 6. | |
| 7. | review appraisals shall be worth
20% of the points <u>hours</u> awarded to
the appraisal. | |
| 8. | restricted appraisal reports shall
not exceed 25% of required
experience points <u>hours</u> . | |
| 9. | Rural residence - one unit primary
dwelling, 10 acres or less | 1 point or 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 | 3 points or 30 hours |

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

(e) ~~Appraisal Affidavits~~

~~1. Proof of appraisal affidavit will be submitted by the applicant as a notarized affidavit to include subject property address (street, lot square, subdivision, county) date of appraisal report, property type (including units, lots, acres), gross building area, client (name, contact person, address and telephone number), purpose of report with a tally of the points or hours being required by the applicant description of work performed by the applicant and scope of the review and supervision of the supervising appraiser; number of actual work hours by the applicant on the assignment, signature and state certification number of the supervising appraiser if applicable and any other information deemed appropriate by the committee.~~

~~2. Verification of experience can include any or all of:~~

~~(a) client verification of report at discretion of the committee.~~

~~(b) Submission of selected reports to the committee upon request as part of certification process where the report remains the property of the appraiser.~~

~~(c) Field inspection of all reports identified by the applicant at their offices during normal business hours.~~

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.