

REAL ESTATE APPRAISER EXAMINING BOARD[193F]

Notice of Intended Action

**Proposing rule making related to rules review
and providing an opportunity for public comment**

The Real Estate Appraiser Examining Board hereby proposes to amend Chapter 1, “Organization and Administration,” Chapter 4, “Associate Real Property Appraiser,” Chapter 5, “Certified Residential Real Property Appraiser,” Chapter 6, “Certified General Real Property Appraiser,” Chapter 7, “Disciplinary Actions Against Certified and Associate Appraisers,” Chapter 9, “Renewal, Expiration and Reinstatement of Certificates and Registrations, and Inactive Status,” Chapter 10, “Reciprocity,” Chapter 11, “Continuing Education,” Chapter 12, “Fees,” Chapter 15, “Supervisor Responsibilities,” and Chapter 17, “Superintendent Supervision Standards and Procedures,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code chapter 543D.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 543D.

Purpose and Summary

These proposed amendments implement what the Board considers to be higher priority changes based on a full review of its rules. These amendments will reduce conflict between the rules and statutes, reduce conflict within the rules, better follow current application practices, clarify rules, and lower fees.

Fiscal Impact

There are approximately 1,138 certified appraisers in Iowa who currently pay \$390 to renew their license every two years. Reducing renewal fees to \$280 (\$200 renewal and \$80 Appraisal Subcommittee fee) from the current \$390 fee will reduce funds to the Board/Division of Banking by \$125,180 every two years. In addition, there are 82 associate appraisers who will pay reduced fees resulting in \$12,300 of loss revenue every two years. There are some additional fees being implemented; however, they will not have a significant fiscal impact.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Board no later than 4:30 p.m. on September 1, 2020. Comments should be directed to:

Brandy March
Real Estate Appraiser Examining Board
East Grand Office Park
200 East Grand Avenue, Suite 350
Des Moines, Iowa 50309
Phone: 515.725.9025
Email: brandy.march@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 1, 2020
10 to 11 a.m.

Small Conference Room, Third Floor
200 East Grand Avenue
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend subrule 1.2(5) as follows:

1.2(5) A person aggrieved by any final action of the board taken under Iowa Code chapter 543D or 193F—Chapter 17 may appeal that action to the superintendent within 20 days of the date the board issues the action.

a. and *b.* No change.

c. Records, filings, and requests for public information. Final board action ~~which is ministerial or nondiscretionary is~~, regardless of whether such board action is ministerial, nondiscretionary, or discretionary, shall be immediately effective when issued by the board but is subject to review or appeal to the superintendent as permitted by and in accordance with 193F—Chapter 17. If a timely review is initiated or a timely appeal is taken, the effectiveness of such final board action shall be delayed during the pendency of such review or appeal.

~~*d.*—Records, filings, and requests for public information. Unless otherwise provided by rule of the board, final board action which is discretionary shall be effective upon the expiration of 20 days following issuance of the board's action if not timely reviewed by or appealed to the superintendent or upon final action by the superintendent if timely reviewed or appealed.~~

ITEM 2. Amend rule 193F—1.21(543D) as follows:

193F—1.21(543D) National criminal history check. ~~Effective January 1, 2017, all~~ All applicants for any of the classifications listed in 193F—1.17(543D), including an applicant seeking to upgrade from a certified residential credential to a certified general credential, must satisfactorily complete a state and national criminal history check as provided in Iowa Code section 543D.22 as a condition of registration as an associate real property appraiser, ~~or certification as a residential,~~ or certification as or upgrade to a general real property appraiser. The applicant shall authorize release of the results of the criminal history

check to the board. ~~Unless~~ If the criminal history check was not completed within 180 calendar days prior to the date the license application is received by the board, the board shall may perform a new state and national criminal history check or may reject and return the application to the applicant.

ITEM 3. Adopt the following new rule 193F—1.23(272C,543D):

193F—1.23(272C,543D) Applications. Unless otherwise provided by rule of the board, abandoned applications shall be deemed withdrawn. An application is abandoned if the applicant has not accessed or modified the application through the board’s electronic licensing database within the preceding six months. For purposes of this rule, “application” means any request, application, registration, or petition submitted to the board through the licensing database, including but not limited to the following:

1. Add supervisor appraiser;
2. Associate appraiser registration;
3. Conversion application;
4. Course application;
5. Course instructor application;
6. Course provider application;
7. Examination and experience application;
8. Formal wall certificate request;
9. Pre-/post-course approval request;
10. Reactivation application;
11. Reciprocity application;
12. Reinstatement application;
13. Removal of associate from supervisor;
14. Removal of supervisor from associate;
15. Renewal application;
16. Temporary practice permit application;
17. General application to apply military service to an experience or educational requirement for licensure;
18. Background packet request;
19. Petition for waiver from administrative rules;
20. Request for change of legal name;
21. Request for verification (license and/or examination history); or
22. Request to change license address.

ITEM 4. Amend subrule 4.1(1) as follows:

4.1(1) Education.

a. A person applying for registration as an associate appraiser shall, at a minimum, satisfactorily complete ~~the following all~~ AQB-approved, qualifying education modules courses required under the current AQB criteria specifying educational standards applicable for certification as a certified residential appraiser or certified general appraiser. Each required course must be completed before the person can obtain an associate credential.

- ~~(1) The 30-hour module on basic appraisal principles;~~
- ~~(2) The 30-hour module on basic appraisal procedures; and~~
- ~~(3) The 15-hour national USPAP course or its equivalent.~~

b. The initial qualifying education must be completed no more than five years prior to the date of application. Credit toward all or part of the core criteria qualifying education requirements in this rule may also be obtained via the completion of a degree in real estate from an accredited degree-granting college or university, provided that the college or university has had its curriculum reviewed and

approved by the AQB and so long as the degree was granted no more than five years prior to the date of application.

ITEM 5. Amend subrule 4.1(3) as follows:

4.1(3) Background check. ~~Effective January 1, 2017, a~~ A state and national criminal history check as ~~provided in Iowa Code section 543D.22~~ shall be performed on any new associate appraiser. The applicant shall authorize release of the results of the criminal history check to the board. ~~Unless~~ If the criminal history check was not completed within 180 calendar days prior to the date the license application is received by the board, the board ~~shall~~ may perform a new state and national criminal history check or may reject and return the application to the applicant.

ITEM 6. Amend rule 193F—4.2(543D) as follows:

193F—4.2(543D) Supervision of associate appraisers.

4.2(1) Direct supervision. An associate appraiser is subject to the direct supervision of a certified real property appraiser. Qualifications for a supervisory appraiser are outlined in 193F—Chapter 15. An associate appraiser may be supervised by more than one supervisory appraiser.

4.2(2) Supervisor registration. An associate appraiser shall identify all supervisors who the associate will be supervised by on forms provided by the board and shall promptly notify the board in the event of an addition of a, or change in, supervisor or if the associate will no longer be supervised by a previously identified supervisor. An associate appraiser who does not have at least one approved active supervisor meeting the requirements of 193F—Chapter 15 will be placed in inactive status until such time as the associate finds a supervisor meeting the requirements of 193F—Chapter 15. Associate appraisers wishing to maintain an inactive license must continue to renew on a biennial basis in accordance with rule 193F—4.3(543D).

4.2(2) 4.2(3) Scope of practice. The scope of practice of an associate appraiser is the same as the scope of practice of the supervisory appraiser. An associate appraiser supervised by a certified residential appraiser shall accordingly be restricted to the scope of practice of a certified residential appraiser, while an associate appraiser supervised by a certified general appraiser shall be subject to the same scope of practice as a certified general appraiser.

4.2(3) 4.2(4) Logs. An associate appraiser shall maintain an appraisal experience log that includes all information required by the AQB as a precondition for certification and shall maintain the log contemporaneously with the performance of supervised real property appraisal services. Every log page shall have the signatures of the associate appraiser and supervisory appraiser, the state certification number of the supervisory appraiser, and the date of signature. Required log entries shall, at a minimum, include the following for each appraisal:

- a. Type of property;
- b. Date of report;
- c. Address of appraised property;
- d. ~~Description~~ A specific description of work performed by the associate appraiser and scope of review and supervision of the supervisory appraiser; ~~and~~
- e. Number of actual work hours by the associate on the assignment; and
- f. The approach(es) to value utilized in the report.

4.2(4) 4.2(5) Monitoring of logs. The associate appraiser shall have the appraisal log reviewed and signed by the supervisory appraiser at least monthly. Upon written request by the board, the associate appraiser and the supervisory appraiser shall submit a copy of the associate appraiser's log by letter or email within ten calendar days. The failure of an associate appraiser or supervisory appraiser to submit the requested log is a ground for disciplinary action. A separate appraisal log shall be maintained for each supervisory appraiser.

ITEM 7. Amend rule 193F—4.6(272C,543D) as follows:

193F—4.6(272C,543D) Reinstating or reactivating an associate registration.

4.6(1) In order to reinstate or reactivate an associate registration that has lapsed or been placed in inactive status ~~for longer than 12 months~~, the applicant must complete all continuing education required for reinstatement pursuant to 193F—subrule 11.2(5). For purposes of this rule, in addition to the most recent edition of a seven-hour USPAP course, the board shall allow for continuing education only those courses that have been AQB-approved as qualifying education required for certification, as outlined in rules 193F—5.2(543D) and 193F—6.2(543D). The purpose of this requirement is to ensure that those associates reinstating a lapsed or inactive registration are progressing toward certification. Any qualifying education course taken under this rule as continuing education shall also apply as qualifying education toward certification. If the applicant has completed all qualifying education prior to applying to reinstate a lapsed or inactive associate registration, the applicant may use any approved continuing education course as provided in 193F—Chapter 11, in addition to the required seven-hour USPAP update course, toward the continuing education required for reinstatement.

4.6(2) If an appraiser’s registration is placed in inactive status as a result of the appraiser’s failure to maintain at least one approved active supervisor meeting the requirements of 193F—Chapter 15 pursuant to subrule 4.2(2), the applicant must complete the continuing education required by subrule 4.6(1) in order to reinstate the associate registration but is not required to pay any fee that would otherwise be required in connection with such reinstatement so long as the associate has not renewed the registration to inactive status or allowed the registration to lapse prior to reinstating or reactivating the registration.

ITEM 8. Amend subrules 5.5(1) to 5.5(3) as follows:

5.5(1) The applicant shall provide to the board an appraisal log that includes all information required by the AQB as a precondition for certification and shall maintain the log contemporaneously with the performance of supervised real property appraisal services. The appraisal log shall, at a minimum, include all information as described in ~~193F—subrule 4.2(3)~~ 193F—subrule 4.2(4).

5.5(2) The applicant shall accumulate a total of 1,500 hours of residential appraisal experience in no fewer than 12 months while in active status. While the hours may be cumulative, the 12 months must have elapsed before the applicant can apply to take the examination. Experience claimed must have been performed in compliance with USPAP in which the appraiser demonstrates proficiency in appraisal principles methodology, procedures and reporting conclusions. Acceptable appraisal experience includes, but is not limited to, the following:

- a. Fee and staff appraisal;
- b. Ad valorem tax appraisal;
- c. Review appraisal;
- d. Appraisal analysis;
- e. Appraisal consulting;
- f. Highest and best use analysis; ~~and~~
- g. Feasibility analysis/study; and
- h. Mass appraisal.

5.5(3) The types of experience set out in 5.5(2) are intended neither to exclude other sorts of appraisal experience nor to prescribe a specified minimum array of experience. However, an applicant who cannot demonstrate a background of experience of the diversity manifested by this rule shall bear the burden of showing that the applicant’s experience is of sufficient quality and diversity to fulfill the objective of the demonstration of experience. A diversity of experience includes, but is not limited to, the following:

- a. Performing all approaches to value (i.e., cost, income, sales);
- b. Various reporting types;
- c. Appropriate use of various forms (e.g., gPAR, 1004) and formats;
- d. Various property types (e.g., vacant land, condominium, manufactured home, and rental);
- e. Various assignments that include varying scopes of work (e.g., as is, as completed or proposed, foreclosure, rural properties, estates, use of extraordinary assumption or hypothetical conditions); and
- f. Diversity in value ranges.

ITEM 9. Rescind subrule **5.6(11)**.

ITEM 10. Amend rule 193F—5.7(543D) as follows:

193F—5.7(543D) Upgrade to a certified general real property appraiser. To upgrade from a certified residential real property appraiser to a certified general real property appraiser, an applicant must complete the following additional education, examination, supervision, and experience requirements and, ~~effective January 1, 2017,~~ a state and national criminal history check as provided in Iowa Code section 543D.22. For all intents and purposes, a certified residential appraiser seeking to upgrade to a certified general status will be considered an associate appraiser as it relates to differences between the scope of practice of the two licensure categories, and the upgrade process will generally follow the same registration requirements, supervisory identification and maintenance requirements, and processes and procedures generally applicable to associate appraisers set forth in 193F—Chapter 4.

5.7(1) Education.

a. Collegiate education. Certified residential real property appraisers must satisfy the college-level education requirements as specified in rule 193F—6.2(543D).

b. Core criteria. In addition to the formal education and core criteria educational requirements originally required to obtain a certified residential credential, an applicant must complete the following additional 100 creditable, core criteria class hours before taking the AQB-approved examination. All courses must be AQB-approved under current core criteria to be considered creditable. The required courses and 100 hours consist of the following:

- | | |
|--|----------|
| (1) General appraiser market analysis and highest and best use | 15 hours |
| (2) General appraiser sales comparison approach | 15 hours |
| (3) General appraiser site valuation and cost approach | 15 hours |
| (4) General appraiser income approach | 45 hours |
| (5) General appraiser report writing and case studies | 10 hours |

5.7(2) Examination. An applicant must satisfy the examination requirements as specified in rule 193F—6.3(543D).

5.7(3) Experience Supervision and experience.

a. Experience. An applicant must satisfy all of the experience requirements as specified in rule rules 193F—6.4(543D) and 193F—6.5(543D). In obtaining and documenting the 3,000 total experience hours required by 193F—subrule 6.5(2), as is the case for initial licensure, such hours must be accumulated in no fewer than 18 months while in active status as, in effect, a registered associate appraiser pursuing an upgrade pursuant to this rule and subject to the supervision of an Iowa-certified appraiser. Notwithstanding the foregoing:

(1) To the extent residential appraisal experience may be counted towards licensure in accordance with 193F—subrule 6.5(2), residential appraisal experience obtained as a certified residential appraiser prior to initiating the upgrade process may be included on the appraisal log and, subject to the work product review process, counted towards the experience-hours requirement for purposes of upgrading from a certified real property appraiser to a certified general real property appraiser; provided that such residential appraisal experience obtained prior to initiating the upgrade process shall not apply toward the 18-month requirement.

(2) Applicants may request that the board approve experience hours performed in the absence of registration as an associate real property appraiser by filing an application for approval on a form provided by the board, which application will be subject to and governed by the same processes and standards set forth in rule 193F—6.4(543D).

b. Supervision. Subject to applicable exceptions, all nonresidential experience obtained and applied toward obtaining a certified general credential as part of the upgrade process shall be performed under the direct supervision of a certified general real property appraiser pursuant to the provisions of 193F—Chapter 15 and shall be subject to the identification, notification, maintenance, approval, scope-of-practice, log, and monitoring requirements set forth in 193F—Chapter 4. Both the applicant and the applicant’s supervisor(s) must complete a supervisor/trainee course within the five years prior to the board’s receipt of the associate registration application identifying a supervisor with the board

or prior to the applicant's obtaining or claiming any experience hours under the supervision of that supervisor.

5.7(4) No change.

5.7(5) Background check. ~~Effective January 1, 2017, a~~ A state and national criminal history check as provided in Iowa Code section 543D.22 shall be performed on any appraiser upgrading to a certified general real property appraiser. The applicant shall authorize release of the results of the criminal history check to the board. ~~Unless~~ If the criminal history check was not completed within 180 calendar days prior to the date the license application is received by the board, the board ~~shall~~ may perform a new state and national criminal history check or may reject and return the application to the applicant.

ITEM 11. Amend subrules 6.5(1) to 6.5(3) as follows:

6.5(1) The applicant shall provide to the board an appraisal log that includes all information required by the AQB as a precondition for certification and shall maintain the log contemporaneously with the performance of supervised real property appraisal services. The appraisal log shall, at a minimum, include all information as described in ~~193F—subrule 4.2(3)~~ 193F—subrule 4.2(4).

6.5(2) The applicant shall accumulate a total of 3,000 hours of appraisal experience in no fewer than 18 months while in active status, of which 1,500 hours must consist of nonresidential appraisal experience. While the hours may be cumulative, the 18 months must have elapsed before an applicant can be certified. Experience claimed must have been performed in compliance with USPAP where the appraiser demonstrates proficiency in appraisal principles methodology, procedures and reporting conclusions. Acceptable appraisal experience includes, but is not limited to, the following:

- a. Fee and staff appraisal;
- b. Ad valorem tax appraisal;
- c. Review appraisal;
- d. Appraisal analysis;
- e. Appraisal consulting;
- f. Highest and best use analysis; ~~and~~
- g. Feasibility analysis/study; and
- h. Mass appraisal.

6.5(3) The types of experience set out in 6.5(2) are intended neither to exclude other sorts of appraisal experience nor to prescribe a specified minimum array of experience. However, an applicant who cannot demonstrate a background of experience of the diversity manifested by this rule shall bear the burden of showing that the applicant's experience is of sufficient quality and diversity to fulfill the objective of the demonstration of experience. A diversity of experience includes, but is not limited to, the following:

- a. Performing all approaches to value (i.e., cost, income, sales);
- b. Various reporting types;
- c. Appropriate use of various forms (e.g., gPAR, 1004) and formats;
- d. Various property types (e.g., vacant land, single-family, multifamily, agricultural, retail, industrial, and special purpose);
- e. Various assignments that include varying scopes of work (e.g., as is, as completed or proposed, foreclosure, rural properties, acreages, estates, eminent domain, use of extraordinary assumption or hypothetical conditions); and
- f. Diversity in value ranges.

ITEM 12. Rescind subrule **6.6(11)**.

ITEM 13. Amend rule 193F—6.7(543D) as follows:

193F—6.7(543D) Background check. ~~Effective January 1, 2017, a~~ A state and national criminal history check as provided in Iowa Code section 543D.22 shall be performed on any appraiser upgrading to a new credential. The applicant shall authorize release of the results of the criminal history check to the board. ~~Unless~~ If the criminal history check was not completed within 180 calendar days prior to the date the license application is received by the board, the board ~~shall~~ may perform a new state and national criminal history check or may reject and return the application to the applicant.

ITEM 14. Amend subrule 7.3(9) as follows:

7.3(9) Failure to report.

a. to *e.* No change.

f. Failure to report to the board the appraiser's principal place of business and any change in the appraiser's principal place of business within ~~40~~ 30 calendar days of such change; or failure to report to the board all other addresses at which the appraiser engages in the business of preparing real estate appraisal reports, or any change in such information, within 30 calendar days of such occurrence or change.

g. No change.

ITEM 15. Adopt the following **new** subrule 9.1(4):

9.1(4) With the exception of continuing education obtained during the 30-day grace period authorized by and subject to and in accordance with subrule 9.4(2), all continuing education claimed on a biennial renewal must have been acquired during the renewal period. In addition, all continuing education claimed on a biennial renewal must have been actually taken and completed prior to the renewal application being submitted to the board.

ITEM 16. Amend subrule 9.2(2) as follows:

9.2(2) Certified and associate appraisers must ensure that ~~the address~~ their contact information on file with the board office is current and that the board is notified within 30 days of any address change, and report to the board all other addresses at which the appraiser engages in the business of preparing real estate appraisal reports, or any change in such information, within 30 calendar days of any addition or change thereto.

ITEM 17. Amend subrule 9.3(4) as follows:

9.3(4) Insufficient applications. The board shall reject applications that are insufficient. A sufficient application within the meaning of Iowa Code section 17A.18(2) must:

a. Be on a form prescribed by the board or, in the event there are no paper forms, be submitted through the state's database;

~~*b.*~~ *b.* Be signed by the applicant, if submitted in person or mailed, or be certified as accurate, or display an electronic signature by the applicant if submitted electronically;

~~*c.*~~ *c.* Be fully completed;

~~*d.*~~ *d.* Reflect, on its face, full compliance with all applicable continuing education requirements; and

~~*e.*~~ *e.* Be accompanied by the proper fee. The fee shall be deemed improper if, for instance, the amount is incorrect, the fee was not included with the application, the credit card number provided by the applicant is incorrect, the date of expiration of a credit card is omitted or incorrect, the attempted credit card transaction is rejected, or the applicant's check is returned for insufficient funds or written on a closed account.

ITEM 18. Amend subrule 9.4(2) as follows:

9.4(2) A certified or associate appraiser may renew a certificate or registration after the expiration date by submitting a sufficient renewal application and biennial renewal fee, accompanied by ~~an additional penalty of 25 percent of the biennial renewal fee~~ the late renewal fee as provided in 193F—Chapter 12, within 30 calendar days of the expiration date. The board will allow the reinstatement of a lapsed certificate or registration during the 30-day period following expiration for an appraiser who did not complete all required continuing education during the prior biennium but who will have sufficient continuing education if courses completed during the 30-day period following lapse are included; ~~provided that such applicant must demonstrate 42 hours of qualifying continuing education rather than the 28 hours required to renew for those who completed all continuing education on a timely basis prior to the lapse.~~ The continuing education completed between July 1 and July 30 that fulfills a shortage of continuing education in the prior biennium shall not be counted toward the continuing education required in a subsequent renewal.

ITEM 19. Amend subrule 9.4(5) as follows:

9.4(5) Reinstatement. The board may reinstate a lapsed certificate or registration upon the applicant's submission of an application to reinstate and completion of all of the following:

- a. Paying a penalty as provided in rule 193F—12.1(543D); and
- b. Paying the current renewal fee as provided in rule 193F—12.1(543D); and
- c. Paying the ASC National Registry fee as provided in rule 193F—12.1(543D); and
- ~~e.~~ d. Providing evidence of completed continuing education outlined in rule 193F—11.2(272C,543D), as modified for associate appraisers in subrule 9.4(6), if the licensee wishes to reinstate to active status; and
- ~~d.~~ e. Providing a written statement outlining the professional activities of the applicant in the state of Iowa during the period in which the applicant's certificate or registration was lapsed. The statement shall describe all appraisal services performed, with or without the use of the titles described in Iowa Code section 543D.15, for all appraisal assignments that are required by federal or state law, rule, or policy to be performed by a certified real estate appraiser.

ITEM 20. Amend subrule 9.5(6) as follows:

9.5(6) Reactivation. A person registered as inactive shall apply to reactivate to active status prior to engaging in any practice in Iowa that requires certification or associate registration. An application to reactivate to active status shall be on a form provided by the board, shall demonstrate full compliance with all applicable continuing education requirements, and shall be accompanied by a change of status fee to reactivate an inactive license and the biennial fee for active status as provided in rule 193F—12.1(543D). Prior to reactivation to active status, the applicant must complete all education that would have been required had the applicant been on active status, including the most recent seven-hour USPAP update course. All such continuing education must be verified whether or not the applicant has been in active practice in another jurisdiction. Additionally, the special continuing education requirements that apply to associate appraisers reinstating a lapsed registration, as provided in subrule 9.4(6), shall apply to associate appraisers reactivating to active status following a period of inactive status of 12 months or longer. Such an applicant shall be given credit for the most recent renewal fees previously paid if the applicant applies to reactivate in the same biennium at other than the applicant's regular renewal date. An applicant changing from active to inactive status during a biennial renewal period shall not, however, be entitled to a refund of any of the fees previously paid to attain active status.

ITEM 21. Amend subrule 10.2(1) as follows:

10.2(1) The board will recognize, on a temporary basis ~~and for a maximum of two assignments per year~~, the certification of an appraiser issued by another state.

ITEM 22. Amend subrule 11.2(1) as follows:

11.2(1) Certified residential, certified general and associate appraisers must demonstrate compliance with the following continuing education requirements as a condition of biennial renewal:

- a. A minimum of 28 credit hours in approved continuing education programs must be acquired during the two-year renewal period. Carryover hours from a previous renewal period are not allowed.
- b. The purpose of continuing education is to ensure that the appraiser participates in a program that maintains and increases the appraiser's skill, knowledge and competency in real estate appraising. Credit may be granted for educational offerings that are consistent with the purpose of continuing education. A minimum of 21 of the required 28 credit hours must involve courses that address one or more of the subject areas listed in subrule 11.4(2).
- c. Appraisers must successfully complete the seven-hour National USPAP Update Course, or its equivalent, each two-year renewal cycle. Equivalency shall be determined through the AQB Course Approval Program or by an alternate method established by the AQB. USPAP continuing education credit shall be awarded only when the class is instructed by an AQB-certified instructor(s) and when the class is instructed by at least one state-certified residential or state-certified general appraiser. Individuals who are credentialed in more than one jurisdiction shall not have to take more than one seven-hour National USPAP Update Course within a two-calendar-year period for the purposes of meeting AQB criteria.

d. With the exception of continuing education obtained during the 30-day grace period authorized by and subject to and in accordance with 193F—subrule 9.4(2), all continuing education claimed on a biennial renewal must have been acquired during the renewal period. In addition, all continuing education claimed on a biennial renewal must have been actually taken and completed prior to the renewal application being submitted to the board.

ITEM 23. Amend subrule 11.2(8) as follows:

11.2(8) An applicant may claim continuing education credits earned in a state that have been approved by a state that has a continuing education requirement for renewal of a real estate appraisal certificate if and applied toward the applicant’s continuing education requirement in that state, provided the applicable program is was approved by the appraisal certification board of that state or the Appraiser Qualifications Board AQB for continuing education purposes at the time the applicant completed the course. The burden of proof is on the applicant to demonstrate that a claimed course was approved by the state, applied toward the applicant’s continuing education requirement in that state, and approved by the appraisal certification board of that state or the AQB for continuing education purposes at the time the applicant completed the course. All other programs must be approved upon application to the board pursuant to rules 193F—11.4(272C,543D), 193F—11.5(272C,543D) and 193F—11.6(272C,543D).

ITEM 24. Amend subrule 11.4(2) as follows:

11.4(2) Continuing education programs dealing with the following subject areas that are integrally related to appraisal topics and that will generally be acceptable include, but are not limited to:

- a. Ad valorem taxation;
- b. Agriculture production and economics;
- c. Agronomy/soil;
- d. Approaches to value;
- e. Arbitrations, dispute resolution;
- f. Courses related to the practice of real estate appraisal or consulting;
- g. Construction cost or development cost estimating;
- h. Ethics and standards of professional practice, USPAP;
- i. Land use planning or zoning;
- j. Management, leasing, time sharing;
- k. Property development, partial interests;
- l. Real estate appraisal law and rules;
- m. Real estate appraisal (valuations/evaluations);
- n. Real estate law, easements, and legal interests;
- o. Real estate litigation, damages, condemnation;
- p. Real estate financing and investment;
- q. Real estate appraisal-related computer applications;
- r. Real estate securities and syndication;
- s. Developing opinions of real property value in appraisals that also include personal property or business value, or both;
- t. Seller concessions and impact on value; ~~and~~
- u. Energy efficient items and “green building” appraisals; ~~and~~
- v. Real estate appraisal technology (e.g., drones).

ITEM 25. Amend subrule 11.4(3) as follows:

11.4(3) The following programs will not be acceptable:

- a. Sales promotion ~~or other~~ meetings held in conjunction with the appraiser’s general business;
- b. Time devoted to breakfast, lunch or dinner;
- c. A program certified by the use of a challenge examination. The required number of hours must be completed to receive credit hours;
- ~~d. Meetings that are a normal part of the in-house staff or employee training;~~
- e. d. Programs that do not provide at least two credit hours.

ITEM 26. Amend rule 193F—12.1(543D) as follows:

193F—12.1(543D) Required fees. The following fee schedule applies to certified general, certified residential and associate appraisers.

Initial examination application fee	\$100 <u>\$150</u>
Examination fee (and reexamination fee)	\$145
Biennial registration fee for active status (<u>initial, reciprocal, renewal</u>):	
Certified general real property appraiser <u>> one year</u>	\$390 <u>\$200</u>
Certified residential real property appraiser	\$390
Certified real property appraiser <u>< one year</u>	<u>\$100</u>
Associate real property appraiser <u>> one year</u>	\$250 <u>\$200</u>
Associate real property appraiser <u>< one year</u>	<u>\$100</u>
Biennial registration fee for inactive status (<u>initial, reciprocal, renewal</u>):	
Certified general real property appraiser	\$130 <u>\$100</u>
Certified residential real property appraiser	\$130
Associate real property appraiser	\$50
Temporary practice permit fee (each request)	\$150 <u>\$100</u>
Reciprocal application fee (one time only)	\$50
Reciprocal registration fee (biennial)	\$390
Fee to reinstate a lapsed license (<u>lapsed to active status</u>)	\$150 (plus the registration fee)
Fee to reinstate <u>reactivate</u> an inactive license to active status (<u>inactive to active status</u>)	<u>\$50 (plus the registration fee)</u>
Reissuance or replacement of a lost, destroyed, or stolen certificate or registration	\$50
<u>Formal wall certificate</u>	<u>\$25</u>
Work product review fees:	
Original submission, certified residential	\$300
Original submission, certified general	\$650
Additional residential reports as requested by the board	\$150 per report
Additional nonresidential reports as requested by the board	\$250 per report
Voluntary submission of residential reports for review	\$150 per report
Voluntary submission of nonresidential reports for review	\$250 per report
<u>Course application fee (non-AQB-approved courses and secondary providers)</u>	<u>\$50</u>
<u>Pre-/post-course application fee</u>	<u>\$25</u>
<u>Background check</u>	<u>\$51</u>

<u>ASC National Registry fee > one year, separate from registration fee</u>	<u>\$80</u>
<u>ASC National Registry fee < one year, separate from registration fee</u>	<u>\$40</u>
<u>Fee to add supervisory appraiser</u>	<u>\$25</u>
<u>Fee to add course instructor</u>	<u>\$10</u>
<u>Waiver to administrative rules</u>	<u>\$25</u>
<u>Late renewal fee (associate, certified)</u>	<u>\$50</u>

ITEM 27. Amend rule 193F—12.2(543D) as follows:

193F—12.2(543D) Prorating of registration fees. An applicant applying for initial or reciprocal registration or certification within 12 months from the applicant’s required renewal date, pursuant to rule 193F—9.1(543D), shall pay half the required fee. An applicant applying for initial or reciprocal registration or certification more than 12 months from the applicant’s required renewal date shall pay the full registration fee. An applicant applying to reinstate or reactivate a lapsed registration or certification within 12 months from the applicant’s required renewal date, pursuant to rule 193F—9.1(543D), shall pay half the required renewal fee plus the applicable reactivation or reinstatement fee. An applicant applying to reinstate or reactivate a lapsed registration or certification more than 12 months from the applicant’s required renewal date shall pay the full renewal fee plus the applicable reactivation or reinstatement fee.

ITEM 28. Amend rule 193F—15.2(543D) as follows:

193F—15.2(543D) Supervisory appraiser responsibilities. Supervisory appraisers shall:

1. to 10. No change.

11. Notify the board within ten calendar days after the supervisor ceases supervising an associate appraiser. The notice must include the name of the associate appraiser and the date the supervision ceased.

ITEM 29. Amend subrule 17.2(4) as follows:

17.2(4) Review or appeal of contested case decision.

~~Notwithstanding anything in these rules to the contrary, all~~ All board decisions in a contested case following hearing ~~are proposed decisions and~~ shall be provided to the superintendent when issued. If a timely review is initiated or a timely appeal is taken, the effectiveness of such final board action shall be delayed during the pendency of such review or appeal.

b. to l. No change.