

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control 780 Department or Agency Alabama Real Estate Appraiser Board

Rule No. 780-X-16-.04

Rule Title: Application for Reciprocal Appraiser License

 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

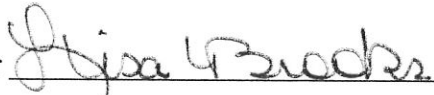
Are all facets of the rulemaking process Designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed 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 Reference Service.

Signature of certifying officer 

Date January 16, 2014

Alabama Real Estate Appraisers Board

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Real Estate Appraisers Board

RULE NO. & TITLE: 780-X-16-.04
Application for Reciprocal Appraiser License


INTENDED ACTION: Amendment

SUBSTANCE OF PROPOSED ACTION: To correct application form according to new Board policy for issuance of reciprocal appraiser licenses.

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 4:30 P.M, March 19, 2014.

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 March 19, 2014, 4:30 p.m., 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-.04 Application For Reciprocal Appraiser License.

APPLICATION FOR RECIPROCAL APPRAISER LICENSE BOARD

Trainee Real Property Appraiser, State Registered
Real Property Appraiser, Licensed Real Property Appraiser, Certified Residential Real Property Appraiser, Certified General Real Property Appraiser

ALABAMA REAL ESTATE APPRAISERS

P.O. Box 304355, Montgomery, AL 36130-4355

INSTRUCTIONS

This application is for use ONLY by persons licensed or certified as a real estate appraiser by another state which has reciprocity with Alabama or US Territory or the District of Columbia.

Include Check of all fees (\$425 Trainee, \$550 State Registered Real Property Appraiser; \$575 Licensed Real Property Appraiser, \$575 Certified Residential Real Property Appraiser; \$575 Certified General Real Property Appraiser) made payable to Alabama Real Estate Appraisers Board.

1. Complete Sections I, II, and III on back of this form. (Caution: Any incomplete or incorrect application will be returned unprocessed).
2. **APPLICATION MUST BE TYPED.** Attach the following:
 - a. If you are not listed on the National Registry, attach a certified copy (not more than 30 days old) of your history from the state regulatory agency(s) issuing such classification.
 - b. A NON-REFUNDABLE application fee, check or money order payable to Alabama Real Estate Appraisers Board: Trainee application fee of \$150 plus annual license fee of \$275; State Registered application fee of \$275 plus annual license fee of \$275; Licensed Real Property Appraiser application fee of \$275 plus annual license fee of \$300; Certified Residential application fee of \$275 plus annual license fee of \$300; Certified General application fee of \$275 plus annual license fee of \$300. Initial annual license fees cover the first year or any portion thereof and are payable during September of each year thereafter.

Each classification of appraiser reflects the scope of work, which the appraiser may undertake, and accordingly each has differing qualifications. The scope of work for each type may change if the federal government adjusts its guidelines. At the present time the classifications in Alabama are:

1. The state "Trainee Real Property Appraiser" is an entry-level classification, which requires the trainee to work under the direct supervision of an experienced, licensed appraiser. The scope of activity is the appraisal of those properties, which the supervising appraiser is permitted to appraise.
2. 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 appraisals for non-federally related transactions) including: (a) 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. (b) Non-complex appraisals of 1 to 4 unit non-federally related residential properties having transaction value of \$1,000,000 or less. (c) This classification does not include the appraisal of subdivisions wherein a development analysis/appraisal is necessary and utilized.
3. The state "Licensed Real Property Appraiser" classification includes those individuals who may 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 non-federally related residential properties having transactions value of \$1,000,000 or less; (c) appraisals of other types of real estate having transaction value of \$250,000 or less.
4. The state "Certified Residential Real Property Appraiser" 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.
5. The state "Certified General Real Property Appraiser" classification shall consist of those persons certified by the Board as qualified to perform appraisals on all types of real estate, regardless of transaction value.

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.

Since you are not officially licensed or certified until the Board approves your application, you must not engage in, or conduct, or advertise, or hold yourself out as engaging in or conduction the business of a real estate appraiser or act in the capacity of licensed or certified appraiser in Alabama until you receive your certificate, which will be mailed to you.

APPLICATION FOR RECIPROCAL APPRAISER LICENSE

SECTION I

- yes no 1. Are you a resident of Alabama? If so, how long? _____
- yes no 2. Have you ever been licensed or certified (or otherwise classified) as an appraiser in Alabama or in another state?
 (If your answer is yes, obtain from each state a certified history, not more than 30 days old, and attach it to this application.) If yes, what state or states?

 If yes, under what name(s) and number(s)? _____
- yes no 3. Are you a high school graduate or the holder of a General Education Development (G.E.D.) certificate? (If your answer to this question is no, attach proof of education equivalency.)
- yes no 4. Have you ever been convicted of any criminal offense (other than minor traffic violations), 2) pled nolo contendere to any criminal offense, or 3) been granted first offender treatment upon being charged with any criminal offense?
 (Attach full explanation if "yes" response)
- yes no 5. Have you ever been disciplined by the Alabama Real Estate Appraisers Board or any state or federal licensing agency or authority, which regulates any profession? (Disciplinary actions include but are not limited to such actions as a reprimand, a suspension, a revocation, a fine, or any restriction or special requirements placed on your right to operation as a licensee.)
- yes no 6. Are there any criminal charges or licensing disciplinary proceedings pending against you at this time?
- yes no 7. Have you ever done an appraisal in the state of Alabama? If so, when, _____

If you answer "yes" to questions 4, 5, 6 or 7 above, attach details and a certified copy of any criminal conviction or final order. Obtain certified copies from the clerk of court in the county in which the conviction occurred or, if a license disciplinary action, from the agency issuing the license or certification. You should also attach any explanation of the circumstances surrounding the conviction or sanction, which you think that the board should consider, and if you like, any letters or recommendation. Your application will not be processed without these documents.

SECTION II

1. I am applying for an Appraiser: Trainee _____; State Registered _____; License Certification _____; Residential Certification _____; General Certification _____.
2. Male Female
3. Date of Birth: Month _____ Day _____ Year _____
4. Social Security Number: _____ - _____ - _____
5. Name:

 Last First Middle
6. Home Address:

 Street, Route & Box City County State
 Zip
7. Home Telephone: _____, Business Name: _____, Business Telephone _____

8. Business Address: _____

Street, Route & Box City County State
Zip

9. Preferred Address: _____

Street, Route & Box City County State Zip

SECTION III - Consent - Jurisdiction, Investigation, and Certification

I, as a non-resident applicant for an appraisal license and a licensee, agree that the State of Alabama Real Estate Appraisers Board shall have jurisdiction over me in any and all of my real estate related activities the same as if I were an Alabama resident licensee. I agree to be subject to investigations and disciplinary actions the same as Alabama resident licensees. Further, I agree that civil actions may be commenced against me in any court of competent jurisdiction in any court of the State of Alabama.

I hereby appoint the executive director of the State of Alabama Real Estate Appraisers Board as my agent upon whom all disciplinary, judicial, or other process or legal notices may be served. I agree that such service upon my said agent shall be the same as service upon me and that certified copies of this appointment shall be deemed sufficient evidence thereof and shall be admitted into evidence with the same force and effect as the original might be admitted. I agree that any lawful process against me, which is served upon my said agent, shall be of the same legal force and validity as if personally served upon me and that this appointment shall continue in effect for as long as I have any liability as an appraiser remaining in the state of Alabama. I understand that my said agent shall, within a reasonable time after service upon him or her, mail a copy of same by certified mail, return receipt requested, to me, at my last known business address.

I agree that I am bound by all the provisions of the state of Alabama Real Estate Appraisers Act. The undersigned applicant also certifies that all information given on this application is true, correct, and complete.

Signed _____
NAME DATE