

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control 780 Department or Agency Alabama Real Estate Appraiser Board

Rule No. 780-X-3-.02

Rule Title: Applications from Non-Residents

         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.  
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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       Lisa Brooks      

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-3-.02  
Applications from Non-Residents

INTENDED ACTION: Amendment

SUBSTANCE OF PROPOSED ACTION: To remove the requirement that reciprocal appraiser license may only be approved if Alabama has a reciprocal agreement with the applicant's home state appraiser licensing agency in compliance with 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 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

Applications From Non-Residents.

Non-Alabama residents may apply for licensure for any real property appraiser classification provided:

(a) the applicant is a citizen of the United States or is an alien with permanent resident status;

(b) the applicant submits with the application an irrevocable consent appointing the executive director of the Board as agent for service of process as provided in Code of Ala. 1975, §34-27A-7(d)(3), if, in an action against the applicant in a court of this state arising out of the applicant's activities as a licensed or certified real estate appraiser, the plaintiff cannot, in the exercise of due diligence, effect personal service upon the applicant;

(c) the applicant agrees to be bound by all the provisions of the State of Alabama Real Estate Appraisers Act, and submits to the jurisdiction of the Board, and agrees to be subject to the investigations and disciplinary actions by the Board the same as Alabama resident real estate appraisers; and

(d) the applicant otherwise complies with the provisions of Alabama Real Estate Appraisers Act and the rules pertaining to the application and certification of resident real estate appraisers.

(e) Non-resident applicants who meet all the above requirements are not required to take the Alabama examination, ~~provided Alabama has entered into a reciprocity agreement with the state in which the applicant is licensed as a real property appraiser and in good standing in an appraiser regulatory program created pursuant to FIRREA.~~ The non-resident applicant shall

complete an Alabama application and provide the necessary information required by the Board. Necessary information includes, at a minimum, a certification from the resident state that the applicant holds a valid appraiser license or certification in good standing issued by the appraiser regulatory agency in the state as attested to by a statement under seal from the agency setting forth:

1. the type license or certification held by the applicant and the license or certification number;
2. the date of licensure or certification and the expiration date of the applicant's current license or certification;

3. a complete record of any disciplinary actions taken or pending against the applicant; and
4. payment of all fees.