

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control 780 Department or Agency Alabama Real Estate Appraiser Board

Rule No. 780-X-18

Rule Title: Appraisal Management Company Forms

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 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 *Hija Brooks*

Date 6-30-11

Alabama Real Estate Appraisers Board

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Real Estate Appraisers Board

RULE NO. & TITLE: 780-X-18  
Appraisal Management Company Forms


INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION: To adopt forms that are required for appraisal management companies to register to do business in Alabama.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may submit their views regarding the proposed amended rule in writing to the Alabama Real Estate Appraisers Board, P.O. Box 304355, Montgomery, Alabama 36130-4355 no later than September 15, 2011 at 11:00 A.M..

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Written comments concerning this change must be received by the Alabama Real Estate Appraisers Board no later than September 15, 2011 at 11:00 A.M.. 100 North Union Street, 3<sup>rd</sup> Floor Conference Room, Montgomery, Alabama.

CONTACT PERSON AT AGENCY: Neva C. Conway  
Assistant Attorney General

  
Lisa Brooks

**ALABAMA REAL ESTATE APPRAISERS BOARD  
ADMINISTRATIVE CODE**

**CHAPTER 780-X-18  
APPRAISAL MANAGEMENT COMPANY FORMS**

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780-X-18-.01    **Registration Instructions**

**APPLICATION FOR APPRAISAL MANAGEMENT COMPANY REGISTRATION  
INSTRUCTIONS**

- The application must be typed only.
- The application fee is \$3500, **NON-REFUNDABLE** and payable by business, cashier or certified check to the Alabama Real Estate Appraisers Board. All other forms of payment will be returned.
- The person listed in Item 3 on the application should be the person to contact if there are questions about the application.
- The applicant shall post at the time of filing with the Board a Surety Bond (cash or securities) in the amount of \$25,000 on the prescribed forms.
- Attach a copy of your procedure to verify that a person being added to your appraiser panel holds a license in good standing in this state pursuant to the Alabama Real Estate Appraisers Act for appraisals of properties located in this state.

- Attach a copy of your procedure to require that appraisers inform the appraisal management company of their geographic competency for an assignment.
- Attach a copy of your procedure to periodically review the work of all independent appraisers that are performing real estate appraisal services for your company to validate that the real estate appraisal services are being conducted in accordance with the Uniform Standards of Professional Appraisal Practice.
- Attach a copy of your dispute resolution procedure that allows users of the appraisal report to request that the appraiser consider additional property information, provide further detail, substantiation, or explanation for the appraiser's value conclusion, or to correct errors in an appraisal report.
- Attach your original written irrevocable consent to service of process if the company is domiciled outside of Alabama.
- Complete Attachment A, the name, address and contact information for any individual or business entity that owns ten percent (10%) or more of the Company. Use the Continuation Sheet if necessary.
- Complete Attachment B, the name, address and contact information for each officer and director of the company. Use the Continuation Sheet if necessary.
- Attach a copy of the written partnership agreement or organizational documents, if applicable.
- Attach all required criminal background checks of anyone whom owns ten percent (10%) or more of the Company.
- A "foreign corporation" is one formed in a state other than Alabama.
- An LLC organized under the laws of Alabama must attach a Certificate of Existence obtained from the Alabama Secretary of State. An LLC organized under the laws of any other state must attach a copy of the Alabama registration authorized by §10-12-48, Code of Alabama, 1975. You may obtain instructions on how to get these forms at <http://www.sos.alabama.gov/BusinessServices/Default.aspx>.

PLEASE NOTE THAT YOU MUST NOTIFY THE ALABAMA REAL ESTATE APPRAISERS BOARD IN WRITING OR BY EMAIL, OF THE FOLLOWING CHANGES WITHIN TEN (10) DAYS:

- Any change of Principal Contact
- Any change to persons owning more than ten percent (10%) of the Appraisal Management Company
- Any change in officers or directors
- Any change in physical or mailing address, telephone number, email address, any other information contained in this application

**Author:** Lisa Brooks, Executive Director, Alabama Real Estate Appraisers Board.

**Statutory Authority:** Code of Ala. 1975, §34-27A-54.

**History: New Rule:** Filed June 30, 2011.

780-X-18-.02     Registration Form

**APPLICATION FOR APPRAISAL MANAGEMENT COMPANY REGISTRATION**

The application must be **TYPED**. The application fee is \$3500, **NON-REFUNDABLE** and payable by business, cashier or certified check to the Alabama Real Estate Appraisers Board.

All other forms of payment will be returned.

1. Company's Legal Name:

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2. Name under which Company will do business in Alabama:

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3. Contact person for application:

Name	Title
Email _____	

4. Main Address of Company:

Street Address		County	
City	State	Zip	
PO Box (if applicable)	City	State	Zip
Telephone	Fax	Website	

5. If Company is not domiciled in Alabama, name and address for Company's Agent for service of process:

Name	Telephone	Email	
Street Address	City	State	Zip

6. Principal Contact:

Name	Title	Email
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7. Legal Structure of Company:

<input type="checkbox"/> Domestic Corporation	<input type="checkbox"/> Foreign Corporation
<input type="checkbox"/> Foreign LLC	<input type="checkbox"/> Partnership*
<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Sole Proprietor
<input type="checkbox"/> Other**	

\*If a general partnership, attach copy of written partnership agreement

\*\*If other type of entity, attach copy of organizational documents

8. Employer Identification Number or Social Security Number:

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9. Indicate below if you are registered as an Appraisal Management Company in any other state. (Use Continuation Sheet if necessary)

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State	Registration No.	From (M/Y)	To (M/Y)
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State	Registration No.	From (M/Y)	To (M/Y)
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State	Registration No.	From (M/Y)	To (M/Y)
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10. Complete Attachment A; the name, address and contact information for any individual or business entity that owns ten percent (10%) or more of the Company.

11. **CHARACTER**

**Regarding Professional Licenses**

1) Has any owner listed in Attachment A of this application, ever had an appraisal license refused, denied, cancelled or revoked by any state?

Yes  No

2) Are there currently any charges pending against any owner listed in Attachment A in connection with an appraiser license in any state?

Yes  No

*If either of the answers are "yes", provide a copy of the licensing agency's order, any other documentation regarding the case and a complete written explanation for each matter.*





- 2) I certify that this Appraisal Management Company has a system in place to require that appraisers inform the Appraisal Management Company of areas of geographic competency for each assignment.
- 3) I certify that this Appraisal Management Company has a system in place to review the work of all independent appraisers that are performing real estate appraisal services for the Appraisal Management Company on a periodic basis to validate that the real estate appraisal services are being conducted in accordance with the Uniform Standards of Professional Appraisal Practice Article 1, Section 34-27A-1 et. seq., Code of Alabama, 1975.
- 4) I certify that this Appraisal Management Company has a dispute resolution in process that allows users of the appraisal report to request that the appraiser consider additional property information, provide further detail, substantiation, or explanation for the appraiser's value conclusion, or to correct errors in an appraisal report.
- 5) I certify that this Appraisal Management Company maintains a detailed record of each service request that it receives and the independent appraiser that performs the residential real estate appraisal services for the Appraisal Management Company.

14.

**ATTACHMENTS**

I have attached the following:

- 1) A description of each of the systems in Paragraphs (1), (2), (3) and (4) above.
- 2) Attachment of A, the name, address and contact information for any individual or business entity that owns ten percent (10%) or more of the Appraisal Management Company.
- 3) Attachment of B, the name, title, address and contact information for all officers and directors.
- 4) A consent to service of process, if applicable.
- 5) A copy of the written partnership agreement, if applicable.
- 6) A copy of the organizational documents, if applicable.
- 7) All required criminal background checks.
- 8) Surety Bond.

15. **THIS AFFIDAVIT IS TO BE EXECUTED BY APPLICANT BEFORE A NOTARY PUBLIC:**

The undersigned, in making the application to the Alabama Real Estate Appraisers Board for registration as an Appraisal Management Company under the provisions of Article 2 of the Alabama Real Estate Appraisers and Appraisal Management Company Act, swears (or affirms) that he (or she) has been designated by the Appraisal Management Company to make this application on their behalf and that all information is provided in connection with this application, including certificates and attachments, is true to the best of his (or her) knowledge and belief, with the understanding that any omissions, inaccuracies or failure to make full disclosures may be deemed sufficient reason to deny registration or to withhold renewal of or suspend or revoke a registration issued by the Board.

SIGNATURE OF APPLICANT: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Name of Notary Public, Print)

\_\_\_\_\_  
Signature of Notary Public)

Commission Expires: \_\_\_\_\_  
\_\_\_\_\_ State \_\_\_\_\_

**Attachment A**

(use Continuation Sheet if necessary)

Name, address and contact information for any individual or business entity that owns ten percent (10%) or more of the Appraisal Management Company

Name		
Street Address		County
City	State	Zip
Telephone	Fax	Email

Name		
Street Address		County
City	State	Zip
Telephone	Fax	Email

Name		
Street Address		County
City	State	Zip
Telephone	Fax	Email

**Attachment B**

(use Continuation Sheet if necessary)

Name, address and contact information for all officers  
and directors

Name		
Street Address		County
City	State	Zip
Telephone	Fax	Email

Name		
Street Address		County
City	State	Zip
Telephone	Fax	Email

Name		
Street Address		County
City	State	Zip
Telephone	Fax	Email

**Continuation Sheet**

Name		
Street Address		County
City	State	Zip
Telephone	Fax	Email

Name		
Street Address		County
City	State	Zip
Telephone	Fax	Email

Name		
Street Address		County
City	State	Zip
Telephone	Fax	Email

**Author:** Lisa Brooks, Executive Director, Alabama Real Estate Appraisers Board.

**Statutory Authority:** Code of Ala. 1975, §34-27A-54.

**History: New Rule:** Filed June 30, 2011.

**780-X-18-.03     Change of Name or Address Form**

**CHANGE OF NAME AND/OR ADDRESS  
OF APPRAISAL MANAGEMENT COMPANY**

Appraisal Management Companies are required to notify the Alabama Real Estate Appraisers Board when the name of the company, business address, telephone number, or email address has changed. The Alabama Real Estate Appraisers Board must be notified within 10 days of the change. A change of name requires legal document to be attached showing the name change. In addition, a Request for Reissuance of Appraisal Management Company Certificate must also be included.

**NAME CHANGE**

*I hereby certify to the Alabama Real Estate Appraisers Board that the name of the Appraisal Management Company has been legally changed.*

Current name of Company: \_\_\_\_\_

Registration Number: \_\_\_\_\_

New Name (please print): \_\_\_\_\_

The name of the Company was legally changed on \_\_\_\_\_

by reason of \_\_\_\_\_

**OTHER**

Change address: \_\_\_\_\_

Change telephone #: \_\_\_\_\_

Change fax #: \_\_\_\_\_

Change email address: \_\_\_\_\_

Date:\_\_\_\_\_ Signature: \_\_\_\_\_ Title:\_\_\_\_\_

**Author:** Lisa Brooks, Executive Director, Alabama Real Estate Appraisers Board.

**Statutory Authority:** Code of Ala. 1975, §34-27A-54.

**History: New Rule:** Filed June 30, 2011.

**780-X-18-.04 Consent to Service of Process and Pleadings Form**

**CONSENT TO SERVICE OF PROCESS AND PLEADINGS**

***Know all men by these presents:***

Pursuant to the requirements of Article 2 of the Alabama Real Estate Appraisers and Appraisal Management Company Act, the undersigned applicant for registration as an appraisal management company in Alabama.

\_\_\_\_\_  
Print Name of Company

Does hereby irrevocably consent, stipulate and agree that suits, actions and administrative proceedings may be commenced against such applicant in the courts and agencies of this State, by the service of any process or pleading authorized by the laws of this State on the Executive Director of the Alabama Real Estate Appraisers Board, and that service of such process or pleadings upon said Director shall be taken and held in all courts to be as valid and binding as if the service had been made upon said applicant in the State of Alabama.

\_\_\_\_\_  
Name of Person Executing Consent  
(Please Print)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature of Person  
Executing Consent

\_\_\_\_\_  
Street Address of Person  
Executing Consent

\_\_\_\_\_  
City State Zip

State of \_\_\_\_\_ County of \_\_\_\_\_

Before me personally appeared the above-named individual who  
acknowledged the execution of the foregoing instrument for the  
purpose set forth therein.

WITNESS my hand and official seal, this \_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

**Author:** Lisa Brooks, Executive Director, Alabama Real Estate  
Appraisers Board.

**Statutory Authority:** Code of Ala. 1975, §34-27A-54.

**History: New Rule:** Filed June 30, 2011.

780-X-18-.05 Request for Reissuance of Appraisal Management  
Company Certificate Form

**REQUEST FOR REISSUANCE OF APPRAISAL MANAGEMENT  
COMPANY CERTIFICATE**

**INSTRUCTIONS**

The Alabama Real Estate Appraisers Board will reissue a  
certificate if the original certificate has been lost, damaged,  
destroyed, never received, or if the name of the appraisal  
management company has been lawfully changed.



To have a new certificate reissued, the Principal Contact must properly complete and file with the Appraisers Board this form with the required \$25.00 fee. Note: No fee is required if the certificate was never received (i.e. lost by the Post Office).

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I hereby certify to the Alabama Real Estate Appraisers Board that (check appropriate section):

- The certificate has been lost, damaged or destroyed.
- The name of the appraisal management company has been lawfully changed. (Attach company name change form)
- The certificate was never received. I therefore request a replacement. (No fee required)

Name of Appraisal Management Company: \_\_\_\_\_

Registration Number: \_\_\_\_\_

Address to send the new Certificate: \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Title: \_\_\_\_\_

**Author:** Lisa Brooks, Executive Director, Alabama Real Estate Appraisers Board.

**Statutory Authority:** Code of Ala. 1975, §34-27A-54.

**History: New Rule:** Filed June 30, 2011.