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NOTICE OF EXEMPT RULEMAKING
TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER. 46 BOARD OF APPRAISAL
PREAMBLE

1. Articles, Parts, and Sections Affected

Rulemaking Action

R4-46-106	Amend
Article 2	Amend
R4-46-201	Amend
R4-46-201.01	New Section
R4-46-202	Amend
R4-46-202.01	New Section
R4-46-203	Re-number
R4-46-203	New Section
R4-46-204	Amend
R4-46-205	Amend
R4-46-206	Re-number
R4-46-207	Amend
R4-46-209	Amend
Article 7	Repeal
R4-46-701	Repeal
R4-46-702	Repeal
R4-46-703	Repeal
R4-46-704	Repeal

2. Citations to the agency's statutory rulemaking authority to include both the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. § 32-3605(A)

Implementing statute: A.R.S. §§ 32-3601, 32-3605(B), 32-3607, 32-3610, 32-3611, 32-3612, 32-3613, 32-3614, 32-3614.01, 32-3614.02, 32-3616, 32-3617, 32-3618, 32-3619, and 32-3620

Statute or session law authorizing the exemption: Laws 2013, Chap. 184, § 28

3. The effective date for the rules and the reason the agency selected the effective date:

4. Citation to all related notices published in the Register to include the Register as specified in R1-1-409(A) that pertain to the record of the exempt rulemaking:

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Notice of Public Information, XX A.A.R. XX

5. The agency's contact person who can answer questions about the rulemaking:

Name: Debra J. Rudd, Executive Director

Address: Board of Appraisal

15 S. 15th Ave, Suite 103A

Phoenix, AZ 85007

Telephone: (602) 542-1593

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E-mail: debra1@azboa.gov

Web site: <http://www.appraisal.az.state.us>

6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:

The Board's organic statutes were substantially revised during the 2013 legislative session (See Laws 2013, Chap 187). In this rulemaking, the Board is making changes necessary to comply with the licensing provisions of the revised statutes. It is also repealing Article 7, which consists of only one Section, so that fees for registration of appraisal management companies appear in only R4-46-106. The Board is making other required changes in a related rulemaking that it expects to complete in 2014. Many of the revisions to the Board's organic statutes and these rules result from changes to federal law.

7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

None

8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

9. A summary of the economic, small business, and consumer impact, if applicable:

Most of the economic impact on appraisers results from legislative action rather than this rulemaking. In this rulemaking, the Board establishes new fees for registration and renewal of registration as a trainee appraiser and for license or certificate by reciprocity. These fees are specifically authorized under A.R.S. §§ 32-3606(9), 32-3618(3), and 32-3619(A).

10. A description of any changes between the proposed rulemaking, including supplemental notices, and the final rulemaking (if applicable):

Not applicable

11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to comments, if applicable:

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12. Other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:

None

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The rules require that applicants obtain a registration, license, certificate, or designation. These are not general permits because each of them requires individualized information from an applicant including a set of fingerprints with which to conduct a criminal background check.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

On July 21, 2010, the Dodd-Frank Wall Street Reform and Consumer Protection Act became law. The Act amends Title XI of the Federal Financial Institutions Reform, Recovery and Enforcement Act of 1989 regarding federally related transactions. A federally related transaction includes an appraisal completed for FHA or loans that may be sold to Fannie Mae or Freddie Mac, or those completed for lenders with FDIC insurance or under the control of the Office of the Comptroller of the Currency.

The Act mandates that real estate appraisals be performed in accordance with generally accepted appraisal standards as evidenced by the standards made by the Appraisal Standards Board of the Appraisal Foundation. In Laws 2013, Chapter 184, the legislature significantly amended the organic statutes of the Board of Appraisal to conform to the Act. This includes a provision that the uniform standards of professional appraisal practice as published by the Appraisal Standards Board are the standards for this state (See A.R.S. § 32-3610). This rulemaking implements the licensing portions of Laws 2013, Chapter 184. The rules are not more stringent than federal law.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No analysis was submitted.

13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rule:

None

14. Whether the rule was previously made, amended, or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:

The rules were not previously made, amended, or repealed as emergency rules.

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15. The full text of the rules follows:

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TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 46. BOARD OF APPRAISAL

ARTICLE 1. GENERAL PROVISIONS

Section

R4-46-106. Fees

ARTICLE 2. ~~LICENSING~~ REGISTRATION, LICENSURE, AND CERTIFICATION AS AN APPRAISER

Section

R4-46-201. Appraiser Qualification Criteria

R4-46-201.01. Application for Designation as a Supervisory Appraiser; Supervision of a Registered Trainee Appraiser

R4-46-202. Application for ~~License or Certificate~~ Original Registration, Licensure, or Certification

R4-46-202.01 Application for Licensure or Certification by Reciprocity

R4-46-203. ~~Procedures for Processing Applications~~ Application for Non-resident Temporary Licensure or Certification

R4-46-204. ~~Appraiser~~ Licensure and Certification Examinations

R4-46-205. Issuance of a Registration, License, or Certificate

R4-46-206. ~~Hearing on Denial of a License or Certificate~~ Renumbered

R4-46-207. Renewal of a Registration, License, or Certificate, Changing Classification

R4-46-209. Replacement of a Registration, License, or Certificate; Name Change

ARTICLE 7. ~~GENERAL PROVISIONS--FEES~~ REPEALED

Section

R4-46-701. ~~Reserved~~ Repealed

R4-46-702. ~~Reserved~~ Repealed

R4-46-703. ~~Reserved~~ Repealed

R4-46-704. ~~Fee~~ Repealed

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ARTICLE 1. GENERAL PROVISIONS

R4-46-106. Fees

A. The Under the specific authority provided by A.R.S. §§ 32-3607, 3619, and 3667, the Board establishes and shall charge and collect the following fees for the following:

1. ~~Initial Application~~ Application for original license or certificate: \$400

2. Application for registration as a trainee appraiser: \$300

~~2.3.~~ Examination: \$100 The amount established by the AQB-approved examination provider

~~3.4.~~ Biennial Renewal renewal of a License license or Certificate certificate: \$425

5. Renewal of registration as a trainee appraiser: \$300

~~4.6.~~ Delinquent Renewal renewal (in addition to the Renewal renewal fee): \$25

~~5.7.~~ Biennial National Registry national registry: \$80 The amount established by the appraisal subcommittee

8. Application for license or certificate by reciprocity: \$400

~~6.9.~~ Application for non-resident Temporary License temporary license or Certificate certificate: \$150

~~7.10.~~ Course Approval approval:

a. ~~Qualifying Education~~ Core-curriculum qualifying education

i. ~~Initial Course Approval~~ course approval: \$400

ii. ~~Renewal of Course Approval~~ course approval: \$100

iii. ~~Renewal of Course Approval to Change Instructor~~ course approval to change instructor: \$50

b. ~~Continuing Education~~ education

i. ~~Initial Course Approval~~ course approval: \$200

ii. ~~Renewal of Course Approval~~ course approval: \$100

iii. ~~Renewal of Course Approval to Change Instructor~~ course approval to change instructor: \$50

11. Application for initial registration as an appraisal management company: \$2,500

12. Biennial renewal of registration as an appraisal management company: \$2,500

B. The fees established in subsection (A) and those specified in A.R.S. § 32-3652 are not refundable unless the provisions of A.R.S. § 41-1077 apply.

B.C. A person shall pay fees by cash, or credit or debit card, or by certified check, or cashier's check, or money order payable to the Arizona Board of Appraisal. If a person pays a fee by credit or debit card, the Board shall, as authorized by A.R.S. § 32-3606(C), impose a convenience fee in the amount established under state contract in addition to the amount specified in subsection (A) or A.R.S. § 32-3652.

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~~C. A person making a public record request shall pay the Board the reasonable cost of reproduction consistent with A.R.S. Title 39, Chapter 1, Article 2. The person shall pay for the Board's cost of reproduction by cash, certified check, cashier's check, or money order.~~

ARTICLE 2. LICENSING REGISTRATION, LICENSURE, AND CERTIFICATION AS AN APPRAISER

R4-46-201. Appraiser Qualification Criteria

A. Classifications. As specified in A.R.S. § 32-3612, Arizona recognizes five classifications of appraisers. These classifications are:

1. Registered trainee appraiser,
2. State licensed real estate appraiser,
3. State certified residential real estate appraiser,
4. State certified general real estate appraiser, and
5. Designated supervisory appraiser.

~~A.B. Qualification criteria. Except as provided in subsections (B), (C), and (D), an An applicant for the applicable classification of license or certificate registration, licensure, certification, or designation shall meet that classification's the classification-specific qualification criteria established by the Appraiser Qualifications Board (AQB) AQB in: either *The Real Property Appraiser Qualification Criteria and Interpretations of the Criteria* (Real Property Appraiser Qualification Criteria adopted February 16, 1994, effective January 1, 1998; Includes all Interpretations and Supplementary Information as of January 1, 2002; Appendix I Criteria Revisions effective January 1, 2003) referred to as the "1998 Criteria," or~~

1. *The Real Property Appraiser Qualification Criteria and Interpretations of the Criteria* (Real Property Appraiser Qualification Criteria Effective January 1, 2008; Appendix, Real Property Appraiser Qualification Criteria Prior to January 1, 2008; Includes All Interpretations and Supplementary Information as of February 1, 2007) referred to as the "2008 Criteria;" as follows: or
2. *The Real Property Appraiser Qualification Criteria and Interpretations of the Criteria* (Real Property Appraiser Qualification Criteria Effective January 1, 2015; Appendix, Real Property Appraiser Qualification Criteria Prior to January 1, 2015; Includes All Interpretations and Supplementary Information) referred to as the "2015 Criteria."
3. The Board incorporates by reference the materials listed in subsections (B)(1) and (2). The incorporated materials include no future editions or amendments. A copy of the incorporated materials is on file with the Board and may be obtained from the Board or the Appraisal Foundation, 1155 15th Street, NW, Suite 1111, Washington, DC 20005; (202) 347-7722; fax (202) 347-7727; or www.appraisalfoundation.org.

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C. Components of qualification criteria. For each level of classification identified under subsection (A), the qualification criteria referenced in subsection (B)

~~1. The requirements are divided into three components: education, experience, and examination. An applicant shall meet the criteria in effect at the time the applicant completes a particular component.~~

1. The education component is further divided:

a. For applicants for registration, licensure, or certification, the education component requires a specified number of hours of the appraiser core curriculum;

b. For applicants for licensure or certification, the education component requires hours of college-level education from an accredited degree-granting institution, and

c. For applicants who are certified by the Board and applying to be designated as a supervisory appraiser and for applicants for registration, the education component requires completion of a course that complies with the specifications for content established by the AQB.

2. For all components of qualification criteria except the requirement regarding hours of college-level education, the Board shall require an applicant to meet the criteria in effect at the time the applicant completes the component. For the requirement regarding hours of college-level education, the Board shall require an applicant to meet the criteria in effect at the time of application.

~~2. The Board shall give credit for completion of a component if the applicant meets either the 1998 Criteria or the 2008 Criteria for any component completed prior to January 1, 2008.~~

~~3. The Board shall give credit for completion of a component only if the applicant meets the 2008 Criteria for any component completed on or after January 1, 2008.~~

~~4. On and after November 1, 2008, an applicant shall meet the 2008 Criteria for all components, regardless of when the component was completed. Both the 1998 Criteria and the 2008 Criteria are incorporated by reference and are on file with the Board. These incorporated criteria include no future editions or amendments. A copy of the incorporated criteria may be obtained from the Board or The Appraisal Foundation, 1155 15th Street, NW, Suite 1111, Washington, DC 20005; (202) 347-7722; fax (202) 347-7727; or web site www.appraisalfoundation.org.~~

a. Except as specified in subsection (C)(2), an applicant who is not currently registered, licensed, certified, or designated by the Board or a state that meets the standards specified in A.R.S. § 32-2618 shall meet the qualification criteria for the classification for which application is made:

i. Through December 31, 2014, the qualification criteria for licensure or certification are those listed in subsection (B)(1);

ii. Through December 31, 2014, the qualification criteria for registration as a trainee appraiser are the 75 hours of appraiser core curriculum required under R4-46-201(B)(1) for licensure including the 15-hour National USPAP Course or its ABQ-approved equivalent; and

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iii. On and after January 1, 2015, the qualification criteria for all classifications are those listed in subsection (B)(2).

b. If an individual currently registered, licensed, or certified by the Board or a state that meets the standards specified in A.R.S. § 32-2618 makes application to be licensed or certified in a different classification, as specified under subsection (A), the Board shall require that the individual show evidence that the individual meets the education, experience, and examination requirements for the new classification that differ from the requirements for the current classification.

B.D. Regardless of whether a transaction is federally related:

1. A ~~State Licensed Residential Appraiser~~ state licensed residential appraiser is limited to the scope of practice in A.R.S. § 32-3612(A)(3), and
2. A ~~State Certified Residential Appraiser~~ state certified residential appraiser is limited to the scope of practice in A.R.S. § 32-3612(A)(2).

C.E. Notwithstanding the criteria incorporated by reference in subsection ~~(A)~~ (B),

1. An applicant shall not obtain more than ~~75%~~ percent of required core-curriculum qualifying education through distance education. The Board shall allow credit toward qualifying education requirements only if distance education provides live interaction between learner and instructor and includes testing;
2. An applicant shall not obtain the 15-hour National USPAP Course, or its ABQ-approved equivalent, ~~approved through the AQB Course Approval Program,~~ through distance education;
3. Qualifying education credit may be obtained at any time before the date of application, except the 15-hour National USPAP Course or its AQB-approved equivalent shall be obtained within two years ~~preceding~~ before the date of application; and
4. Seventy-five percent of the applicant's ~~quantitative~~ experience requirements component shall include work product where the applicant inspected the subject property.

R4-46-201.01 **Application for Designation as a Supervisory Appraiser; Supervision of a Registered Trainee Appraiser**

D. ~~Notwithstanding the criteria incorporated by reference in subsection (A), there is no Trainee Real Property Appraiser Classification.~~

A.1. ~~A supervising On and after January 1, 2015, an individual who wishes to act as a supervisory appraiser for a registered trainee appraiser shall; instruct and directly supervise a trainee for any classification of license or certificate in the entire preparation of each appraisal. A supervising appraiser shall provide direct supervision, being personally and physically present during the entire inspection of each appraised property with the trainee. The supervising appraiser shall approve and sign all final appraisal documents, certifying the appraisals are in compliance with the Uniform Standards of Professional Appraisal Practice~~

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1. Apply for and obtain designation from the Board as a supervisory appraiser before providing supervision to a registered trainee appraiser;
2. Be qualified under A.R.S. § 32-3601(22); and
3. Apply for designation under A.R.S. § 32-3614.02.

B. To apply for designation as a supervisory appraiser on and after January 1, 2015, a certified appraiser shall submit to the Board:

1. An application for designation, which is available from the Board office and on its web site;
2. A statement whether the applicant for designation has been disciplined in any jurisdiction in the last three years in a manner that affects the applicant's eligibility to engage in appraisal practice and if so, the name of the jurisdiction, date of the discipline, circumstances leading to the discipline, and date when the discipline was completed;
3. Evidence that the applicant for designation completed a training course that complies with the course content established by the AQB and is specifically oriented to the requirements and responsibilities of supervisory and trainee appraisers;
4. A signed affirmation that the applicant for designation will comply with the USPAP competency rule for the property type and geographic location in which the supervision will be provided;
5. Fingerprints that meet the criteria of the Federal Bureau of Investigation and are taken by a law enforcement agency or other qualified entity. The applicant for designation shall obtain a fingerprint card from the Board and provide the card to the agency or entity that takes the fingerprints; and
6. The amount charged by the Department of Public Safety for processing fingerprints.

C. Supervision requirements.

- ~~2.1. A registered trainee appraiser may have more than one supervising designated supervisory appraiser, but a supervising~~
2. A designated supervisory appraiser shall not supervise more than three ~~trainees~~ registered trainee appraisers at any one time.
3. A registered trainee appraiser shall maintain ~~an~~ a separate appraisal log for each supervising designated supervisory appraiser and, at a minimum, include the following in ~~the~~ each log for each appraisal:
 - a. Type of property,
 - b. Date of report,
 - c. ~~Property description~~ Address of appraised property,
 - d. Description of work performed by the registered trainee appraiser, ~~and scope~~
 - e. Scope of review and supervision provided by the supervising designated supervisory appraiser,
 - e.f. Number of actual work hours by the registered trainee appraiser on the assignment, and
 - f.h. ~~The signature~~ Signature and state certificate number of the supervising designated supervisory appraiser.

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~~3.4.~~ A supervising designated supervisory appraiser shall provide to the Board in writing the name and address of each registered trainee appraiser within 10 days of engagement, and notify the Board in writing immediately ~~upon termination of~~ when the engagement ends. ~~A state certified appraiser is not eligible to be a supervising appraiser unless the appraiser's certificate is in good standing and the appraiser has not been subject to license or certificate suspension, probation, or mentorship within the last two years.~~

~~4.~~ An appraiser who wishes to act as a supervising appraiser shall submit proof of completion of a minimum of four hours of continuing education approved by the Board, regarding the role of a supervising appraiser, before supervision begins. The required course shall not be taken through distance education.

~~5.~~ Each supervising appraiser shall submit to the Board proof of completion of a minimum of four hours of continuing education approved by the Board regarding the role of a supervising appraiser within 60 days of the effective date of this subsection. The required course shall not be taken through distance education. If the supervising appraiser does not take the course within 60 days of the effective date of this subsection, the supervising appraiser shall not act as a supervising appraiser until the class is taken and proof has been submitted to the Board.

~~6.5.~~ ~~In the event that an~~ If a registered trainee appraiser or a supervising designated supervisory appraiser does not fail to comply with the applicable requirements of ~~subsection (D)~~ this Section:

- a. The registered trainee appraiser or the supervising designated supervisory appraiser may be subject to disciplinary action ~~pursuant to~~ under A.R.S. § 32-3631(A)(8), and
- b. ~~A~~ The registered trainee appraiser shall not receive experience credit for hours logged during the period that the registered trainee appraiser or supervising designated supervisory appraiser failed to comply with the applicable requirements of ~~subsection (D)~~ this Section.

D. Through December 31, 2014, to act as a supervising appraiser of a trainee appraiser, a certified appraiser whose certificate is in good standing and who has not been disciplined in a manner that affects the certified appraiser's eligibility to engage in appraisal practice in the last three years may apply for designation under subsection (B) or shall:

1. Submit to the Board proof that the certified appraiser completed at least four hours of Board-approved continuing education regarding the role of a supervising appraiser;
2. Comply with subsection (C);
3. Instruct and directly supervise the trainee appraiser; and
4. Review and sign all final appraisal documents certifying the appraisals comply with USPAP.

R4-46-202. Application for ~~License or Certificate~~ Original Registration, Licensure, or Certification

A. An applicant for ~~a state certificate or license~~ an original registration, licensure, or certification shall submit:

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1. ~~a~~ A completed application form, which is available from the Board office and on its web site. There is an application form specific to each classification listed in R4-46-201(A). An applicant shall ensure that the applicant completes the correct application form;
2. Evidence of being qualified under A.R.S. Title 32, Chapter 36, Article 2, and this Chapter;
3. Documentation of citizenship or alien status, specified under A.R.S. § 41-1080(A), indicating the individual's presence in the U.S. is authorized under federal law, and
4. Fingerprints that meet the criteria of the Federal Bureau of Investigation and are taken by a law enforcement agency or other qualified entity. The applicant shall obtain a fingerprint card from the Board and provide the card to the agency or entity that takes the fingerprints.

~~accompanied by the required application fee. Once the application has been filed, fees are nonrefundable, unless A.R.S. § 41-1077 is applicable.~~

- B.** ~~To be eligible for a license or certificate~~ an original registration, licensure, or certification, an applicant shall:
1. Meet the education and experience qualification criteria contained in A.R.S. Title 32, Chapter 36, Article 2 and ~~these rules~~ this Chapter;
 2. Achieve a passing score on the applicable examination required by R4-46-204(B), unless exempted under A.R.S. § 32-3626 or the application is for registration as a trainee appraiser;
 3. Pay ~~all required~~ the application, and examination, and biennial national registry fees specified in R4-46-106;
 4. Pass a criminal background check; and
 - ~~4.5. Pay the biennial national registry fee~~ Pay the charge established by the Department of Public Safety for processing fingerprints.
- C.** ~~In addition to the requirements listed in subsection (B), an applicant for licensure shall demonstrate 2,000 hours of experience earned in not less than 18 months. Additionally, on and after January 1, 2015, an applicant for original registration as a trainee appraiser shall submit:~~
1. Evidence that the applicant completed a training course that complies with the course content established by the AQB and is specifically oriented to the requirements and responsibilities of supervisory and trainee appraisers; and
 2. A signed affirmation that the applicant knows and will comply with the USPAP competency rule for the property type that will be appraised.
- D.** An applicant shall meet all requirements for ~~a license or certificate~~ registration, licensure, or certification within one year ~~of after~~ after filing the application or the Board shall close the applicant's file will be closed ~~and~~ If the an applicant whose file is closed wishes to be considered further for registration, licensure, or certification, the applicant shall reapply, meeting the requirements of R4-46-202(B) under this Section. The Board shall notify an applicant whose application ~~has been~~ is closed by certified mail or personal service at

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the applicant's ~~last known~~ address of record. Notice is complete ~~upon deposit~~ when deposited in the U.S. mail or by service as permitted under the Arizona Rules of Civil Procedure.

R4-46-202.01 Application for Licensure or Certification by Reciprocity

- A.** The Board shall license or certify an individual by reciprocity in the same classification, as specified in R4-46-201(A), in which the individual is currently licensed or certified if the individual:
1. Is licensed or certified in a state that meets the standards established at A.R.S. § 32-3618;
 2. Submits the application form required by the Board. The application form may be obtained from the Board office or on its web site;
 3. Submits documentation of citizenship or alien status, specified under A.R.S. § 41-1080(A), indicating the individual's presence in the U.S. is authorized under federal law;
 4. Has the state in which the individual is currently licensed or certified send a verification of credential directly to the Board that provides the following information:
 - a. License or certification number;
 - b. Classification, as specified in R4-46-201(A), in which the individual is currently licensed or certified;
 - c. Statement of whether the state required the individual to meet the qualification criteria specified in R4-46-201(B) at the time the individual was licensed or certified;
 - d. Statement of whether the state required the individual to submit to a criminal background check at the time the individual was licensed or certified;
 - e. Statement of whether the license or certificate is in good standing; and
 - f. Statement of whether disciplinary proceedings are pending against the individual; and
 5. Submits the application and biennial national registry fees specified in R4-46-106.
- B.** An applicant for licensure or certification by reciprocity who was not required to submit to a criminal background check at the time the individual was licensed or certified, shall comply with R4-46-202(A)(4).

R4-46-203. Procedures for Processing Applications Application for Non-resident Temporary Licensure or Certification

- ~~A. To comply with A.R.S. Title 41, Chapter 6, Article 7.1, the Board establishes the following time frames for processing license and certificate applications, including renewal applications:~~
- ~~1. The Board shall notify the applicant within 45 days of receipt of the application that it is either administratively complete or incomplete. If the application is incomplete, the notice shall specify what information is missing.~~

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- ~~2. The Board shall not substantively review an application until the applicant has fully complied with the requirements of R4 46 202(A). The Board shall render a final decision not later than 45 days after the applicant successfully completes all requirements of R4 46 202(A).~~
- ~~3. Although the applicant may have up to one year to comply with requirements of R4 46 202, the overall time frame for Board action is 90 days, 45 days for administrative completeness review and 45 days for substantive review.~~

~~**B.** If the Board denies a license, the Board shall send the applicant written notice explaining:~~

- ~~1. The reason for denial, with citations to supporting statutes or rules;~~
- ~~2. The applicant's right to seek a hearing to challenge the denial; and~~
- ~~3. The time periods for appealing the denial.~~

A. To be eligible to obtain a non-resident temporary license or certificate, an individual shall:

1. Be licensed or certified as an appraiser in a state other than Arizona;
2. Not be licensed or certified as an appraiser in Arizona; and
3. Have a dated and signed letter from a client that names the individual and indicates the client has engaged the individual to conduct an appraisal in Arizona, identifies the property or properties to be appraised, and specifies a date certain for completion of the assignment that is no more than one year from the date on which the Board issues a non-resident temporary license or certificate.

B. To apply for a non-resident temporary license or certificate, an individual who meets the pre-requisites in subsection (A) shall submit:

1. An application form, which is available from the Board office and on its web site;
2. An irrevocable consent to service of process;
3. Documentation of citizenship or alien status, specified under A.R.S. § 41-1080(A), indicating the applicant's presence in the U.S. is authorized under federal law;
4. Fingerprints that meet the criteria of the Federal Bureau of Investigation and are taken by a law enforcement agency or other qualified entity. The applicant shall obtain a fingerprint card from the Board and provide the card to the agency or entity that takes the fingerprints.
5. The fee required under R4-46-106; and
6. The charge established by the Department of Public Safety for processing fingerprints.

C. The Board shall grant an extension of no more than 120 days to an individual to whom a non-resident temporary license or certificate has been issued if the individual provides written notice to the Board before the date specified in subsection (A)(3) that more time is needed to complete the assignment described in subsection (A)(3).

D. An appraiser to whom the Board has previously issued a non-resident temporary license or certificate may, if qualified under subsection (A), apply for another non-resident temporary license or certificate by complying

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with subsection (B) except, the Board shall not require the applicant to comply again with subsections (B)(4) and (B)(6).

E. The Board shall issue no more than 10 non-resident temporary licenses or certificates to an individual in any 12-month period.

R4-46-204. Appraiser Licensure and Certification Examinations

- A. An applicant for licensure or certification may schedule an examination ~~once~~ after the Board provides written notice to the applicant has completed that the Board has determined the applicant's the experience and education ~~components~~ meet the standards specified in R4-46-201.
- B. An applicant shall successfully complete the ~~Appraiser Qualifications Board endorsed uniform state appraiser AQB-approved~~ examination ~~or its equivalent~~ for the applicable classification approved by the Board for which application is made.
- C. An applicant for ~~a license or certificate~~ licensure or certification who fails to pass ~~an~~ the required examination or fails to appear for a scheduled examination may schedule another examination by ~~filing a new examination application~~ providing written notice to the Board and paying the examination fee specified in R4-46-106.

R4-46-205. Issuance of a Registration, License, or Certificate

~~An~~ If the Board determines that an applicant for registration, licensure, or certification who has met the appraiser meets the qualification criteria prescribed in R4-46-202, the Board shall be issued issue a registration, license, or certificate which that entitles the applicant to practice within the appropriate scope specified in A.R.S. § 32-3612 ~~for as an appraiser for the term of the license or certificate specified in A.R.S. § 32-3616.~~

R4-46-206. Hearing on Denial of a License or Certificate Renumbered

R4-46-207. Renewal of a Registration, License, or Certificate; Changing Classification

- A. An appraiser seeking to renew a registration, license, or certificate in the appraiser's current classification, as specified under R4-46-201(A), shall submit a completed application ~~accompanied by the required renewal application fees pursuant to A.R.S. § 32-3619 and R4-46-106. Once the application has been filed, fees are nonrefundable, unless A.R.S. § 41-1077 is applicable.~~ To be eligible for renewal of a registration, license, or certificate, an applicant shall:
1. Meet the requirements of A.R.S. Title 32, Chapter 36, and ~~these rules~~ this Chapter;
 2. Meet the continuing education requirements in *The Real Property Appraiser Qualification Criteria and Interpretations of the Criteria*, which is incorporated by reference in R4-46-201(A) ~~(B)~~, except:
 - a. The Board shall not grant ~~credit~~ hours toward the ~~classroom hour~~ continuing education requirement unless the length of the educational offering is at least three hours;

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- b. A renewal applicant shall not obtain the ~~seven-hour~~ 7-Hour National USPAP Update Course, or its AQB-approved equivalent, approved through the AQB course approval program, through distance education; ~~and~~
 - c. A renewal applicant shall not obtain more than 75% percent of required continuing education through distance education; ~~and~~ The Board shall allow credit toward continuing education requirements only if distance education provides live interaction between learner and instructor and includes testing or another mechanism to demonstrate knowledge of the subject matter.
 - d. Except for the 7-Hour National USPAP Update Course or its AQB-approved equivalent, the Board shall not accept a repeated educational offering for use as continuing education within a renewal period; and
 - e. During each renewal period, the Board shall allow an appraiser to receive a total of 50 percent of the required continuing education hours from the following:
 - i. Teaching a Board-approved course. The Board shall allow the teacher of an approved course the same number of continuing education hours as a participant in the approved course. The Board shall allow continuing education hours during a renewal period for only one teaching of the same Board-approved course;
 - ii. Serving as a volunteer auditor under R4-46-506. The Board shall allow the auditor of an approved course the same number of continuing education hours as a participant in the approved course. The Board shall allow continuing education hours during a renewal period for only one audit of the same Board-approved course; and
 - iii. Attending a regularly scheduled Board meeting. The Board shall allow an appraiser to receive a continuing education hour for each hour of one regularly scheduled Board meeting attended to a maximum of three hours during a renewal period. To receive these continuing education hours, the appraiser shall attend at least two hours of the regularly scheduled Board meeting and ensure that the appraiser's name is not part of an item on the meeting agenda.
 - f. A registered trainee appraiser shall fulfill three hours of the continuing education requirement by attending at least three hours of one Board meeting.
3. If the documentation submitted under R4-46-202(A)(3) was a limited form of work authorization issued by the federal government, submit evidence that the work authorization has not expired; and
- ~~3.4. Pay both~~ both the renewal and biennial national registry fees.
- ~~B. The same course cannot be repeated for use as continuing education within a renewal period, with the exception of USPAP.~~
- ~~C. Appraisers may receive up to 50% of continuing education credit for course instruction of Board approved course(s) per renewal period.~~

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~~D.B.~~ If the last day for filing a renewal application falls on a Saturday, Sunday, or legal holiday, ~~an~~ the appraiser may file the renewal form on the next business day.

~~E.C.~~ ~~An~~ If an appraiser ~~who~~ fails to seek renewal within the time ~~periods~~ specified in A.R.S. § 32-3619 but wants to continue to engage in real estate appraisal activity, the former appraiser shall reapply and meet the requirements of R4-46-202.

D. An appraiser who wishes to be licensed or certified in a classification different from the appraiser's current classification shall:

1. Submit the appropriate application form required under R4-46-202(A);
2. Make the showing required under R4-46-201(C)(2)(b);
3. Pay the fees required under R4-46-202(B)(3); and
4. If not done previously, comply with R4-46-202(A)(4) and (B)(4) and (5).

R4-46-209. Replacement of a Registration, License, or Certificate; Name Change

A. If an original registration, license, or certificate ~~has been~~ is lost, damaged, or destroyed, ~~or if the name of a licensee or certificate holder has been legally changed,~~ the appraiser may obtain a replacement registration, license, or certificate by filing the applicable form and paying the applicable fee to providing written notice to the Board.

B. If the name of an appraiser is legally changed, the appraiser shall submit written notice of the change to the Board and attach to the notice documentation showing the circumstances under which the name change occurred. The Board shall issue the appraiser a new registration, license, or certificate with the correct name.

ARTICLE 7. GENERAL PROVISIONS — FEES REPEALED

R4-46-701. Reserved Repealed

R4-46-702. Reserved Repealed

R4-46-703. Reserved Repealed

R4-46-704. Fee Repealed

~~The fee to apply for initial registration is \$2,500 regardless of the number of appraisers on the appraiser panel. Upon expiration of the initial registration the fee to apply for a two year renewal registration is \$2,500 regardless of the number of appraisers on the appraiser panel.~~