

Burgos, Alexander N

Subject: FW: [External] RE: N.C. Appraisal Board Submission of Permanent Rules-July 2024

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>

Sent: Monday, July 8, 2024 3:53 PM

To: Panico, Sondra C <spanico@ncdoj.gov>; don@ncab.org

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] RE: N.C. Appraisal Board Submission of Permanent Rules-July 2024

Also, please reply to the requests no later than 5pm on July 19, 2024.

Thanks,

Travis C. Wiggs

Rules Review Commission Counsel

Office of Administrative Hearings

Telephone: 984-236-1929

Email: travis.wiggs@oah.nc.gov

Burgos, Alexander N

Subject: FW: [External] RE: N.C. Appraisal Board Submission of Permanent Rules-July 2024

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>

Sent: Monday, July 8, 2024 3:46 PM

To: Panico, Sondra C <spanico@ncdoj.gov>; don@ncab.org

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: [External] RE: N.C. Appraisal Board Submission of Permanent Rules-July 2024

Good afternoon,

Thank you for the requested revisions and the Board's response to my question. I apologize for the delayed reply as I returned to work from vacation today. Please see a few requests below.

21 NCAC 57A .0204

In (j) line 19, please add "G.S." before "93E-1-12."

21 NCAC 57D .202 & .302

Please delete all references to "(10%)" in both rules. This was my mistake in the original request for changes.

Where is the revised 21 NCAC 57D .0101? I believe this was mistakenly not attached to your 6/28 email.

Thanks,

Travis C. Wiggs

Rules Review Commission Counsel

Office of Administrative Hearings

Telephone: 984-236-1929

Email: travis.wiggs@oah.nc.gov

Burgos, Alexander N

Subject: FW: [External] RE: N.C. Appraisal Board Submission of Permanent Rules-July 2024
Attachments: 6_19_2024-Appraisal Board response.docx; 21 NCAC 57A .0204.docx; 21 NCAC 57A .0206.docx; 21 NCAC 57A .0301.docx; 21 NCAC 57A .0303.docx; 21 NCAC 57A .0406.docx; 21 NCAC 57A .0501.docx; 21 NCAC 57B .0302.docx; 21 NCAC 57D .0202.docx; 21 NCAC 57D .0302.docx; Form 400 21 NCAC 57D .0302.docx

From: Panico, Sondra <SPANICO@ncdoj.gov>
Sent: Friday, June 28, 2024 3:56 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>; don@ncab.org
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: N.C. Appraisal Board Submission of Permanent Rules-July 2024

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Dear Mr. Wiggs,

Please find attached all of the requested revisions and the Board's response to your question regarding Rule 21 NCAC 57A .0501.


Please let me know if you have any additional questions.



Sondra C. Panico
Special Deputy Attorney General
Services to State Agencies Section
Phone: 919-716-6792
Email: spanico@ncdoj.gov
114 W. Edenton St., Raleigh, NC 27603
P.O. Box 629, Raleigh, NC 27602-0629
ncdoj.gov

Please note messages to or from this address may be public records.

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Appraisal Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 57D .0302 Change in Registration & Reporting Requirements	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: February 21, 2024 Link to Agency notice: https://www.ncappraisalboard.org/ProposedRules.pdf Hearing on: April 9, 2024 Adoption by Agency on: June 4, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: This rule is amended to change the rule name to state Change in Registration & Reporting Requirements. It lists all actions that need be reported to the Board such as a change adding name, federal ID, bond, ownership, organizational structure, registered agent, and events that may cause the AMC to no longer be in compliance with rules and laws. It adds requirements for reporting changes to the designated compliance person and owners over 10% in advance. It clarifies days as business days.	
10. Rulemaking Coordinator: Sondra Panico, Counsel for the North Carolina Appraisal Board Phone: 919-716-6792 E-Mail: spanico@ncdoj.gov Additional agency contact, if any: Donald Rodgers Phone: 919-870-4854 E-Mail: don@ncab.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sondra C. Panico Title: Special Deputy Attorney General
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

N.C. Appraisal Board-RTC (6/19/2024)

We made all of the requested revisions and provided a response to the question below regarding 21 NCAC 57A .0501.

21 NCAC 57A .0204

- In (c) line 23, add a comma after “editions.”
- In line 31, add a comma after "outline.”
- In lines 32-33, consider moving “the course length must be at least seven-hours” to the beginning of the sentence for a more active voice.
- In lines 35-36, add a hyphen between “four hours.”
- In (f) line 5, consider deleting “In addition” throughout all the rules.
- In lines 9-10, move “by the Board” to after “receipt” for clarity.
- In (i) line 8, add a comma after the first “Carolina.”
- In line 13, add a comma after the first "year.”

21 NCAC 57A .0206

- In line 11, add a comma after “editions.”
- In line 17, consider adding a period after “renewed” and starting a new sentence with, “This includes the most recent...”
- In line 27, replace the semicolon after “name” with a comma.
- In (f) lines 7-9, consider adding a comma after “expired”, after “duty” (line 8), before “without”(line 9), and after “fee”(line 9).

21 NCAC 57A .0301

- In line 10, add a comma after “editions.”
- In (b), consider moving “examination results are valid for 24 months from the date the examination is completed” to the beginning of the sentence for a more active voice.

21 NCAC 57A .0303

- In line 10, change “approval form” to “authorization” for consistency with the other rules.

21 NCAC 57A .0406

- Please include the full History Note for this Rule.

21 NCAC 57A .0501

- In line 4, consider adding “and” before “licensed” and adding a comma after “appraiser.”
- In lines 5-6, consider adding a comma after “USPAP” and after “reference.”
- In lines 8-9, how does an individual comply with the provisions of (1) and (2)?

Response: The preamble identifies the performance obligations of the appraiser under USPAP as well as when the USPAP Rules and Standards apply.

1. Must act competently in a manner that is independent, impartial and objective.
2. Must comply with the Ethics Rule in all aspects of appraisal practice.
3. Must maintain, the data, information and analysis necessary to support their opinion.
4. Comply with competency rule and jurisdictional exception rule for all assignments.
5. When there is an opinion of value they must comply with Scope of Work rule.
6. When developing an opinion of other appraisers work comply with Scope of Work rule, Record Keeping rule and applicable parts of Standards 3 and 4.

The definitions section provides the definitions that apply under USPAP.

21 NCAC 57B .0302

- In line 6, consider adding a comma after “editions.”

21 NCAC 57D .0202

- In line 8, add a hyphen between “two thousand.”

21 NCAC 57D .0302

- In line 13, change “10 percent” to “ten percent (10%).”
- In line 21, add comma after “change.”
- On the “Submission for Permanent Rule” form (0400), please update the Rule name at the top to “Change in Registration & Reporting Requirements.”

1 21 NCAC 57A .0204 is amended as published in 38:18 NCR 1199-1204 as follows:

2
3 **21 NCAC 57A .0204 CONTINUING EDUCATION**

4 (a) All registered trainees, real estate appraiser licensees, and certificate holders shall, upon the renewal of their
5 registration, license, or certificate in every odd-numbered year, have obtained continuing education, as required by
6 this Rule. Trainees and appraisers who initially registered with the Board after January 1 of an ~~odd-numbered odd-~~
7 numbered year are not required to obtain continuing education for renewal of their registration in that ~~odd-numbered~~
8 odd-numbered year.

9 (b) Each trainee, licensee, and certificate holder who is required to obtain continuing education pursuant to Paragraph
10 (a) of this Rule shall complete 28 hours of continuing education before June 1 of every ~~odd-numbered odd-numbered~~
11 year. Specific topics required as part of the 28 hours of continuing education are outlined in Paragraph (d) of this Rule.
12 Except as provided in Paragraphs (g) and (h) of this Rule, such education shall have been obtained by taking courses
13 approved by the Board for continuing education credit, at schools approved by the Board to offer such courses, as set
14 forth in 21 NCAC 57B .0603. Such education shall relate to real estate appraisers maintaining and increasing their
15 skill, knowledge, and competency in real property appraising. There is no exemption from the continuing education
16 requirement for trainees or appraisers whose status has been upgraded to the level of licensed residential, certified
17 residential, or certified general appraiser, since the issuance or most recent renewal of their registration, license, or
18 certificate. Trainees, licensees, and certificate holders shall not take the same continuing education course more than
19 once during the two-year continuing education cycle.

20 (c) Each appraisal continuing education course shall include a minimum of two classroom hours of instruction on real
21 estate appraisal or related topics, as set forth in the Real Property Appraiser Qualification Criteria as implemented by
22 The Appraisal Foundation's Appraiser Qualifications ~~Board.~~ Board, which is hereby incorporated by reference,
23 including subsequent amendments and editions, and can be found at www.appraisalfoundation.org, at no cost.

24 (d) Each trainee, licensee, and certificate holder who is required to obtain continuing education pursuant to Paragraph
25 (a) of this Rule shall, as part of the 28 hours of continuing education required in Paragraph (b) of this Rule, complete
26 the seven-hour National USPAP ~~update course~~ Uniform Standards of Professional Appraisal Practice (USPAP)
27 Continuing Education course, as required by the Appraiser Qualifications Board of the Appraisal Foundation, between
28 October 1 of an odd-numbered year and June 1 of an even numbered ~~year, as required by the Appraiser Qualifications~~
29 ~~Board of the Appraisal Foundation.~~ year. Beginning June 1, 2025, each trainee, licensee, and certificate holder shall
30 successfully complete a course which meets the content requirements of the Valuation Bias and Fair Housing Laws
31 and Regulations outline, as set forth in the Real Property Appraiser Qualification Criteria, every continuing education
32 cycle. The course length must be at least seven-hours the first time a trainee, licensee, or certificate holder completes
33 the continuing education requirements of the Valuation Bias and Fair Housing Laws and Regulations requirement. ~~the~~
34 ~~course length must be at least seven hours.~~ If an appraiser successfully completes the seven-hour (plus one hour exam)
35 course as part of their qualifying education, they have met this requirement. Each continuing education cycle
36 thereafter, the course length shall be at least four-hours.

1 (e) A trainee, licensee, or certificate holder who completes approved continuing education courses in excess of the
2 requirement shall not carry over ~~into the subsequent years any continuing education credit.~~ ~~credits from those courses~~
3 ~~into the subsequent years.~~

4 (f) Course sponsors shall provide a certificate of course completion to each trainee, licensee, and certificate holder
5 who completes a course, as set forth in 21 NCAC 57B .0603. ~~In addition, course~~ Course sponsors shall send to the
6 Board a roster of all who completed the course. This roster shall be sent within 15 days of completion of the course.
7 In order to renew a registration, license, or certificate in a timely manner, the Board shall receive proof of satisfaction
8 completion of the continuing education requirement prior to processing a registration, license, or certificate renewal
9 application. Proof of satisfaction completion shall be ~~made by~~ receipt by the Board of a roster from a school or course
10 sponsor ~~by the Board~~ showing the courses completed by the ~~applicant or by submission of an original certificate of~~
11 ~~course completion.~~ applicant. If proof of having satisfied completed the continuing education requirement is not
12 provided, the registration, license, or certificate shall expire and the trainee, licensee, or certificate holder shall be
13 subject to the provisions of Rules .0203(e) and .0206 of this Section.

14 (g) A current or former trainee, licensee, or certificate holder may request that the Board grant continuing education
15 credit for a course that has been completed but is not approved by the Board, or for appraisal education activity
16 equivalent to a Board approved course, by making such request and submitting a non-refundable fee of fifty dollars
17 (\$50.00) as set out in G.S. 93E-1-8(d) for each course or type of appraisal education activity to be evaluated. Such
18 requests shall be received before June 15 of an odd-numbered year to be credited towards the continuing education
19 requirement for that odd-numbered year. Continuing education credit for a non-approved course shall be granted only
20 if the trainee, licensee, or certificate holder provides proof of course completion and the Board finds that the course
21 satisfies the requirements for approval of appraisal continuing education courses with regard to subject matter, course
22 length, instructor qualifications, and student attendance, as set forth in 21 NCAC 57B .0603. Appraisal education
23 activities for which credit may be awarded include teaching appraisal courses, authorship of appraisal textbooks, and
24 development of instructional materials on appraisal subjects. Up to 14 hours of continuing education credit may be
25 granted in each continuing education cycle for participation in appraisal education activities. Trainees, and licensed
26 or certified appraisers who have taught an appraisal course approved by the Board for continuing education ~~credit~~
27 credit, are deemed to have taken an equivalent course and are not subject to the fee prescribed in G.S. 93E-1-8(d),
28 provided they submit verification of having taught the course(s). A trainee, licensee, or certificate holder who teaches
29 a Board approved continuing education course shall not receive continuing education credit for the same course more
30 than once every two years, regardless of how often he or she teaches the course. Requests for equivalent approval for
31 continuing education credit shall be received before June 15 of an odd-numbered year to be credited towards the
32 continuing education requirement for that odd-numbered year.

33 (h) A trainee, licensee, or certificate holder may receive continuing education credit by taking any of the Board
34 approved precertification courses, other than Basic Appraisal Principles and Basic Appraisal Procedures, or their
35 approved equivalents. Trainees, licensees, and certificate holders who wish to use a precertification course for
36 continuing education credit shall comply with the provisions of 21 NCAC 57B .0604.

1 (i) A licensee or certificate holder who resides in another state, and is currently credentialed in another state, may
2 satisfy the continuing education requirements by submitting an affidavit prior to renewal which lists the course
3 provider, title, hours, and date of completion of all continuing education completed within the current continuing
4 education cycle. The affidavit form may be found on the Board's website at www.ncappraisalboard.org. The Board
5 will audit no less than ten percent of licensees who renew with an affidavit. A licensee or certificate holder selected
6 for a continuing education audit shall make the certificates available to the Board upon request. A licensee or certificate
7 holder who became licensed in North Carolina by licensure or certification with another state and now resides in North
8 Carolina Carolina, may renew by affidavit for his or her first renewal as a resident of North Carolina only if the
9 appraiser moved to North Carolina on or after January 1 of an odd-numbered year. If an appraiser was a resident of
10 this state before January 1 of an odd-numbered year, the appraiser shall comply with the requirements of this section
11 regardless of how the license or certificate was obtained.

12 (j) A trainee, licensee, or certificate holder who returns from active military duty on or after February 1 of an odd-
13 numbered year-year, may renew his or her registration, license, or certificate in that odd-numbered year even if the
14 required continuing education is not completed before June 1 of that year. ~~All~~ When a trainee, licensee, or certificate
15 holder returns from active duty, all required continuing education shall be completed ~~within 180 days of when the~~
16 ~~trainee, licensee, or certificate holder returns from active duty.~~ pursuant to the Real Property Appraiser Qualification
17 Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board. The Board shall immediately
18 place any licensee or certificate holder enrolled in the Appraisal Subcommittee's National Registry in an inactive
19 status and may revoke the registration, license, or ~~certificate~~ certificate, in accordance with ~~93E-1-12~~ 93E-1-12, if the
20 required continuing education is not completed ~~within 180 days.~~ pursuant to the Real Property Appraiser Qualification
21 Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board. This Paragraph applies to an
22 individual who is serving in the armed forces of the United States and to whom G.S. 105-249.2 grants an extension of
23 time to file a tax return.

24
25 *History Note: Authority G.S. 93B-15; 93E-1-7(a); 93E-1-10;*

26 *Eff. July 1, 1994;*

27 *Amended Eff. July 1, 2014; January 1, 2013; July 1, 2011; July 1, 2010; January 1, 2008; March*
28 *1, 2007; March 1, 2006; July 1, 2005; July 1, 2003; August 1, 2002; April 1, 1999;*

29 *Pursuant to G.S. 150B.21.3A, rule is necessary without substantive public interest Eff. October 3,*
30 *2017;*

31 *Amended Eff. August 1, 2024; July 1, 2022; July 1, 2019; July 1, 2018.*

1 21 NCAC 57A .0206 is amended as published in 38:18 NCR 1199-1204 as follows:

2
3 **21 NCAC 57A .0206 EXPIRED REGISTRATION, LICENSE OR CERTIFICATE**

4 (a) Expired registrations, licenses, and certificates may be reinstated within 12 months after expiration upon payment
5 to the Board of the renewal and late filing fees as set out in G.S. 93E-1-7, and proof of having ~~obtained~~ **completed** the
6 continuing education that would have been required had the registration, license, or certificate been **renewed**. **This**
7 **includes** the most recent **seven-hour** **National Uniform Standards of Professional Appraisal Practice (USPAP)**
8 **Continuing Education course and the required number of hours of a course which meets the content requirements of**
9 **the Valuation Bias and Fair Housing Laws and Regulations **outline**, as set forth in the Real Property Appraiser**
10 **Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board, **which is hereby****
11 **incorporated by reference, including subsequent amendments and editions, and can be found at**
12 **www.appraisalfoundation.org at no cost.**

13 (b) If a registration, license, or certificate has been expired for more than 12 months, but less than five years, an
14 applicant may apply for reinstatement. In order to be considered for reinstatement, the applicant shall pay the filing
15 fee as set out in G.S. 93E-1-7 and include in the application proof that the applicant has ~~obtained~~ **completed** the
16 continuing education that would have been required had the registration, license, or certificate been continuously
17 ~~renewed, which~~ **renewed**. **This includes** the most recent edition of the ~~seven-hour~~ **seven-hour** **National USPAP**
18 ~~update~~ **Continuing Education course and the required number of hours of a course which meets the content**
19 **requirements of the Valuation Bias and Fair Housing Laws and Regulations **outline**, as required by the ~~Appraiser~~**
20 ~~Qualifications Board of the Appraisal Foundation.~~ **Real Property Appraiser Qualification Criteria as implemented by**
21 **The Appraisal Foundation's Appraiser Qualifications Board.** In addition, the Board shall consider whether the
22 applicant for reinstatement has any prior or current disciplinary actions, and shall examine the applicant's fitness for
23 registration, licensure, or certification before granting the request for reinstatement. A completed application for
24 reinstatement shall be received by June 1 of the fifth year after the registration, license, or certificate ~~expired or it shall~~
25 ~~not be accepted.~~ **expired.**

26 **(c) The reinstatement application is available on the Board's website at www.ncappraisalboard.org, and shall include**
27 **the following:**

- 28 **(1) the applicant's name, address, phone number, email, date of birth, social security number and**
29 **driver's license number;**
- 30 **(2) the applicant's license number;**
- 31 **(3) the applicant's previous places of residence and employment for the past five (5) years;**
- 32 **(4) whether the applicant is a citizen of the United States of America, active military, military veteran,**
33 **or a military spouse;**
- 34 **(5) the name of the applicant's high school, location, and year graduated;**
- 35 **(6) whether the applicant has ever had any disciplinary actions taken against them in connection with**
36 **any appraiser, real estate, or other professional license held;**

1 (7) whether the applicant has ever been convicted of any criminal offense, or has any criminal charges
2 pending;

3 (8) a criminal background check; and

4 (9) the signature of the applicant.

5 (d) An application for reinstatement shall not be granted if the registration, license, or certificate has been expired
6 for more than five years.

7 (e) Reinstatement of a registration, license or certification is effective on the date it is issued by the Board. It is
8 not retroactive.

9 (f) A trainee or appraiser whose registration, license, or certification has expired and who is returning
10 from active military duty, may renew his or her registration, license, or certificate when the trainee or appraiser
11 returns from active duty, without payment of a late filing fee, as long as the trainee or appraiser renews the
12 registration, license, or certificate within 180 days of when the trainee or appraiser returns from active duty. the
13 timeframe outlined in the Real Property Appraiser Qualification Criteria as implemented by The Appraisal
14 Foundation's Appraiser Qualifications Board. This Rule applies to an individual who is serving in the armed forces
15 of the United States and to whom G.S. 105-249.2 grants an extension of time to file a tax return.

16
17 *History Note* Authority G.S. 93E-1-6; 93E-1-6(b); 93E-1-7; 93E-1-10; 93E-1-11; 93E-1-12;

18 *Eff. July 1, 1994;*

19 *Amended Eff. September 1, 2014; July 1, 2014; July 1, 2011; September 1, 2008; March 1, 2007;*
20 *July 1, 2005; August 1, 2002; April 1, 1999;*

21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*
22 *2017;*

23 *Amended Eff. August 1, 2024; July 1, 2022.*

1 21 NCAC 57A .0301 is amended as published in 38:18 NCR 1199-1204 as follows:

2

3 **21 NCAC 57A .0301 TIME AND PLACE**

4 (a) Applicants who have completed the education and experience requirements for licensure or certification as set
5 forth in G.S. 93E-1-6 shall be issued an examination ~~approval form authorization~~ by the Board. The examination
6 ~~approval form authorization~~ is valid for ~~five attempts at the examination or for one year~~ 24 months from date of
7 issuance, ~~whichever comes first.~~ issuance.

8 (b) Examination results are valid for 24 months from the date the examination is completed, as A set forth in the
9 Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser
10 Qualifications Board, which is hereby incorporated by reference, including subsequent amendments and editions, and
11 can be found at www.appraisalfoundation.org at no cost. ~~examination results are valid for 24 months from the date~~
12 ~~the examination is completed.~~

13

14 *History Note: Authority G.S. 93E-1-6(c); 93E-1-10;*

15 *Eff. July 1, 1994;*

16 *Amended Eff. July 1, 2014; January 1, 2013; September 1, 2008; January 1, 2008; April 1, 2006;*

17 *July 1, 2005; August 1, 2002; April 1, 1999;*

18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*
19 *2017;*

20 *Amended Eff. August 1, 2024; May 1, 2020.*

1 21 NCAC 57A .0303 is amended as published in 38:18 NCR 1199-1204 as follows:

2

3 **21 NCAC 57A .0303 RE-EXAMINATION**

4 (a) Applicants for an appraiser license or certificate who fail to pass or appear for any examination for which the
5 applicant has been scheduled by the Board-approved private testing service, may schedule a subsequent examination
6 and shall pay the prescribed examination testing fees to the Board-approved private testing service.

7 (b) ~~Applicants may take the examination no more than five times per application.~~ If an applicant fails the examination,
8 the applicant ~~must~~ shall wait a minimum of 30 days before retaking the examination. If the applicant does not pass the
9 examination ~~by the fifth attempt at the examination or within one year of~~ 24 months from the date of issuance of the
10 examination ~~approval form, authorization, the applicant shall reapply for licensure or certification, application shall~~
11 ~~be cancelled.~~

12

13 *History Note: Authority G.S. 93E-1-6; 93E-1-10;*

14 *Eff. July 1, 1994;*

15 *Amended Eff. July 1, 2014; January 1, 2013; September 1, 2008; July 1, 2005; August 1, 2002;*
16 *April 1, 1999;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*
18 *2017.;*

19 *Amended Eff. August 1, 2024.*

1 21 NCAC 57A .0406 is repealed as published in 38:18 NCR 1199-1204 as follows:

2

3 **21 NCAC 57A .0406 BUSINESS PRACTICES**

4

5 *History Note:* Authority G.S. 93E-1-3(b); 93E-1-10;

6 Eff. July 1, 1994;

7 Amended Eff. July 1, 2005; August 1, 2002; April 1, 1999;

8 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,
9 2017;

10 Repealed effective August 1, 2024.

1 21 NCAC 57A .0501 is amended as published in 38:18 NCR 1199-1204 as follows:

2

3 **21 NCAC 57A .0501 APPRAISAL STANDARDS**

4 (a) Every registered trainee, **and** licensed and certified real estate **appraiser appraiser**, shall comply with the following
5 provisions of the "Uniform Standards of Professional Appraisal Practice" **(USPAP) (USPAP)**, promulgated by the
6 Appraisal Standards Board of the Appraisal Foundation, all of which are incorporated by **reference reference**,
7 including subsequent amendments and editions:

- 8 (1) Definitions;
- 9 (2) Preamble;
- 10 (3) Ethics Rule;
- 11 (4) Record Keeping Rule;
- 12 (5) Competency Rule;
- 13 (6) Scope of Work Rule;
- 14 (7) Jurisdictional Exception Rule; and
- 15 (8) Standards Rules 1, 2, 3, and 4.

16 (b) A copy of **the** USPAP **document** may be obtained from the Appraisal Foundation at
17 <https://www.appraisalfoundation.org>. The cost for a copy of **the** USPAP **document** ~~is seventy five dollars (\$75.00).~~
18 shall be no more than the fee set by the Appraisal Foundation.

19

20 *History Note: Authority G.S. 93E-1-10;*

21 *Eff. July 1, 1994;*

22 *Amended Eff. July 1, 2016; January 1, 2013; January 1, 2008; July 1, 2005; August 1, 2002; April*
23 *1, 1999;*

24 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*
25 *2017;*

26 *Amended Eff. August 1, 2024; July 1, 2022; August 1, 2018.*

1 21 NCAC 57B .0302 is amended as published in 38:18 NCR 1199-1204 as follows:

2
3 **21 NCAC 57B .0302 COURSE CONTENT**

4 (a) All courses shall consist of instruction in the subject areas outlined in the ~~Appraiser Qualification Board's Guide~~
5 ~~Note 1. Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser~~
6 ~~Qualifications Board, which is hereby incorporated by reference, including subsequent amendments and editions, and~~
7 ~~can be found at www.appraisalfoundation.org at no cost.~~ ~~Guide Note 1 The Real Property Appraiser Qualification~~
8 ~~Criteria may be accessed at the Appraisal Foundation website at www.appraisalfoundation.org.~~

9 (b) Partial credit shall be awarded when only part of the course covers the subject areas outlined in ~~Appraiser~~
10 ~~Qualification Board's Guide Note 1. the Real Property Appraiser Qualification Criteria as implemented by The~~
11 ~~Appraisal Foundation's Appraiser Qualifications Board.~~

12 (c) On or before the first class meeting day of the Basic Appraisal Principles course, the instructor shall give to each
13 student a handout prepared by the Board regarding the trainee registration process and the process to upgrade to a
14 licensed or certified appraiser. The student handout may be accessed on the Board's website at
15 www.ncappraisalboard.org.

16
17 *History Note: Authority G.S. 93E-1-6; 93E-1-8(a); 93E-1-10;*
18 *Eff. July 1, 1994;*
19 *Amended Eff. July 1, 2014; September 1, 2008; January 1, 2008; July 1, 2005; August 1, 2002;*
20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*
21 *2017;*
22 *Amended Eff. August 1, 2024; May 1, 2020; September 1, 2019.*

1 21 NCAC 57D .0202 is amended as published in 38:18 NCR 1199-1204 as follows:

2
3 **21 NCAC 57D .0202 REGISTRATION RENEWAL**

4 (a) All registrations shall expire on June 30 of each year, unless renewed during the renewal period. The renewal
5 period shall be from May 1 through June 30 of each year.

6 (b) A holder of an appraisal management company registration applying for renewal of registration shall apply in
7 writing upon the form provided by the Board or log into the licensee login section on the Board's website and shall
8 pay the renewal fee. The renewal fee shall be ~~two thousand two thousand~~ dollars (~~\$2000~~), (\$2,000). The renewal fee
9 is not refundable on or after July 1.

10 (c) The renewal form shall include the following:

- 11 (1) The appraisal management company's name and registration number;
- 12 (2) the contact person for renewal;
- 13 (3) the updated address for the company, service of process agent, direct and indirect owners of more
14 than ten percent (10%), and compliance manager, if applicable;
- 15 (4) whether the company owner(s) or compliance manager, as set forth in G.S. 93E-2-5, have had an
16 appraiser credential refused, denied, cancelled, surrendered in lieu of revocation, or revoked in any
17 state;
- 18 (5) a copy of the surety bond that expires no sooner than June 30th of the year following renewal;
- 19 (6) the signature of the applicant; and
- 20 (7) the operation type, total number of appraisers on the panel in North Carolina for the previous
21 calendar year, the total number of appraisers on the panel nationwide for the previous calendar year,
22 and the number of appraisers on the panel who performed one or more appraisals in connection with
23 a covered transaction in North Carolina for the previous calendar year.

24 (d) In addition to the renewal fee, an appraisal management company shall submit with its renewal the annual appraisal
25 management company registry fee required by the Appraisal Subcommittee pursuant to 12 C.F.R. 1102.402. The fee
26 shall then be transmitted by the Board to the Appraisal Subcommittee.

27 (e) Any company who acts or holds itself out as a registered appraisal management company while its appraisal
28 management company registration is expired shall be subject to disciplinary action and penalties in G.S. 93E-2-8 and
29 G.S. 93E-2-10.

30
31 *History Note:* Authority G.S. 93E-2-3; 93E-2-4; 93E-2-5; 93E-2-6; 93E-2-8; 93E-2-10;

32 *Eff. January 1, 2011;*

33 *Amended Eff. July 1, 2014;*

34 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*
35 *2017;*

36 *Amended Eff. August 1, 2024; July 1, 2022; July 1, 2018.*

1 21 NCAC 57D .0302 is amended as published in 38:18 NCR 1199-1204 as follows:

2
3 **21 NCAC 57D .0302 CHANGE OF NAME OR CONTACT INFORMATION IN REGISTRATION &**
4 **REPORTING REQUIREMENTS**

5 (a) Appraisal management companies shall notify the Board in writing of each change of name, trade name, federal
6 identification number, organizational status, ownership structure, compliance manager, surety bond, registered agent,
7 business address, telephone number, or email address within 10 business days of said change. The business
8 and email address provided shall be sufficiently descriptive to enable the Board to electronically correspond with and
9 physically locate the appraisal management company.

10 (b) If an appraisal management company intends to change its designated compliance manager or direct or indirect
11 owner, it must notify the Board at least 10 business days before the effective date of the intended change and submit
12 an application for approval of the designated compliance manager or any new direct or indirect owner who will own
13 more than 10 ten percent (10%) of the appraisal management company. The application shall include a criminal
14 records check pursuant to G.S. 93E-2-11.

15 (c) If the appraisal management company has an unexpected change to its designated compliance manager or direct
16 or indirect owner and is unable to provide at least 10 business days' notice of the change, the company shall have 10
17 business days from the unexpected change to notify the Board. An unexpected change shall consist of: death, sudden
18 termination or resignation, injury, or illness. An application shall be submitted to the Board, which shall include a
19 criminal records check pursuant to G.S. 93E-2-11, within 15 business days of when an interim designated compliance
20 manager, a new designated compliance manager, or any new direct or indirect owner that owns more than 10 ten
21 percent (10%) of the appraisal management company as a result of the unexpected change change, is appointed, hired,
22 or otherwise determined.

23 (d) Appraisal management companies shall notify the Board in writing within 10 business days of any event that may
24 cause the applicant or registration to be disciplined in accordance with G.S. 93E-2-8(a).

25
26 *History Note: Authority G.S. 93E-2-3; 93E-2-4; 93E-2-5; 93E-2-8; 93E-2-9;*

27 *Eff. January 1, 2011;*

28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*
29 *2017. 2017;*

30 *Amended Eff. August 1, 2024.*

Burgos, Alexander N

Subject: FW: [External] RE: N.C. Appraisal Board Submission of Permanent Rules-July 2024
Attachments: 6_19_2024-Appraisal Board.docx

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Wednesday, June 19, 2024 12:58 PM
To: Panico, Sondra C <spanico@ncdoj.gov>; don@ncab.org
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: N.C. Appraisal Board Submission of Permanent Rules-July 2024

Good afternoon,

Please see the attached requests and questions. Please reply no later than 5pm on July 5, 2024.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

N.C. Appraisal Board-RTC (6/19/2024)

21 NCAC 57A .0204

- In (c) line 23, add a comma after “editions.”
- In line 31, add a comma after "outline.”
- In lines 32-33, consider moving “the course length must be at least seven-hours” to the beginning of the sentence for a more active voice.
- In lines 35-36, add a hyphen between “four hours.”
- In (f) line 5, consider deleting “In addition” throughout all the rules.
- In lines 9-10, move “by the Board” to after “receipt” for clarity.
- In (i) line 8, add a comma after the first “Carolina.”
- In line 13, add a comma after the first "year.”

21 NCAC 57A .0206

- In line 11, add a comma after “editions.”
- In line 17, consider adding a period after “renewed” and starting a new sentence with, “This includes the most recent...”
- In line 27, replace the semicolon after “name” with a comma.
- In (f) lines 7-9, consider adding a comma after “expired”, after “duty” (line 8), before “without”(line 9), and after “fee”(line 9).

21 NCAC 57A .0301

- In line 10, add a comma after “editions.”
- In (b), consider moving “examination results are valid for 24 months from the date the examination is completed” to the beginning of the sentence for a more active voice.

21 NCAC 57A .0303

- In line 10, change “approval form” to “authorization” for consistency with the other rules.

21 NCAC 57A .0406

- Please include the full History Note for this Rule.

21 NCAC 57A .0501

- In line 4, consider adding “and” before “licensed” and adding a comma after “appraiser.”
- In lines 5-6, consider adding a comma after “USPAP” and after “reference.”
- In lines 8-9, how does an individual comply with the provisions of (1) and (2)?

21 NCAC 57B .0302

- In line 6, consider adding a comma after “editions.”

21 NCAC 57D .0202

- In line 8, add a hyphen between “two thousand.”

21 NCAC 57D .0302

- In line 13, change “10 percent” to “ten percent (10%).”
- In line 21, add comma after “change.”
- On the “Submission for Permanent Rule” form (0400), please update the Rule name at the top to “Change in Registration & Reporting Requirements.”

Burgos, Alexander N

Subject: FW: [External] RE: N.C. Appraisal Board Submission of Permanent Rules-July 2024
Attachments: 7_2024_NC Appraisal Board-Request for Changes response.docx; 21 NCAC 57A .0204.docx; 21 NCAC 57A .0206.docx; 21 NCAC 57A .0301.docx; 21 NCAC 57A .0303.docx; 21 NCAC 57A .0406.docx; 21 NCAC 57A .0501.docx; 21 NCAC 57B .0302.docx; 21 NCAC 57D .0101.docx; 21 NCAC 57D .0202.docx; 21 NCAC 57D .0302.docx; Form 400 21 NCAC 57A .0204.docx; Form 400 21 NCAC 57A .0206.docx; Form 400 21 NCAC 57A .0301.docx; Form 400 21 NCAC 57A .0303.docx; Form 400 21 NCAC 57A .0406.docx; Form 400 21 NCAC 57A .0501.docx; Form 400 21 NCAC 57B .0302.docx; Form 400 21 NCAC 57D .0101.docx; Form 400 21 NCAC 57D .0202.docx; Form 400 21 NCAC 57D .0302.docx

From: Panico, Sondra <SPANICO@ncdoj.gov>
Sent: Thursday, June 13, 2024 12:46 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>; don@ncab.org
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] RE: N.C. Appraisal Board Submission of Permanent Rules-July 2024

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Mr. Wiggs,

Attache please find the revised rules and forms and our responses to your questions, which are included in your request for changes document.

I will be on annual leave from Tuesday June 18 through Thursday June 27, and will respond to any additional questions or concerns as soon as possible upon my return.

Thank you for all of your assistance.



Sondra C. Panico
Special Deputy Attorney General
Services to State Agencies Section
Phone: 919-716-6792
Email: spanico@ncdoj.gov
114 W. Edenton St., Raleigh, NC 27603
P.O. Box 629, Raleigh, NC 27602-0629
ncdoj.gov

Please note messages to or from this address may be public records.

Request for Changes Pursuant to
N.C. Gen. Stat. § 150B-21.10

Staff reviewed these Rules to ensure that each Rule is within the agency's statutory authority, reasonably necessary, clear and unambiguous, and adopted in accordance with Part 2 of the North Carolina Administrative Procedure Act. Following review, staff has issued this document that may request technical changes from your agency or ask clarifying questions.

If the request includes questions, please contact the reviewing attorney to discuss.

In order to properly submit rewritten rules, please refer to the following Rules in the NC Administrative Code:

- Rule 26 NCAC 02C .0108 – The Rule addresses general formatting.
- Rule 26 NCAC 02C .0404 – The Rule addresses changing the introductory statement.
- Rule 26 NCAC 02C .0405 – The Rule addresses properly formatting changes made after publication in the NC Register.

Note the following general instructions:

1. You must submit three hard copies of the rewritten rule and one copy via email. The electronic copy must be saved as the official rule name (XX NCAC XXXX) and sent to oah.rules@oah.nc.gov.
2. For rules longer than one page, insert a page number.
3. Use line numbers; if the rule spans more than one page, have the line numbers reset at one for each page.
4. Do not use track changes. Make all changes using manual strikethroughs, underlines and highlighting.
5. You cannot change just one part of a word. For example:
 - Wrong: “~~a~~Association”
 - Right: “~~association~~ Association”
6. Treat punctuation as part of a word. For example:
 - Wrong: “day;~~;~~ and”
 - Right: “~~day,~~ day; and”
7. Formatting instructions and examples may be found at:
www.ncoah.com/rules/examples.html

If you have any questions regarding proper formatting of technical changes after reviewing the rules and examples, please contact the reviewing attorney.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57A .0204

DEADLINE FOR RECEIPT: **Monday, June 24, 2024**

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In (c), line 20, do you need the term “minimum”? Generally, rules set the minimum standards, so the use of the term “minimum” is discouraged. **We had concerns that if it stated that, “each appraisal course shall include two classroom hours” that the regulated public would think each course could only be two hours, which would result in more confusion, so we left it as written.***

Is the intent of (c) to incorporate the Qualification Criteria by reference? If that was the intent, please do so in accordance with 150B-21.6 (assuming that it’s not been done elsewhere in this Rule.) You can incorporate the information by using a hyperlink.

Done

*In lines 25 and 32, please put a hyphen between “seven hour”. Please spell out the acronym “USPAP” the first time it’s used in each rule. **Done***

*In lines 28 and 32, is there a definition or standard for “successfully complete(s)”? Does it mean that an appraiser must receive, at least, a certain score on the exam? Please include a definition or score that must be achieved to successfully complete the course. Or consider deleting “successfully” if it’s unnecessary. **Done***

*In lines 29 and 31, are the “Valuation Bias and Fair Housing Laws and Regulations” encompassed in the federal code? If so, please incorporate them by reference in accordance with 150B-21.6. Please cross-reference the General Statute(s) if they are found in North Carolina law. **This is in the Real Property Appraiser Qualification Criteria, not in any federal code or NC statute.***

Travis Wiggs
Commission Counsel

Date submitted to agency: June 10, 2024

In line 36, consider changing to “shall not carry over any continuing education credits from those courses into the subsequent years.” **Done**

In (f) lines 4-6, what does “proof of satisfaction” mean? Is the proof of satisfaction a certificate of course completion from an approved course sponsor? **We changed the language to clarify this.**

In (g) lines 20-21, add “and” before “licensed” and add a comma after “credit” in line 21. **Done**

On line 25, is “Requests for equivalent approval for continuing education” the same as “appraisal education activity equivalent” on lines 11-12?
No, it includes all courses and appraisal education activity equivalent to a Board approved course that have not been approved by the Board. We made a change to clarify this and moved this to earlier in the rule.

In (i), your agency refers to an affidavit, and the Board may require the use of a form for this document. The APA requires the substantive contents of forms to be set forth in either rules or statute. Wherever you refer to forms, you should either state the substantive contents of the form in the rule or be able to show rules or statutes where the substantive content is stated. The rule should also state, with specificity, where the form may be obtained.
What is necessary to be included in the affidavit form is currently in the rule. We added where the form may be obtained.

In (i) line 12, add a comma after “certificate” and after “93E-1-12”. **Done**

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57A .0206

DEADLINE FOR RECEIPT: Monday, June 24, 2024

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In lines 7 and 15, please put a hyphen between “seven hour”. Please spell out the acronym “USPAP” the first time it’s used in each rule. **Done***

*Is the intent of lines 9-10 to incorporate the “Real Property Qualification Criteria as implemented by The Appraisal Foundation’s Appraiser Qualification Board” by reference? If so, please do so in accordance with 150B-21.6. You can incorporate the information by using a hyperlink. **Done***

*In line 8, are the “Valuation Bias and Fair Housing Laws and Regulations” encompassed in the federal code? If so, please incorporate them by reference in accordance with 150B-21.6. **This is in the Real Property Appraiser Qualification Criteria, not in any federal code or NC statute.** Please cross-reference any General Statute(s) that are found in North Carolina law. Please add a comma after “outline.” **Done***

*In line 6, consider putting a period after “renewed” to start a new sentence. Making (a) into two sentences may make this section clearer to the regulated public. **Done***

*In line 13, your agency refers to an “application”, and the Board may require the use of a form for this document. G.S. § 150B-2(8d) requires the substantive contents of forms to be set forth in either rules or statute. The rule should also state, with specificity, where the form may be obtained. **This is added as subsection (c).***

*In lines 5 and 13, your agency refers to “proof”. Is this referring to the “proof of satisfaction” of course completion from an approved course sponsor in Rule .0204? **Yes, we made a change to the language to clarify.***

*In line 20, what are considered “disciplinary actions?” Is this term defined in a rule or elsewhere? Do you need to add G.S. 93E-1-12 to the History Note? What is considered when examining the “applicant’s fitness”? Are there certain factors or standards that are used during the examination? **We added 93E-1-6, 93E-1-12 for disciplinary actions and 93E-1-11 for applicant fitness in the History Note.***

Travis Wiggs
Commission Counsel

Date submitted to agency: June 10, 2024

*In line 22, is the phrase “or it shall not be accepted” necessary? You already state in (c) that applications for reinstatement “shall not be granted” if “more than 5 years.” **Yes, this clarifies the specific date.***

*In (d), consider adding “of an application” after “Reinstatement.” **We changed the language to reinstatement of a registration, license or certification.***

*In the History Note, why isn't G.S. 93E-1-12 included in your authority? It appears to be applicable here. **Done***

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57A .0301

DEADLINE FOR RECEIPT: Monday, June 24, 2024

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In line 5, your agency refers to an “examination approval form”, and the Board may require the use of a form for this document. G.S. § 150B-2(8d) requires the substantive contents of forms to be set forth in either rules or statute. The rule should also state, with specificity, where the form may be obtained. **It is not a form, so we changed the language to authorization to take the exam, which is more accurate.***

*In lines 8-9, please incorporate the “Real Property Qualification Criteria as implemented by The Appraisal Foundation’s Appraiser Qualification Board” by reference in accordance with 150B-21.6. **Done***

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis Wiggs
Commission Counsel
Date submitted to agency: June 10, 2024

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57A .0303

DEADLINE FOR RECEIPT: Monday, June 24, 2024

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In lines 5-6, what is your agency's authority to utilize a "private testing service?" What is the process for the Board to approve the use of such a service? **The authority to use the private testing service is in 93E-1-6(b). "The applicant shall pay the fee for the required competency examination directly to the private testing service."***

*In lines 7-8, is your agency referring to a certain examination when referring to "the examination"? Or is the intent that this Rule apply to "any" examination? **We are referring to the competency examination in 93E-1-6(b), which is the only exam required by the Board.***

*In line 10, what is meant by "the application shall be cancelled?" What is your authority to cancel the application? G.S. 93-E-1-6 says that "if the applicant has not affirmatively demonstrated that the applicant meets the requirements for registration, licensure, or certification, action on the application **will be deferred** pending a hearing before the Board." **This language has been changed.***

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis Wiggs
Commission Counsel
Date submitted to agency: June 10, 2024

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57A .0501

DEADLINE FOR RECEIPT: Monday, June 24, 2024

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In (b), lines 16-17, please add "the" before "USPAP" in both locations. **Done and added "document" because it is a document that is issued.***

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis Wiggs
Commission Counsel
Date submitted to agency: June 10, 2024

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57B .0302

DEADLINE FOR RECEIPT: Monday, June 24, 2024

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In (a), please incorporate the “Real Property Qualification Criteria as implemented by The Appraisal Foundation’s Appraiser Qualification Board” by reference in accordance with 150B-21.6. **Done***

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis Wiggs
Commission Counsel
Date submitted to agency: June 10, 2024

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57D .0101

DEADLINE FOR RECEIPT: Monday, June 24, 2024

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In line 6, “submit an application” to whom and how? **Done***

*In (6) and (7), what is required to be a “compliance manager”? You need to cross-reference G.S. 93E-2-5 to make clear who you are referring to. **Done and added to the history note.** What authority are you relying upon to require an application and Board approval of the compliance manager? G.S. 93E-2-5 simply requires the individual to file a form indicating the designation and the individual’s acceptance of the same. Are you relying upon G.S. 93E-2-3? **We are relying on 93E-2-8, which includes that a compliance manager files an application and also refers to criminal convictions of the compliance manager. This is added to the history note. In addition, 93E-2-4, requires the application for registration include information about the compliance manager.***

*In line 20, what are considered “disciplinary actions?” Is this term defined in a rule or elsewhere? Does your agency need to add G.S. 93E-1-12 to the History Note? **Disciplinary actions for appraisal management companies are in 93E-2-8, this is added to the history note.***

*In (17), line 35, add commas before “in” and after “nationwide”. **Done***

*Does your agency need to add G.S. 93E-2-5 to the History Note? **Done***

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis Wiggs
Commission Counsel
Date submitted to agency: June 10, 2024

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57D .0202

DEADLINE FOR RECEIPT: Monday, June 24, 2024

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

*In (3) lines 13-14, change “over 10 percent” to “of more than ten percent (10%) of the appraisal management company”. **Done***

*In (4), line 15, please cross-reference G.S. 93E-2-5 after “compliance manager”. **Done and added to the history note.***

In lines 23-24, how and when does the AMC submit the “registry fee”? Please make this clear to the regulated public.

As set forth in the rule, the registry fee is submitted at the time of renewal to the Board. The registry fee is subject to federal regulation and the amount of the fee is dependent on how many appraisers are on their panel. This is just a pass through fee by the Board to the Appraisal Subcommittee.

*In line 27, does “disciplinary action” in this Rule also refer to G.S. 93E-1-12? **No***

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57D .0302

DEADLINE FOR RECEIPT: Monday, June 24, 2024

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In (a), lines 7-8, consider changing “The address shall be sufficiently descriptive” to “The business address and email address provided shall enable...” **Done***

*In (b), lines 11-12, what authority are you relying upon to require an application and Board approval of the compliance manager? G.S. 93E-2-5 simply requires the individual to file a form indicating the designation and the individual’s acceptance of the same. Are you relying upon G.S. 93E-2-3? If so, please include it in the History Note. **We are relying on 93E-2-8, which includes that a compliance manager files an application and also refers to criminal convictions of the compliance manager. This is added to the history note. In addition, 93E-2-4, requires the application for registration include information about the compliance manager.***

*In line 15, who decides what is considered an “unexpected change”? **We added clarifying language to this.***

*In line 20, change to “ten percent (10%)”. **Done***

*Consider adding G.S. 93E-2-4, G.S. 93E-2-5, and G.S. 93E-2-8 to the History Note. **Done***

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

1 21 NCAC 57A .0204 is amended as published in 38:18 NCR 1199-1204 as follows:

2
3 **21 NCAC 57A .0204 CONTINUING EDUCATION**

4 (a) All registered trainees, real estate appraiser licensees, and certificate holders shall, upon the renewal of their
5 registration, license, or certificate in every odd-numbered year, have obtained continuing education, as required by
6 this Rule. Trainees and appraisers who initially registered with the Board after January 1 of an ~~odd-numbered odd-~~
7 numbered year are not required to obtain continuing education for renewal of their registration in that ~~odd-numbered~~
8 odd-numbered year.

9 (b) Each trainee, licensee, and certificate holder who is required to obtain continuing education pursuant to Paragraph
10 (a) of this Rule shall complete 28 hours of continuing education before June 1 of every ~~odd-numbered odd-numbered~~
11 year. Specific topics required as part of the 28 hours of continuing education are outlined in Paragraph (d) of this Rule.
12 Except as provided in Paragraphs (g) and (h) of this Rule, such education shall have been obtained by taking courses
13 approved by the Board for continuing education credit, at schools approved by the Board to offer such courses, as set
14 forth in 21 NCAC 57B .0603. Such education shall relate to real estate appraisers maintaining and increasing their
15 skill, knowledge, and competency in real property appraising. There is no exemption from the continuing education
16 requirement for trainees or appraisers whose status has been upgraded to the level of licensed residential, certified
17 residential, or certified general appraiser, since the issuance or most recent renewal of their registration, license, or
18 certificate. Trainees, licensees, and certificate holders shall not take the same continuing education course more than
19 once during the two-year continuing education cycle.

20 (c) Each appraisal continuing education course shall include a minimum of two classroom hours of instruction on real
21 estate appraisal or related topics, as set forth in the Real Property Appraiser Qualification Criteria as implemented by
22 The Appraisal Foundation's Appraiser Qualifications ~~Board.~~ Board, which is hereby incorporated by reference,
23 including subsequent amendments and editions and can be found at www.appraisalfoundation.org, at no cost.

24 (d) Each trainee, licensee, and certificate holder who is required to obtain continuing education pursuant to Paragraph
25 (a) of this Rule shall, as part of the 28 hours of continuing education required in Paragraph (b) of this Rule, complete
26 the seven-hour National USPAP ~~update course~~ Uniform Standards of Professional Appraisal Practice (USPAP)
27 Continuing Education course, as required by the Appraiser Qualifications Board of the Appraisal Foundation, between
28 October 1 of an odd-numbered year and June 1 of an even numbered ~~year, as required by the Appraiser Qualifications~~
29 ~~Board of the Appraisal Foundation.~~ year. Beginning June 1, 2025, each trainee, licensee, and certificate holder shall
30 successfully complete a course which meets the content requirements of the Valuation Bias and Fair Housing Laws
31 and Regulations outline as set forth in the Real Property Appraiser Qualification Criteria, every continuing education
32 cycle. The first time a trainee, licensee, or certificate holder completes the continuing education requirements of the
33 Valuation Bias and Fair Housing Laws and Regulations requirement, the course length must be at least seven-hours.
34 If an appraiser successfully completes the seven-hour (plus one hour exam) course as part of their qualifying education,
35 they have met this requirement. Each continuing education cycle thereafter, the course length shall be at least four
36 hours.

1 (e) A trainee, licensee, or certificate holder who completes approved continuing education courses in excess of the
2 requirement shall not carry over ~~into the subsequent years any continuing education credit.~~ ~~credits from those courses~~
3 ~~into the subsequent years.~~

4 (f) Course sponsors shall provide a certificate of course completion to each trainee, licensee, and certificate holder
5 who completes a course, as set forth in 21 NCAC 57B .0603. In addition, course sponsors shall send to the Board a
6 roster of all who completed the course. This roster shall be sent within 15 days of completion of the course. In order
7 to renew a registration, license, or certificate in a timely manner, the Board shall receive proof of ~~satisfaction~~
8 ~~completion~~ of the continuing education requirement prior to processing a registration, license, or certificate renewal
9 application. Proof of ~~satisfaction~~ ~~completion~~ shall be ~~made by~~ receipt of a roster from a school or course sponsor ~~by~~
10 ~~the Board~~ showing the courses completed by the ~~applicant or by submission of an original certificate of course~~
11 ~~completion.~~ ~~applicant.~~ If proof of having ~~satisfied~~ ~~completed~~ the continuing education requirement is not provided,
12 the registration, license, or certificate shall expire and the trainee, licensee, or certificate holder shall be subject to the
13 provisions of Rules .0203(e) and .0206 of this Section.

14 (g) A current or former trainee, licensee, or certificate holder may request that the Board grant continuing education
15 credit for a course that has been completed but is not approved by the Board, or for appraisal education activity
16 equivalent to a Board approved course, by making such request and submitting a non-refundable fee of fifty dollars
17 (\$50.00) as set out in G.S. 93E-1-8(d) for each course or type of appraisal education activity to be evaluated. ~~Such~~
18 ~~requests shall be received before June 15 of an odd-numbered year to be credited towards the continuing education~~
19 ~~requirement for that odd-numbered year.~~ Continuing education credit for a non-approved course shall be granted only
20 if the trainee, licensee, or certificate holder provides proof of course completion and the Board finds that the course
21 satisfies the requirements for approval of appraisal continuing education courses with regard to subject matter, course
22 length, instructor qualifications, and student attendance, as set forth in 21 NCAC 57B .0603. Appraisal education
23 activities for which credit may be awarded include teaching appraisal courses, authorship of appraisal textbooks, and
24 development of instructional materials on appraisal subjects. Up to 14 hours of continuing education credit may be
25 granted in each continuing education cycle for participation in appraisal education activities. Trainees, ~~and~~ licensed
26 or certified appraisers who have taught an appraisal course approved by the Board for continuing education ~~credit~~
27 ~~credit~~, are deemed to have taken an equivalent course and are not subject to the fee prescribed in G.S. 93E-1-8(d),
28 provided they submit verification of having taught the course(s). A trainee, licensee, or certificate holder who teaches
29 a Board approved continuing education course shall not receive continuing education credit for the same course more
30 than once every two years, regardless of how often he or she teaches the course. ~~Requests for equivalent approval for~~
31 ~~continuing education credit shall be received before June 15 of an odd-numbered year to be credited towards the~~
32 ~~continuing education requirement for that odd-numbered year.~~

33 (h) A trainee, licensee, or certificate holder may receive continuing education credit by taking any of the Board
34 approved precertification courses, other than Basic Appraisal Principles and Basic Appraisal Procedures, or their
35 approved equivalents. Trainees, licensees, and certificate holders who wish to use a precertification course for
36 continuing education credit shall comply with the provisions of 21 NCAC 57B .0604.

1 (i) A licensee or certificate holder who resides in another state, and is currently credentialed in another state, may
2 satisfy the continuing education requirements by submitting an affidavit prior to renewal which lists the course
3 provider, title, hours, and date of completion of all continuing education completed within the current continuing
4 education cycle. The affidavit form may be found on the Board's website at www.ncappraisalboard.org. The Board
5 will audit no less than ten percent of licensees who renew with an affidavit. A licensee or certificate holder selected
6 for a continuing education audit shall make the certificates available to the Board upon request. A licensee or certificate
7 holder who became licensed in North Carolina by licensure or certification with another state and now resides in North
8 Carolina may renew by affidavit for his or her first renewal as a resident of North Carolina only if the appraiser moved
9 to North Carolina on or after January 1 of an odd-numbered year. If an appraiser was a resident of this state before
10 January 1 of an odd-numbered year, the appraiser shall comply with the requirements of this section regardless of how
11 the license or certificate was obtained.

12 (j) A trainee, licensee, or certificate holder who returns from active military duty on or after February 1 of an odd-
13 numbered year may renew his or her registration, license, or certificate in that odd-numbered year even if the required
14 continuing education is not completed before June 1 of that year. ~~All~~ When a trainee, licensee, or certificate holder
15 returns from active duty, all required continuing education shall be completed ~~within 180 days of when the trainee,~~
16 ~~licensee, or certificate holder returns from active duty,~~ pursuant to the Real Property Appraiser Qualification Criteria
17 as implemented by The Appraisal Foundation's Appraiser Qualifications Board. The Board shall immediately place
18 any licensee or certificate holder enrolled in the Appraisal Subcommittee's National Registry in an inactive status and
19 may revoke the registration, license, or ~~certificate~~ certificate, in accordance with ~~93E-1-12~~ 93E-1-12, if the required
20 continuing education is not completed ~~within 180 days,~~ pursuant to the Real Property Appraiser Qualification Criteria
21 as implemented by The Appraisal Foundation's Appraiser Qualifications Board. This Paragraph applies to an
22 individual who is serving in the armed forces of the United States and to whom G.S. 105-249.2 grants an extension of
23 time to file a tax return.

24
25 *History Note:* Authority G.S. 93B-15; 93E-1-7(a); 93E-1-10;

26 *Eff. July 1, 1994;*

27 *Amended Eff. July 1, 2014; January 1, 2013; July 1, 2011; July 1, 2010; January 1, 2008; March*
28 *1, 2007; March 1, 2006; July 1, 2005; July 1, 2003; August 1, 2002; April 1, 1999;*

29 *Pursuant to G.S. 150B.21.3A, rule is necessary without substantive public interest Eff. October 3,*
30 *2017;*

31 *Amended Eff. August 1, 2024; July 1, 2022; July 1, 2019; July 1, 2018.*

1 21 NCAC 57A .0206 is amended as published in 38:18 NCR 1199-1204 as follows:

2
3 **21 NCAC 57A .0206 EXPIRED REGISTRATION, LICENSE OR CERTIFICATE**

4 (a) Expired registrations, licenses, and certificates may be reinstated within 12 months after expiration upon payment
5 to the Board of the renewal and late filing fees as set out in G.S. 93E-1-7, and proof of having ~~obtained~~ **completed** the
6 continuing education that would have been required had the registration, license, or certificate been **renewed**. **This**
7 **includes** the most recent **seven-hour** **National Uniform Standards of Professional Appraisal Practice (USPAP)**
8 **Continuing Education course and the required number of hours of a course which meets the content requirements of**
9 **the Valuation Bias and Fair Housing Laws and Regulations **outline**, as set forth in the Real Property Appraiser**
10 **Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board, **which is hereby****
11 **incorporated by reference, including subsequent amendments and editions and can be found at**
12 **www.appraisalfoundation.org at no cost.**

13 (b) If a registration, license, or certificate has been expired for more than 12 months, but less than five years, an
14 applicant may apply for reinstatement. In order to be considered for reinstatement, the applicant shall pay the filing
15 fee as set out in G.S. 93E-1-7 and include in the application proof that the applicant has ~~obtained~~ **completed** the
16 continuing education that would have been required had the registration, license, or certificate been continuously
17 renewed, which shall include the most recent edition of the ~~seven-hour~~ **seven-hour** **National USPAP update** ~~Continuing~~
18 **Education course and the required number of hours of a course which meets the content requirements of the Valuation**
19 **Bias and Fair Housing Laws and Regulations **outline**, as required by the ~~Appraiser Qualifications Board of the~~**
20 **~~Appraisal Foundation.~~ Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's**
21 **Appraiser Qualifications Board.** In addition, the Board shall consider whether the applicant for reinstatement has any
22 prior or current disciplinary actions, and shall examine the applicant's fitness for registration, licensure, or certification
23 before granting the request for reinstatement. A completed application for reinstatement shall be received by June 1
24 of the fifth year after the registration, license, or certificate ~~expired or it shall not be accepted.~~ **expired.**

25 **(c) The reinstatement application is available on the Board's website at www.ncappraisalboard.org, and shall include**
26 **the following:**

- 27 (1) **the applicant's name; address, phone number, email, date of birth, social security number and**
28 **driver's license number;**
- 29 (2) **the applicant's license number;**
- 30 (3) **the applicant's previous places of residence and employment for the past five (5) years;**
- 31 (4) **whether the applicant is a citizen of the United States of America, active military, military veteran,**
32 **or a military spouse;**
- 33 (5) **the name of the applicant's high school, location, and year graduated;**
- 34 (6) **whether the applicant has ever had any disciplinary actions taken against them in connection with**
35 **any appraiser, real estate, or other professional license held;**
- 36 (7) **whether the applicant has ever been convicted of any criminal offense, or has any criminal charges**
37 **pending;**

1 (8) a criminal background check; and

2 (9) the signature of the applicant.

3 ~~(d)~~ (d) An application for reinstatement shall not be granted if the registration, license, or certificate has been expired
4 for more than five years.

5 ~~(e)~~ (e) Reinstatement of a registration, license or certification is effective on the date it is issued by the Board. It is
6 not retroactive.

7 ~~(f)~~ (f) A trainee or appraiser whose registration, license, or certification has expired and who is returning from active
8 military duty may renew his or her registration, license, or certificate when the trainee or appraiser returns from active
9 duty without payment of a late filing fee as long as the trainee or appraiser renews the registration, license, or certificate
10 within ~~180 days of when the trainee or appraiser returns from active duty.~~ the timeframe outlined in the Real Property
11 Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board. This
12 Rule applies to an individual who is serving in the armed forces of the United States and to whom G.S. 105-249.2
13 grants an extension of time to file a tax return.

14

15 *History Note* Authority G.S. 93E-1-6; 93E-1-6(b); 93E-1-7; 93E-1-10; 93E-1-11; 93E-1-12;

16 *Eff. July 1, 1994;*

17 *Amended Eff. September 1, 2014; July 1, 2014; July 1, 2011; September 1, 2008; March 1, 2007;*
18 *July 1, 2005; August 1, 2002; April 1, 1999;*

19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*
20 *2017;*

21 *Amended Eff. August 1, 2024; July 1, 2022.*

1 21 NCAC 57A .0301 is amended as published in 38:18 NCR 1199-1204 as follows:

2
3 **21 NCAC 57A .0301 TIME AND PLACE**

4 (a) Applicants who have completed the education and experience requirements for licensure or certification as set
5 forth in G.S. 93E-1-6 shall be issued an examination approval form authorization by the Board. The examination
6 approval form authorization is valid for ~~five attempts at the examination or for one year~~ 24 months from date of
7 ~~issuance, whichever comes first.~~ issuance.

8 (b) As set forth in the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's
9 Appraiser Qualifications Board, which is hereby incorporated by reference, including subsequent amendments and
10 editions and can be found at www.appraisalfoundation.org at no cost. examination results are valid for 24 months
11 from the date the examination is completed.

12
13 *History Note: Authority G.S. 93E-1-6(c); 93E-1-10;*

14 *Eff. July 1, 1994;*

15 *Amended Eff. July 1, 2014; January 1, 2013; September 1, 2008; January 1, 2008; April 1, 2006;*
16 *July 1, 2005; August 1, 2002; April 1, 1999;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*
18 *2017;*

19 *Amended Eff. August 1, 2024; May 1, 2020.*

1 21 NCAC 57A .0303 is amended as published in 38:18 NCR 1199-1204 as follows:

2

3 **21 NCAC 57A .0303 RE-EXAMINATION**

4 (a) Applicants for an appraiser license or certificate who fail to pass or appear for any examination for which the
5 applicant has been scheduled by the Board-approved private testing service, may schedule a subsequent examination
6 and shall pay the prescribed examination testing fees to the Board-approved private testing service.

7 (b) ~~Applicants may take the examination no more than five times per application.~~ If an applicant fails the examination,
8 the applicant ~~must~~ shall wait a minimum of 30 days before retaking the examination. If the applicant does not pass the
9 examination ~~by the fifth attempt at the examination or within one year of 24 months from the date of issuance of the~~
10 examination approval form, the applicant shall reapply for licensure or certification. ~~application shall be cancelled.~~

11

12 *History Note: Authority G.S. 93E-1-6; 93E-1-10;*

13 *Eff. July 1, 1994;*

14 *Amended Eff. July 1, 2014; January 1, 2013; September 1, 2008; July 1, 2005; August 1, 2002;*

15 *April 1, 1999;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*
17 *2017-;*

18 *Amended Eff. August 1, 2024.*

1 21 NCAC 57A .0406 is repealed as published in 38:18 NCR 1199-1204 as follows:

2

3 **21 NCAC 57A .0406 BUSINESS PRACTICES**

4

5 *Authority G.S. 93E-1-3(b); 93E-1-10;*

6 *Repealed Eff. August 1, 2024.*

1 21 NCAC 57A .0501 is amended as published in 38:18 NCR 1199-1204 as follows:

2

3 **21 NCAC 57A .0501 APPRAISAL STANDARDS**

4 (a) Every registered trainee, licensed and certified real estate appraiser shall comply with the following provisions of
5 the "Uniform Standards of Professional Appraisal Practice" (USPAP) promulgated by the Appraisal Standards Board
6 of the Appraisal Foundation, all of which are incorporated by reference including subsequent amendments and
7 editions:

- 8 (1) Definitions;
- 9 (2) Preamble;
- 10 (3) Ethics Rule;
- 11 (4) Record Keeping Rule;
- 12 (5) Competency Rule;
- 13 (6) Scope of Work Rule;
- 14 (7) Jurisdictional Exception Rule; and
- 15 (8) Standards Rules 1, 2, 3, and 4.

16 (b) A copy of the USPAP document may be obtained from the Appraisal Foundation at
17 <https://www.appraisalfoundation.org>. The cost for a copy of the USPAP document ~~is seventy five dollars (\$75.00).~~
18 shall be no more than the fee set by the Appraisal Foundation.

19

20 *History Note: Authority G.S. 93E-1-10;*

21 *Eff. July 1, 1994;*

22 *Amended Eff. July 1, 2016; January 1, 2013; January 1, 2008; July 1, 2005; August 1, 2002; April*
23 *1, 1999;*

24 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*
25 *2017;*

26 *Amended Eff. August 1, 2024; July 1, 2022; August 1, 2018.*

1 21 NCAC 57B .0302 is amended as published in 38:18 NCR 1199-1204 as follows:

2
3 **21 NCAC 57B .0302 COURSE CONTENT**

4 (a) All courses shall consist of instruction in the subject areas outlined in the ~~Appraiser Qualification Board's Guide~~
5 ~~Note 1. Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser~~
6 ~~Qualifications Board, which is hereby incorporated by reference, including subsequent amendments and editions and~~
7 ~~can be found at www.appraisalfoundation.org at no cost.~~ ~~Guide Note 1 The Real Property Appraiser Qualification~~
8 ~~Criteria may be accessed at the Appraisal Foundation website at www.appraisalfoundation.org.~~

9 (b) Partial credit shall be awarded when only part of the course covers the subject areas outlined in ~~Appraiser~~
10 ~~Qualification Board's Guide Note 1. the Real Property Appraiser Qualification Criteria as implemented by The~~
11 ~~Appraisal Foundation's Appraiser Qualifications Board.~~

12 (c) On or before the first class meeting day of the Basic Appraisal Principles course, the instructor shall give to each
13 student a handout prepared by the Board regarding the trainee registration process and the process to upgrade to a
14 licensed or certified appraiser. The student handout may be accessed on the Board's website at
15 www.ncappraisalboard.org.

16
17 *History Note: Authority G.S. 93E-1-6; 93E-1-8(a); 93E-1-10;*
18 *Eff. July 1, 1994;*
19 *Amended Eff. July 1, 2014; September 1, 2008; January 1, 2008; July 1, 2005; August 1, 2002;*
20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*
21 *2017;*
22 *Amended Eff. August 1, 2024; May 1, 2020; September 1, 2019.*

1 21 NCAC 57D .0101 is amended as published in 38:18 NCR 1199-1204 as follows:

2
3 **21 NCAC 57D .0101 FORM**

4 An appraisal management company that wishes to file an application for an appraisal management company certificate
5 of registration may obtain the required form upon request to the Board or on the Board's website at
6 www.ncappraisalboard.org. The appraisal management company shall submit an application to the Board by mail that
7 includes the following information:

- 8 (1) the legal name of the applicant;
- 9 (2) the name under which the applicant will do business in North Carolina;
- 10 (3) the type of business entity;
- 11 (4) the address of its principal office;
- 12 (5) the applicant's NC Secretary of State Identification Number if required to be registered with the
13 Office of the NC Secretary of State;
- 14 (6) a completed application for approval of the compliance ~~manager; manager,~~ as set forth in G.S. 93E-
15 2-5;
- 16 (7) any past criminal conviction of and any pending criminal charge against the compliance manager
17 and any person or entity that owns over 10 percent ~~or more~~ of the appraisal management company;
- 18 (8) any past revocation, ~~suspension,~~ surrender in lieu of revocation, cancellation, refusal, or denial of
19 an appraisal license of any person or entity that owns any part, directly or indirectly, of the appraisal
20 management company;
- 21 (9) any disciplinary action taken against the applicant, including the effective date of the disciplinary
22 action and whether the applicant has complied;
- 23 (10) other States where the applicant is registered to operate, if applicable;
- 24 (11) applicant's employer identification number (EIN);
- 25 (12) if a general partnership, a description of the applicant entity, including a copy of its written
26 partnership agreement or, if no written agreement exists, a written description of the rights and duties
27 of the several partners;
- 28 (13) if a business entity other than a corporation, limited liability company, or partnership, a description
29 of the organization of the applicant entity, including a copy of its organizational documents;
- 30 (14) if a foreign business entity, a certificate of authority to transact business in North Carolina and an
31 executed consent to service of process and pleadings; ~~and~~
- 32 (15) a certification that the applicant has obtained a surety bond as required by ~~G.S. 93E 2-4(g).~~ G.S.
33 93E 2-4(g);
- 34 (16) the name, address, and contact information for any individual or business entity that directly or
35 indirectly owns over 10 percent of the appraisal management company; and
- 36 (17) the annual size of the appraisal panel, in this state and nationwide, of the appraisal management
37 company for the previous calendar year.

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History Note: Authority G.S. 93E-2-4; 93E-2-5; 93E-2-8;
Eff. January 1, 2011;
Amended Eff. July 1, 2014;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,
2017;
Amended Eff. August 1, 2024; May 1, 2020.

1 21 NCAC 57D .0202 is amended as published in 38:18 NCR 1199-1204 as follows:

2
3 **21 NCAC 57D .0202 REGISTRATION RENEWAL**

4 (a) All registrations shall expire on June 30 of each year, unless renewed during the renewal period. The renewal
5 period shall be from May 1 through June 30 of each year.

6 (b) A holder of an appraisal management company registration applying for renewal of registration shall apply in
7 writing upon the form provided by the Board or log into the licensee login section on the Board's website and shall
8 pay the renewal fee. The renewal fee shall be two thousand dollars (~~\$2000~~). (\$2,000). The renewal fee is not refundable
9 on or after July 1.

10 (c) The renewal form shall include the following:

- 11 (1) The appraisal management company's name and registration number;
- 12 (2) the contact person for renewal;
- 13 (3) the updated address for the company, service of process agent, direct and indirect owners of more
14 than ten percent (10%), and compliance manager, if applicable;
- 15 (4) whether the company owner(s) or compliance manager, as set forth in G.S. 93E-2-5, have had an
16 appraiser credential refused, denied, cancelled, surrendered in lieu of revocation, or revoked in any
17 state;
- 18 (5) a copy of the surety bond that expires no sooner than June 30th of the year following renewal;
- 19 (6) the signature of the applicant; and
- 20 (7) the operation type, total number of appraisers on the panel in North Carolina for the previous
21 calendar year, the total number of appraisers on the panel nationwide for the previous calendar year,
22 and the number of appraisers on the panel who performed one or more appraisals in connection with
23 a covered transaction in North Carolina for the previous calendar year.

24 (d) In addition to the renewal fee, an appraisal management company shall submit with its renewal the annual appraisal
25 management company registry fee required by the Appraisal Subcommittee pursuant to 12 C.F.R. 1102.402. The fee
26 shall then be transmitted by the Board to the Appraisal Subcommittee.

27 (e) Any company who acts or holds itself out as a registered appraisal management company while its appraisal
28 management company registration is expired shall be subject to disciplinary action and penalties in G.S. 93E-2-8 and
29 G.S. 93E-2-10.

30
31 *History Note: Authority G.S. 93E-2-3; 93E-2-4; 93E-2-5; 93E-2-6; 93E-2-8; 93E-2-10;*

32 *Eff. January 1, 2011;*

33 *Amended Eff. July 1, 2014;*

34 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*
35 *2017;*

36 *Amended Eff. August 1, 2024; July 1, 2022; July 1, 2018.*

1 21 NCAC 57D .0302 is amended as published in 38:18 NCR 1199-1204 as follows:

2
3 **21 NCAC 57D .0302 CHANGE ~~OF NAME OR CONTACT INFORMATION~~IN REGISTRATION &**
4 **REPORTING REQUIREMENTS**

5 (a) Appraisal management companies shall notify the Board in writing of each change of name, trade name, federal
6 identification number, organizational status, ownership structure, compliance manager, surety bond, registered agent,
7 business address, telephone number, or email address within 10 business days of said change. The business address
8 and email address provided shall be sufficiently descriptive to enable the Board to electronically correspond with and
9 physically locate the appraisal management company.

10 (b) If an appraisal management company intends to change its designated compliance manager or direct or indirect
11 owner, it must notify the Board at least 10 business days before the effective date of the intended change and submit
12 an application for approval of the designated compliance manager or any new direct or indirect owner who will own
13 more than 10 percent of the appraisal management company. The application shall include a criminal records check
14 pursuant to G.S. 93E-2-11.

15 (c) If the appraisal management company has an unexpected change to its designated compliance manager or direct
16 or indirect owner and is unable to provide at least 10 business days' notice of the change, the company shall have 10
17 business days from the unexpected change to notify the Board. An unexpected change shall consist of: death, sudden
18 termination or resignation, injury, or illness. An application shall be submitted to the Board, which shall include a
19 criminal records check pursuant to G.S. 93E-2-11, within 15 business days of when an interim designated compliance
20 manager, a new designated compliance manager, or any new direct or indirect owner that owns more than ten percent
21 (10%) of the appraisal management company as a result of the unexpected change is appointed, hired, or otherwise
22 determined.

23 (d) Appraisal management companies shall notify the Board in writing within 10 business days of any event that may
24 cause the applicant or registration to be disciplined in accordance with G.S. 93E-2-8(a).


25
26 *History Note: Authority G.S. 93E-2-3; 93E-2-4; 93E-2-5; 93E-2-8; 93E-2-9;*

27 *Eff. January 1, 2011;*


28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*
29 *2017. 2017;*

30 *Amended Eff. August 1, 2024.*

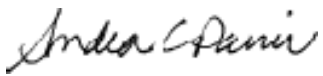
SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Appraisal Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 57A .0206 Expired Registration, License or Certificate	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: February 21, 2024 Link to Agency notice: https://www.ncappraisalboard.org/ProposedRules.pdf Hearing on: April 9, 2024 Adoption by Agency on: June 4, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: This rule is amended to include the new requirements within the AQB Real Property Appraiser Qualification Criteria that goes into effect on January 1, 2026, regarding the USPAP course name change and the addition of a course on Valuation Vias and Fair Housing Laws.	
10. Rulemaking Coordinator: Sondra Panico, Counsel for the North Carolina Appraisal Board Phone: 919-716-6792 E-Mail: spanico@ncdoj.gov Additional agency contact, if any: Donald Rodgers Phone: 919-870-4854 E-Mail: don@ncab.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sondra C. Panico Title: Special Deputy Attorney General
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	


SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Appraisal Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 57A .0301 Time and Place	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: February 21, 2024 Link to Agency notice: https://www.ncappraisalboard.org/ProposedRules.pdf Hearing on: April 9, 2024 Adoption by Agency on: June 4, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: This rule is amended to remove the limitation on the number of attempts to take the exam from five per application and changes the pass date from one year to 24 months.	
10. Rulemaking Coordinator: Sondra Panico, Counsel for the North Carolina Appraisal Board Phone: 919-716-6792 E-Mail: spanico@ncdoj.gov Additional agency contact, if any: Donald Rodgers Phone: 919-870-4854 E-Mail: don@ncab.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sondra C. Panico Title: Special Deputy Attorney General
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	


SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Appraisal Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 57A .0303 Re-Examination	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: February 21, 2024 Link to Agency notice: https://www.ncappraisalboard.org/ProposedRules.pdf Hearing on: April 9, 2024 Adoption by Agency on: June 4, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: This rule is amended to extend the exam approval from one year to 24 months in accordance with the AQB Criteria.	
10. Rulemaking Coordinator: Sondra Panico, Counsel for the North Carolina Appraisal Board Phone: 919-716-6792 E-Mail: spanico@ncdoj.gov Additional agency contact, if any: Donald Rodgers Phone: 919-870-4854 E-Mail: don@ncab.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sondra C. Panico Title: Special Deputy Attorney General
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

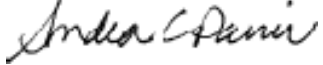
SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Appraisal Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 57A .0406 Business Practices	
3. Action: <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input checked="" type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: February 21, 2024 Link to Agency notice: https://www.ncappraisalboard.org/ProposedRules.pdf Hearing on: April 9, 2024 Adoption by Agency on: June 4, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: This rule is being repealed.	
10. Rulemaking Coordinator: Sondra Panico, Counsel for the North Carolina Appraisal Board Phone: 919-716-6792 E-Mail: spanico@ncdoj.gov Additional agency contact, if any: Donald Rodgers Phone: 919-870-4854 E-Mail: don@ncab.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sondra C. Panico Title: Special Deputy Attorney General
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	


SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Appraisal Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 57A .0501 Appraisal Standards	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: February 21, 2024 Link to Agency notice: https://www.ncappraisalboard.org/ProposedRules.pdf Hearing on: April 9, 2024 Adoption by Agency on: June 4, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: This rule is amended to remove the cost of the USPAP books as it is not a fee determined by the Board and is no longer accurate.	
10. Rulemaking Coordinator: Sondra Panico, Counsel for the North Carolina Appraisal Board Phone: 919-716-6792 E-Mail: spanico@ncdoj.gov Additional agency contact, if any: Donald Rodgers Phone: 919-870-4854 E-Mail: don@ncab.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sondra C. Panico Title: Special Deputy Attorney General
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

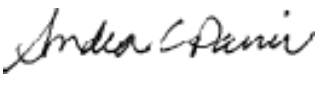
SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Appraisal Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 57B .0302 Course Content	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIO N <input type="checkbox"/> REPEAL through READOPTIO N	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: February 21, 2024 Link to Agency notice: https://www.ncappraisalboard.org/ProposedRules.pdf Hearing on: April 9, 2024 Adoption by Agency on: June 4, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply:	
<input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite:	<input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:
9B. Explain: This rule is amended to remove the reference to Guide Note 1 as it no longer outlines all the course content requirements within the AQB Real Property Appraiser Qualification Criteria that goes into effect on January 1, 2026.	
10. Rulemaking Coordinator: Sondra Panico, Counsel for the North Carolina Appraisal Board Phone: 919-716-6792 E-Mail: spanico@ncdoj.gov Additional agency contact, if any: Donald Rodgers Phone: 919-870-4854 E-Mail: don@ncab.org	11. Signature of Agency Head* or Rule-making Coordinator:  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sondra C. Panico Title: Special Deputy Attorney General
RRC AND OAH USE ONLY	
Action taken:	
<input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

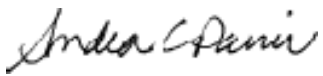
SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Appraisal Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 57D .0101 Form	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: February 21, 2024 Link to Agency notice: https://www.ncappraisalboard.org/ProposedRules.pdf Hearing on: April 9, 2024 Adoption by Agency on: June 4, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: This rule is amended to incorporate the current AMC registration application questions needed in accordance with the AMC Final Rule.	
10. Rulemaking Coordinator: Sondra Panico, Counsel for the North Carolina Appraisal Board Phone: 919-716-6792 E-Mail: spanico@ncdoj.gov Additional agency contact, if any: Donald Rodgers Phone: 919-870-4854 E-Mail: don@ncab.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sondra C. Panico Title: Special Deputy Attorney General
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Appraisal Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 57D .0202 Registration Renewal	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: February 21, 2024 Link to Agency notice: https://www.ncappraisalboard.org/ProposedRules.pdf Hearing on: April 9, 2024 Adoption by Agency on: June 4, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: This rule is amended to incorporate some technical changes, incorporates the current AMC renewal application questions needed in accordance with the AMC Final Rule, clarifies the year as being a calendar year.	
10. Rulemaking Coordinator: Sondra Panico, Counsel for the North Carolina Appraisal Board Phone: 919-716-6792 E-Mail: spanico@ncdoj.gov Additional agency contact, if any: Donald Rodgers Phone: 919-870-4854 E-Mail: don@ncab.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sondra C. Panico Title: Special Deputy Attorney General
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Appraisal Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 57D .0302 Change of Name or Contact Information	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: February 21, 2024 Link to Agency notice: https://www.ncappraisalboard.org/ProposedRules.pdf Hearing on: April 9, 2024 Adoption by Agency on: June 4, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: This rule is amended to change the rule name to state Change in Registration & Reporting Requirements. It lists all actions that need be reported to the Board such as a change adding name, federal ID, bond, ownership, organizational structure, registered agent, and events that may cause the AMC to no longer be in compliance with rules and laws. It adds requirements for reporting changes to the designated compliance person and owners over 10% in advance. It clarifies days as business days.	
10. Rulemaking Coordinator: Sondra Panico, Counsel for the North Carolina Appraisal Board Phone: 919-716-6792 E-Mail: spanico@ncdoj.gov Additional agency contact, if any: Donald Rodgers Phone: 919-870-4854 E-Mail: don@ncab.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Sondra C. Panico Title: Special Deputy Attorney General
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

Burgos, Alexander N

Subject: FW: [External] RE: N.C. Appraisal Board Submission of Permanent Rules-July 2024

From: Panico, Sondra <SPANICO@ncdoj.gov>
Sent: Tuesday, June 11, 2024 3:55 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>; don@ncab.org
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] RE: N.C. Appraisal Board Submission of Permanent Rules-July 2024

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Mr. Wiggs,

Thank you for the clarification.



Sondra C. Panico
Special Deputy Attorney General
Services to State Agencies Section
Phone: 919-716-6792
Email: spanico@ncdoj.gov
114 W. Edenton St., Raleigh, NC 27603
P.O. Box 629, Raleigh, NC 27602-0629
ncdoj.gov

Please note messages to or from this address may be public records.

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Tuesday, June 11, 2024 3:19 PM
To: Panico, Sondra <SPANICO@ncdoj.gov>; don@ncab.org
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: N.C. Appraisal Board Submission of Permanent Rules-July 2024

Good afternoon,

I apologize for the typo in the due date for these Rules. The due date is June 27, 2024 no later than 5pm.

Thank you.

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings

Telephone: 984-236-1929

Email: travis.wiggs@oah.nc.gov

From: Wiggs, Travis C

Sent: Monday, June 10, 2024 4:37 PM

To: Panico, Sondra C; don@ncab.org

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: N.C. Appraisal Board Submission of Permanent Rules-July 2024

Good afternoon,

I'm the attorney who reviewed the Rules submitted by the North Carolina Appraisal Board for the July 2024 RRC meeting. The RRC will formally review these Rules at its meeting on Wednesday, July 31, 2024, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting. If there are any other representatives from your agency who want to attend virtually, please let me know prior to the meeting, and we will get evites out to them as well.

Attached is the Request for Changes Pursuant to G.S. 150B-21.10. Please submit the revised Rules and forms to me via email, no later than 5 p.m. on June 7, 2024.

Thank you.

Travis C. Wiggs

Rules Review Commission Counsel

Office of Administrative Hearings

Telephone: 984-236-1929

Email: travis.wiggs@oah.nc.gov

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.