

21 NCAC 57A .0204 is amended with changes as published in 32:14 NCR 1395 as follows:

21 NCAC 57A .0204 CONTINUING EDUCATION

(a) All registered trainees, real estate appraiser licensees, and certificate holders shall, upon the renewal of their registration, license, or certificate in every odd-numbered year, present evidence satisfactory to the Board of having obtained continuing education as required by this Section. Trainees and appraisers who initially registered with the Board after January 1 of an ~~odd-numbered odd-numbered~~ year are not required to show continuing education credit for renewal of their registration in that ~~odd-numbered odd-numbered~~ year.

(b) Each trainee, licensee, and certificate holder who must complete continuing education pursuant to Paragraph (a) of this Rule ~~must shall~~ complete 28 hours of continuing education before June 1 of every ~~odd-numbered odd-numbered~~ year. Except as provided in Paragraphs (g) and (h) of this Rule, ~~such the~~ education must have been obtained by taking courses approved by the Board for continuing education purposes, at schools approved by the Board to offer ~~such these~~ courses. Such education must relate to real estate appraisal and ~~must~~ contribute to the goal of improving the knowledge, skill and competence of trainees, and licensed and certified real estate appraisers. There ~~is shall be~~ no exemption from the continuing education requirement for trainees or appraisers whose status has been upgraded to the level of licensed residential, certified residential, or certified general appraiser since the issuance or most recent renewal of their registration, license, or certificate, and courses taken to satisfy the requirements of a higher level of certification shall not be applied toward the continuing education requirement. Trainees, licensees, and certificate holders shall not take the same continuing education course more than once during the two year continuing education cycle.

(c) Each appraisal continuing education course must involve a minimum of three and one-half classroom hours of instruction on real estate appraisal or related topics such ~~as the application of appraisal concepts and methodology to the appraisal of various types of property; specialized appraisal techniques; laws, rules or guidelines relating to appraisal; standards of practice and ethics; building construction; financial or investment analysis; land use planning or controls; feasibility analysis; statistics; accounting; or similar topics. as:~~

- (1) the application of appraisal concepts and methodology to the appraisal of various types of property;
- (2) specialized appraisal techniques;
- (3) laws, rules, or guidelines relating to appraisal;
- (4) standards of practice and ethics;
- (5) building construction;
- (6) financial or investment analysis;
- (7) land use planning or controls;
- (8) feasibility analysis;
- (9) statistics; or
- (10) accounting.

1 The trainee, licensee, or certificate holder must have attended at least 90 percent of the scheduled classroom hours
2 for the course in order to receive credit for the course.

3 (d) Each trainee, licensee, and certificate holder who is required to complete continuing education pursuant to
4 Paragraph (a) of this Rule must, as part of the 28 hours of continuing education required in Paragraph (b) of this
5 Rule, complete the seven hour National USPAP update course between October 1 of an odd-numbered year and
6 June 1 of an ~~even-numbered~~ even-numbered year, as required by the Appraiser Qualifications Board of the
7 Appraisal Foundation, or its equivalent. USPAP is updated every ~~even-numbered~~ even-numbered year, and each
8 trainee, licensee, and certificate holder shall take the most recent USPAP update course prior to June 1 of every ~~even~~
9 ~~numbered~~ even-numbered year.

10 (e) A trainee, licensee, or certificate holder who elects to take approved continuing education courses in excess of
11 the requirement shall not carry over those hours into the subsequent years any continuing education credit.

12 (f) Course sponsors must provide a certificate of course completion to each trainee, licensee, and certificate holder
13 successfully completing a course. In addition, course sponsors must send directly to the Board a certified roster of
14 all who successfully completed the course. This roster must be sent within 15 days of completion of the ~~course, but~~
15 ~~not course, no~~ later than June 15 of each year. In order to renew a registration, license, or certificate in a timely
16 manner, the Board must receive proof of satisfaction of the continuing education requirement prior to processing a
17 registration, license, or certificate renewal application. Proof of satisfaction shall be made by receipt of a roster from
18 a school or course sponsor showing the courses completed by the applicant or by submission of an original
19 certificate of course completion. If proof of having satisfied the continuing education requirement is not provided,
20 the registration, license, or certificate shall expire and the trainee, licensee, or certificate holder shall be subject to
21 the provisions of Rules .0203(e) and .0206 of this Section.

22 (g) A current or former trainee, licensee, or certificate holder may request that the Board grant continuing education
23 credit for a course taken by the trainee, licensee, or certificate holder that is not approved by the Board, or for
24 appraisal education activity equivalent to a Board-approved course, by making such request and submitting a non-
25 refundable fee of fifty dollars (\$50.00) as set out in G.S. 93E-1-8(d) for each course or type of appraisal education
26 activity to be evaluated. Continuing education credit for a non-approved course shall be granted only if the trainee,
27 licensee, or certificate holder provides satisfactory proof of course completion and the Board finds that the course
28 satisfies the requirements for approval of appraisal continuing education courses with regard to subject matter,
29 course length, instructor qualifications, and student attendance. Online courses shall satisfy the provisions of 21
30 NCAC 57B . 0603(6). Appraisal education activities for which credit may be awarded include teaching appraisal
31 courses, authorship of appraisal textbooks, and development of instructional materials on appraisal subjects. Up to A
32 maximum of 14 hours of continuing education credit may be granted in each continuing education cycle for
33 participation in appraisal education activities. Trainees or licensed or certified appraisers who have taught an
34 appraisal course or courses approved by the Board for continuing education credit ~~are shall be~~ deemed to have taken
35 an equivalent course and are not subject to the fee prescribed in G.S. 93E-1-8(d), provided they submit verification
36 satisfactory to the Board of having taught the course(s). A trainee, licensee, or certificate holder who teaches a
37 Board-approved continuing education course may not receive continuing education credit for the same course more

1 than once every two years, regardless of how ~~often many times~~ he or she teaches the course. Requests for equivalent
2 approval for continuing education credit must be received before June 15 of an odd-numbered year to be credited
3 towards the continuing education requirement for that odd-numbered year. Equivalent approval shall be granted only
4 for courses that are 7 hours or longer, and shall only be granted for a minimum of 7 hours.

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

9 (i) A licensee or certificate holder who resides in another state, is currently credentialed in another state, and is
10 active on the National Registry in another state may satisfy the requirements of this Section, other than the seven
11 hour National USPAP update course requirement in Paragraph (d) of this Rule, by providing a current letter of good
12 standing from another state showing that the licensee or certificate holder has met all continuing education
13 requirements in the other state. A licensee or certificate holder who became licensed in North Carolina by licensure
14 or certification with another state and now resides in North Carolina may renew by letter of good standing for his or
15 her first renewal as a resident of North Carolina only if the appraiser moved to North Carolina on or after January 1
16 of an ~~odd-numbered odd-numbered~~ year. If an appraiser was a resident of this state before January 1 of an odd-
17 numbered year, the appraiser must comply with the requirements of this section regardless of how the license or
18 certificate was obtained.

19 (j) A trainee, licensee, or certificate holder who returns from active military duty on or after February 1 of an odd-
20 numbered year ~~is shall be~~ allowed to renew his or her registration, license, or certificate in that odd-numbered year
21 even if the required continuing education is not completed before June 1 of that year. All required continuing
22 education must be completed within 180 days of when the trainee, licensee, or certificate holder returns from active
23 duty. Failure to complete the required continuing education within 180 days ~~is~~ shall be grounds for revocation. This
24 Rule applies to an individual who is serving in the armed forces of the United States and to whom G.S. 105-249.2
25 grants an extension of time to file a tax return.

26
27 *History Note:* Authority G.S. 93B-15; 93E-1-7(a); 93E-1-10;
28 Eff. July 1, 1994;
29 Amended Eff. July 1, 2018; July 1, 2014; January 1, 2013; July 1, 2011; July 1, 2010; January 1,
30 2008; March 1, 2007; March 1, 2006; July 1, 2005; July 1, 2003; August 1, 2002; April 1, 1999.

21 NCAC 57B.0102 is amended with changes as published in 32:41 NCR 1398 as follows:

21 NCAC 57B .0102 LICENSED RESIDENTIAL AND CERTIFIED RESIDENTIAL REAL ESTATE APPRAISER COURSE REQUIREMENTS

(a) Each applicant for licensure as a licensed residential real estate appraiser or for certification as a certified residential real estate appraiser shall complete a minimum of 200 hours of qualifying education, consisting of the following:

- (1) A minimum of 30 hours in Basic Appraisal Principles; basic appraisal principles;
- (2) A minimum of 30 hours in Basic Appraisal Procedures; basic appraisal procedures;
- (3) a minimum of 15 hours in Residential Market Analysis and Highest and Best Use; residential market analysis and highest and best use;
- (4) A minimum of 15 hours in Residential Appraiser Site Valuation and Cost Approach;
- (5) A minimum of 30 Hours in Residential Sales Comparison and Income Approaches;
- (6) A minimum of 15 hours in Residential Report Writing and Case Studies;
- (7) A minimum of 15 hours in The Uniform Standards of Professional Appraisal Practice (USPAP);
- (8) A minimum of 15 hours in Statistics, Modeling Modeling, and Finance;
- (9) A minimum of 15 hours in Advanced Residential Applications and Case Studies; and
- (10) A minimum of 20 hours of appraisal subject matter electives.

Credit for these courses must be earned from a Board-approved course sponsor or school.

(b) An applicant who is currently registered with the Board as a trainee shall satisfy the educational requirements to become a licensed or certified residential real estate appraiser by completing the following education:

- (1) A minimum of 15 hours in Residential Appraiser Site Valuation and Cost Approach;
- (2) A minimum of 30 Hours in Residential Sales Comparison and Income Approaches;
- (3) A minimum of 15 hours in Residential Report Writing and Case Studies;
- (4) A minimum of 15 hours in Statistics, Modeling Modeling, and Finance;
- (5) A minimum of 15 hours in Advanced Residential Applications and Case Studies; and
- (6) A minimum of 20 hours of appraisal subject matter electives.

(c) An applicant who was licensed as a licensed residential appraiser before January 1, 2015 shall satisfy the educational requirements to become a certified residential real estate appraiser by completing the following education:

- (1) A minimum of 15 hours in Statistics, Modeling Modeling, and Finance;
- (2) A minimum of 15 hours in Advanced Residential Applications and Case Studies; and
- (3) A minimum of 20 hours of appraisal subject matter electives.

(d) Credit for the courses required by this Rule shall be earned from a Board-approved course sponsor or school, and all courses shall comply with the course content standards prescribed in Rule .0302 of this Subchapter.

~~(d)~~ (e) An applicant who is not currently registered by the Board as a trainee or who is not currently licensed by the Board as a licensed residential real estate appraiser must have completed all required courses no earlier than January 1, 2008.

(e) (f) An applicant who is currently registered by the Board as a trainee or who is currently licensed by the Board as a licensed residential real estate appraiser must have completed all courses required beyond those required for his or her current registration, license, or certification no earlier than January 1, 2008.

~~(f) The Basic Appraisal Principles, Basic Appraisal Procedures, Residential Market Analysis, USPAP, and Residential Sales Comparison and Income Approach classes must have been obtained in a classroom setting. All other courses in this section may be taken on line via the Internet.~~

*History Note: Authority G.S. 93E-1-6(b); 93E-1-8(a); 93E-1-10;
Eff. July 1, 1994;
Amended Eff. July 1, 2018; July 1, 2014; January 1, 2013; July 1, 2010; September 1, 2008;
January 1, 2008; March 1, 2007; July 1, 2003; August 1, 2002*

21 NCAC 57B .0103 is amended with changes as published in 32 :14 NCR 1398 as follows:

**21 NCAC 57B .0103 CERTIFIED GENERAL REAL ESTATE APPRAISER COURSE
REQUIREMENTS**

(a) An applicant for certification as a certified general real estate appraiser shall complete the following precertification ~~courses;~~ courses:

- (1) A minimum of 30 hours in Basic Appraisal Principles;
- (2) A minimum of 30 hours in Basic Appraisal Procedures;
- (3) A minimum of 30 hours in General Appraiser Market Analysis and Highest and Best Use;
- (4) A minimum of 15 hours in Statistics, Modeling Modeling, and Finance;
- (5) A minimum of 30 hours in General Appraiser Sales Comparison Approach;
- (6) A minimum of 30 hours in General Appraiser Site Valuation and Cost Approach;
- (7) A minimum of 60 hours in General Appraiser Income Approach;
- (8) A minimum of 30 hours in General Appraiser Report Writing and Case Studies;
- (9) A minimum of 30 hours of appraisal subject matter electives; and
- (10) A minimum of 15 hours in The Uniform Standards of Professional Appraisal Practice (USPAP).

~~Credit for all courses must be earned from a Board approved course sponsor or school, and all courses shall comply with the course content standards prescribed in Rule .0302 of this Subchapter.~~

(b) An applicant who is currently registered with the Board as a trainee shall satisfy the educational requirements to become a general real estate appraiser by completing the following education:

- (1) A minimum of 30 hours in General Appraiser Market Analysis and Highest and Best Use;
- (2) A minimum of 15 hours in Statistics, Modeling Modeling, and Finance;
- (3) A minimum of 30 hours in General Appraiser Sales Comparison Approach;
- (4) A minimum of 30 hours in General Appraiser Site Valuation and Cost Approach;
- (5) A minimum of 60 hours in General Appraiser Income Approach; ~~and~~
- (6) A minimum of 30 hours in General Appraiser Report Writing and Case Studies; and
- (7) A minimum of 30 hours of appraisal subject matter electives.

(c) An applicant who is currently licensed with the Board as a licensed residential real estate appraiser shall satisfy the educational requirements to become a general real estate appraiser by completing the following education:

- (1) A minimum of 15 hours in General Appraiser Market Analysis and Highest and Best Use;
- (2) A minimum of 15 hours in Statistics, Modeling Modeling, and Finance;
- (3) A minimum of 15 hours in General Appraiser Sales Comparison Approach;
- (4) A minimum of 15 hours in General Appraiser Site Valuation and Cost Approach;
- (5) A minimum of 45 hours in General Appraiser Income Approach;
- (6) A minimum of 15 hours in General Appraiser Report Writing and Case Studies; and
- (7) A minimum of 30 hours of appraisal subject matter electives.

(d) An applicant who is currently certified with the Board as a certified residential real estate appraiser shall satisfy the educational requirements to become a general real estate appraiser by completing the following education:

- (1) A minimum of 15 hours in General Appraiser Market Analysis and Highest and Best Use;
- (2) A minimum of 15 hours in General Appraiser Sales Comparison Approach;
- (3) A minimum of 15 hours in General Appraiser Site Valuation and Cost Approach;
- (4) A minimum of 45 hours in General Appraiser Income Approach; and
- (5) A minimum of 10 hours in General Appraiser Report Writing and Case Studies.

(e) Credit for the courses required by this Rule shall be earned from a Board-approved course sponsor or school, and all courses shall comply with the course content standards prescribed in Rule .0302 of this Subchapter.

~~(e)~~ (f) An applicant who is not currently registered by the Board as a trainee or who is not currently licensed or certified by the Board as a licensed residential or certified residential real estate appraiser must have completed all the required courses no earlier than January 1, 2008.

~~(f)~~ (g) An applicant who is currently registered by the Board as a trainee or who is not currently licensed or certified by the Board as a licensed residential or certified residential real estate appraiser must have completed all courses required beyond those required for his or her current registration, licensure or certification no earlier than January 1, 2008.

~~(g) The Basic Appraisal Principles, Basic Appraisal Procedures, USPAP, and General Appraiser Income Approach classes must have been obtained in a classroom setting. All other courses in this section may be taken on line via the Internet.~~

*History Note: Authority G.S. 93E-1-6(c); 93E-1-8(a); 93E-1-10;
Eff. July 1, 1994;
Amended Eff. July 1, 2018; January 1, 2013; July 1, 2010; September 1, 2008; January 1, 2008;
March 1, 2007; July 1, 2003; August 1, 2002.*

21 NCAC 57B .0613 is amended with changes as published in 32:14 NCR 1399 as follows:

21 NCAC 57B .0613 PAYMENT OF FEE REQUIRED BY G.S. ~~93E-1-7(e)~~ 93E-1-7(b1)

Schools and course sponsors who are required by ~~G.S. 93E-1-7~~ 93E-1-7(b1) to pay a fee to the Board for each licensee completing an approved continuing education course conducted by the school or course sponsor shall remit the fee to the Board ~~along with the roster and evaluations required by Rule .0606(10) and .0608 of this Subchapter.~~
within 30 days after the date the course is completed.

*History Note: Authority G.S. 93E-1-8(c),(d); 93E-1-10;
Eff. September 1, 2008.
Amended eff. July 1, 2018.*

21 NCAC 57C .0101 is readopted with changes as published in 32:14 NCR 1399 as follows:

21 NCAC 57C .0101 FORM OF COMPLAINTS AND OTHER PLEADINGS

(a) ~~There is no specific form required for complaints. To be sufficient, a complaint~~ Complaints shall be in writing, identify the trainee, appraiser, or appraisal management company, identify the Complainant by name, provide a physical address and contact information for the Complainant, and ~~shall apprise the Board of state~~ the facts ~~which~~ that form the basis of the complaint.

(b) When ~~investigating a complaint, the Board investigates~~ a complaint, the scope of the investigation ~~is not shall~~ not be limited to the persons or transactions described or alleged in the complaint.

(c) ~~Persons who make complaints~~ Complainants are not parties to contested cases heard by the Board, but may be witnesses in the cases.

(d) There is no specific form required for answers, motions, or other pleadings submitted prior to the hearing relating to contested cases before the Board, except they shall be in writing. ~~To be sufficient, the~~ The document shall identify the file number and state ~~must identify the case to which it refers and apprise the Board of~~ the matters it alleges, answers, or requests. ~~In lieu of submission in writing, motions, requests, and other pleadings~~ Motions may be made on the record during the course of the hearing before the Board.

(e) During the course of an investigation of a licensee, the Board, through its legal counsel or staff, may send a trainee, appraiser, or appraisal management company one or more ~~Letters of Inquiry~~ letters of inquiry requesting a ~~response from~~ the trainee, appraiser, or appraisal management ~~company. company to respond.~~ The initial ~~Letter of Inquiry, letter of inquiry,~~ or attachments thereto, shall set forth the subject matter being investigated. Upon receipt of a ~~Letter of Inquiry letter of inquiry,~~ the trainee, appraiser, or appraisal management company shall respond within ~~thirty~~ 30 calendar days. The response shall include copies of all documents requested in a ~~Letter of Inquiry, letter of inquiry.~~

(f) Hearings in contested cases before the Board ~~are shall be~~ governed by the provisions of Article 3A of Chapter 150B of the General Statutes.

(g) A complaint shall not be accepted if the applicable time period for retention of the work file for that appraisal assignment pursuant to the Recordkeeping Rule of the Uniform Standards of Professional Appraisal Practice has expired. This Section does not apply to complaints involving the actions outlined in G.S 93E-1-12(b)(1),(2),(4), and ~~(5) (5).~~

*History Note: Authority G.S. 93E-1-10; 93E-1-12; 93E-2-3; 93E-2-8;
Eff. July 1, 1994;
Amended Eff. July 1, 2014; January 1, 2011; July 1, 2003; August 1, 2002.
Readopted Eff. July 1, 2018*

21 NCAC 57D .0202 is amended with changes as published in 32:14 NCR 1398 as follows:

21 NCAC 57D .0202 REGISTRATION RENEWAL

(a) All registrations ~~shall~~ expire on ~~June 30, 2012 and every~~ June 30 of each ~~year thereafter~~ year, unless renewed before that time. The renewal period shall be from May 1 through June 30 of each year.

(b) A holder of an appraisal management company registration desiring the renewal of ~~such~~ registration shall apply in writing ~~upon the form provided by the Board~~ and shall forward the renewal fee. The renewal fee shall be two thousand dollars (\$2000). The renewal fee is not ~~refundable under any circumstances.~~ refundable.

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

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

*History Note: Authority G.S. 93E-2-3; 93E-2-6;
Eff. January 1, 2011;
Amended Eff. July 1, 2018; July 1, 2014.*

21 NCAC 57D .0303 is readopted with changes as published in 32:14 NCR 1399 as follows:

21 NCAC 57D .0303 COMPLIANCE MANAGER

(a) A compliance manager shall be designated with the Board for each appraisal management company. The compliance manager shall be a certified real estate appraiser certified under G.S. 93E, Article I ~~of this chapter~~ or in another state.

(b) An appraisal management company shall file an application with the Board for approval of the designated compliance manager. This application shall provide the Board with ~~information such as~~ the compliance manager's name, mailing and physical address, and phone and email contact information, and shall be signed by the designated compliance manager. The application may be accessed at the Board's website at www.ncappraisalboard.org.

(c) The designated compliance manager shall obtain a criminal records check pursuant to 93E-2-11. Applicants shall pay all required fees to perform the check. This records check shall have been performed within 60 days of the date the completed application is received by the Board. The criminal records check results must be attached to the application for approval as a compliance manager.

(d) The designated compliance manager is responsible for:

- (1) ~~notifying the notification to~~ the Board of any change of trade name or contact information of the appraisal management company and the registration of any assumed business name adopted by the appraisal management company for its use;
- (2) the retention and maintenance of records relating to appraisals conducted by or on behalf of the appraisal management company;
- (3) the maintenance of a record of all appraisers in North Carolina who perform appraisals for the appraisal management company, including a log of payments to appraisers; and
- (4) the conduct of advertising of appraisal management services by or in the name of the appraisal management ~~company; company.~~

(e) If an appraisal management company intends to change its compliance manager, it must submit an application for approval of the new compliance manager at least 10 business days before the effective date of the change. ~~The form may be accessed at the Board's website at www.appraisalboard.org. [www.ncappraisalboard.org.]~~

(f) If a compliance manager leaves the appraisal management company and the company is unable to give at least 10 days' notice of the change, the company shall have 15 business days from the date the compliance manager leaves to obtain a new compliance manager.

*History Note: Authority G.S. 93E-2-3; 93E-2-4(b); 93E-2-5;
Eff. January 1, 2011;
Amended Eff. July 1, 2014.
Readopted Eff. July 1, 2018*

21 NCAC 57D .0311 is readopted with changes as published in 32:14 NCR 1400 as follows:

21 NCAC 57D .0311 REMOVAL OF AN APPRAISER FROM AN APPRAISAL PANEL

(a) If an appraisal management company decides to remove an independent appraiser from its list of qualified appraisers, the appraisal management company shall notify the appraiser in writing of the reason for removal.

(b) Such notice shall be sent to the appraiser by any ~~established~~ method that provides proof of delivery, including ~~but not limited to~~ registered mail, return receipt requested.

(c) If applicable, the notice shall include a description of the appraiser's illegal conduct, substandard performance, or otherwise improper or unprofessional behavior, or of any violation of the Uniform Standards of Professional Appraisal Practice or ~~state~~ State licensing standards.

(d) The appraisal management company shall also notify the appraiser of any dispute resolution process that it may have in place through which the appraiser may dispute the removal.

(e) An appraisal management company shall not remove an appraiser from its panel in retaliation for the appraiser filing a complaint with the Board against the company.

*History Note: Authority G.S. 93E-2-3; 93E-2-7(a);
Eff. January 1, 2011;
Amended Eff. January 1, 2013.
Readopted Eff. July 1, 2018*