REQUEST FOR TECHNICAL CHANGE

AGENCY: NC APPRAISAL BOARD

RULE CITATION: 21 NCAC 57A .0201

**DEADLINE FOR RECEIPT: FRIDAY, OCTOBER 12, 2012**

***NOTE WELL: This request when viewed on computer may extend several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (b) line 9 please change “or a GED” to “or its equivalent” after “high school diploma” to comply with G.S. 93E-1-6(a)(1)a. In addition if you wish to add that a GED is considered equivalent to a high school diploma that would be acceptable.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC APPRAISAL BOARD

RULE CITATION: 21 NCAC 57A .0202

**DEADLINE FOR RECEIPT: FRIDAY, OCTOBER 12, 2012**

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (c) the punctuation or formatting needs to be redone. I would suggest either formatting as follows:*

*(c) The inquiry into… consideration of whether the applicant has:*

 *(1) had any disciplinary action … ;*

 *(2) committed or done any act which, … ; or*

 *(3) been convicted of or pleaded guilty to ….*

*In the alternative if a continuous sentence were preferred I would suggest rewriting (c) as suggested above and removing the colon after “has:” and the sub-paragraph designations (1) – (3).*

*It certainly appears that you have the authority to designate a particular (for profit) business to conduct the record check. I would suggest that it might be wise to determine whether this is the most appropriate method to designate or conduct the record check, especially if there are other businesses doing this at equal or lesser costs to the applicant.*

*I would suggest adding to and rewriting (e) lines 20 and 21 as follows: “… is in question shall be sent by the Board in writing, by certified mail, ….”*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC APPRAISAL BOARD

RULE CITATION: 21 NCAC 57A .0211

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (a) line 9 it appears that there is new language in the rule and if so that should be underlined.*

*In (b) line 12 it appears that “of application” should be changed to “application.”*

*I will make the same suggestion concerning the single record check agency in (c) as I did in the previous request.*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC APPRAISAL BOARD

RULE CITATION: 21 NCAC 57B .0605

**DEADLINE FOR RECEIPT: FRIDAY, OCTOBER 12, 2012**

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*If I understand the purpose and intent of the rule amendment, I would suggest changing the last sentence to read: “No continuing education credit shall be given for courses taken before the most recent registration, license or certification the applicant has attained” or similar language.*

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If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC APPRAISAL BOARD

RULE CITATION: 21 NCAC 57B .0611

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (a) line 4 it appears you omitted including the close parenthesis symbol after “update course.” Please correct and be sure to use the proper formatting to show the correction and change.*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC APPRAISAL BOARD

RULE CITATION: 21 NCAC 57D .0102

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (b) line 7 I believe that “thirty five” should be “thirty-five” and the formatting of “($3500)” should be “($3,500).” Please be sure to use correct formatting to show changes.*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC APPRAISAL BOARD

RULE CITATION: 21 NCAC 57D .0311

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*In (b) line 7 either delete or define “clear.”*

*In (d) line 12 you should also reverse the location of “It” and “the appraisal management company.”*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC APPRAISAL BOARD

RULE CITATION: 21 NCAC 57D .0312

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*While I do believe you have authority for the provision in (3) allowing a request to be sent “by electronic means” I wonder if this might lead to further contention over whether an electronic means such as email was actually sent if anyone contested the issue. It seems to me that it is extremely difficult to prove that an email was actually sent or received by either party.*

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Joseph J. DeLuca, Jr.

Commission Counsel