

**REQUEST FOR § 150B-21.10 CHANGES**

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57A .0201

**DEADLINE FOR RECEIPT: Friday, June 10, 2022**

***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 email the reviewing attorney to inquire concerning the staff recommendation.

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

*Paragraph (a), there may be an extra space between "Property" and "Appraiser" at the end of line 8.*

Please retype the rule accordingly and resubmit it to our office electronically.

Lawrence R. Duke  
Commission Counsel  
Date submitted to agency: June 6, 2022

21 NCAC 57A .0201 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**SECTION .0200 – TRAINEE REGISTRATION AND APPRAISER LICENSING AND CERTIFICATION**

**21 NCAC 57A .0201 QUALIFICATIONS FOR TRAINEE REGISTRATION AND APPRAISER  
LICENSURE AND CERTIFICATION**

(a) Applicants for trainee registration, licensure as a licensed residential real estate appraiser, and for certification as a certified real estate appraiser shall satisfy the qualification requirements set forth in the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board, which is hereby incorporated by reference, including subsequent amendments and editions and can be found at [www.appraisalfoundation.org](http://www.appraisalfoundation.org) at no cost.

(b) Applicants for licensure or certification who are currently registered trainees shall submit a copy of their complete appraisal log in accordance with ~~Rule .0407(e)~~ Rule .0407(d) of this Subchapter. Applicants for certification who are currently licensed or certified appraisers shall submit an appraisal log showing that they possess the amount and length of experience as set forth in the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board. All applicants for licensure or certification shall provide to the Board copies of appraisal reports and work files in order for an appraisal to be given experience credit.

(c) As an alternative to the requirements in paragraph (b), applicants for licensure or certification shall complete the requirements of the Practical Applications of Real Estate Appraisal (PAREA) of the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board, and shall submit a certificate of completion.

~~(d)~~ (d) When a trainee or a licensed real estate appraiser becomes a certified real estate appraiser, his or her previous registration or licensure shall be canceled by the Board. When a certified residential real estate appraiser becomes certified as a general real estate appraiser, his or her previous certification shall be canceled by the Board.

~~(e)~~ (e) In the event that the Board requests that an applicant submit updated information or provide further information that the Board determines is necessary in order for the applicant to complete the application and the applicant fails to submit the requested information within 90 days following the Board's request, the Board will void the application. ~~shall defer the applicant's application until the applicant requests a hearing. An applicant whose application has been deferred and does not request a hearing and who wishes to obtain a registration, license, or certificate voided shall start the licensing process over by filing a complete application with the Board and paying all required fees, as set forth in G.S. 93E-1-6.~~

~~(f)~~ (f) If an applicant has an open complaint before the North Carolina Appraisal Board or an appraiser licensing board from any other state, the application shall be accepted but no further action shall be taken on the application until the complaint is resolved. If the applicant has any pending criminal charges in this or any state, they shall be reviewed as set forth in G.S. 93B-8.1.

(g) An applicant may request that his or her application be withdrawn at any time before final action is taken by the Appraisal Board on the application.

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*History Note: Authority G.S. 93E-1-6; 93E-1-10; 93B-8.1;*  
*Eff. July 1, 1994;*  
*Amended Eff. July 1, 2014; January 1, 2013; July 1, 2010; September 1, 2008; January 1, 2008;*  
*March 1, 2007; April 1, 2006, July 1, 2005; August 1, 2002; April 1, 1999;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*  
*2017;*  
*Amended Eff. July 1, 2022; June 1, 2020; May 1, 2020.*

**REQUEST FOR § 150B-21.10 CHANGES**

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57A .0203

**DEADLINE FOR RECEIPT: Friday, June 10, 2022**

***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 email the reviewing attorney to inquire concerning the staff recommendation.

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

*Throughout this Rule, oxford commas are preferred. It may be the better practice to have: "registration, license, or certificate", whether in the title, or on lines 5, 6, 10, 19, and 20.*

Please retype the rule accordingly and resubmit it to our office electronically.

Lawrence R. Duke  
Commission Counsel  
Date submitted to agency: June 6, 2022

21 NCAC 57A .0203 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57A .0203      REGISTRATION, LICENSE AND CERTIFICATE RENEWAL**

(a) All registrations, licenses and certificates expire on June 30 of each year unless renewed before that time.

(b) A holder of a trainee registration, an appraiser license or certificate ~~desiring the~~ applying to renew ~~renewal of~~ such registration, license or certificate shall apply for ~~same~~ renewal in writing upon the form provided by the Board or log into the licensee login section on the Board's website and shall ~~forward~~ pay the renewal fee as prescribed in G.S. 93E-1-7(a). Forms are available ~~upon request to the Board~~ on the Board's website at [www.ncappraisalboard.org](http://www.ncappraisalboard.org). The renewal fee is not refundable ~~under any circumstances~~ after July 1.

(c) All trainees, licensees and certificate holders, either resident or non-resident, who are required by G.S. 93E-1-7 to complete continuing education as a condition of renewal, ~~must~~ shall satisfy the continuing education requirements set forth in Rule .0204 of this Section.

(d) An applicant for renewal who initially qualified for ~~his license or certificate by~~ licensure or certification pursuant to Rule .0211 of this Section, ~~with another state may keep that license or certificate even if the applicant has moved to a different state, as long as the North Carolina license or certificate is continuously renewed pursuant to this section.~~ Such an applicant for renewal does not have ~~is not required~~ to maintain licensure with the appraiser regulatory authority of the other state upon whose qualification requirements the license or certificate was granted. in order to renew the license in North Carolina.

(e) Any person who acts or holds himself out as a registered trainee, licensed or certified real estate appraiser while his trainee registration, appraiser license or certificate is expired shall be subject to disciplinary action and penalties as prescribed in G.S. 93E.

*History Note      Authority G.S. 93E-1-7(a),(b); 93E-1-10;*

*Eff. July 1, 1994;*

*Amended Eff. January 1, 2013; January 1, 2008; March 1, 2007; March 1, 2006; August 1, 2002;  
April 1, 1999;*

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

*Amended Eff. July 1, 2022.*

21 NCAC 57A .0204 is amended as published in 36:16 NCR 1395-1408 with changes 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, have obtained continuing education, as required by this Rule. Trainees and appraisers who initially registered with the Board after January 1 of an odd numbered year are not required to ~~show~~ obtain continuing education ~~credit~~ for renewal of their registration in that odd numbered year.

(b) Each trainee, licensee, and certificate holder who is required to ~~complete~~ obtain continuing education pursuant to Paragraph (a) of this Rule shall complete 28 hours of continuing education before June 1 of every odd numbered year. Except as provided in Paragraphs (g) and (h) of this Rule, such education shall have been obtained by taking courses approved by the Board for continuing education credit ~~purposes~~, at schools approved by the Board to offer such courses, as set forth in 21 NCAC 57B .0603. Such education shall relate to real estate appraisers maintaining and increasing their skill, knowledge, and competency in real property appraising. There is 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~~ appraiser, since the issuance or most recent renewal of their registration, license, or certificate. 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 shall ~~involve~~ include a minimum of ~~three and one-half~~ two 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; or accounting—~~ as set forth in the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board. ~~The trainee, licensee, or certificate holder shall attend at least 90 percent of the scheduled classroom hours for the course in order to receive credit for the course.~~

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

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

(f) Course sponsors shall provide a certificate of course completion to each trainee, licensee, and certificate holder who completes a course, as set forth in 21 NCAC 57B .0603. In addition, course sponsors shall send to the Board a ~~certified~~ roster of all who completed the course. This roster shall be sent within 15 days of completion of the ~~course,~~ but not later than June 15 of each year. course. In order to renew a registration, license, or certificate in a timely

1 manner, the Board ~~must~~ shall receive proof of satisfaction of the continuing education requirement prior to processing  
2 a registration, license, or certificate renewal application. Proof of satisfaction shall be made by receipt of a roster from  
3 a school or course sponsor showing the courses completed by the applicant or by submission of an original certificate  
4 of course completion. If proof of having satisfied the continuing education requirement is not provided, the  
5 registration, license, or certificate shall expire and the trainee, licensee, or certificate holder shall be subject to the  
6 provisions of Rules .0203(e) and .0206 of this Section.

7 (g) A current or former trainee, licensee, or certificate holder may request that the Board grant continuing education  
8 credit for a course that has been completed ~~taken by the trainee, licensee, or certificate holder that~~ but is not approved  
9 by the Board, or for appraisal education activity equivalent to a Board approved course, by making such request and  
10 submitting a non-refundable fee of fifty dollars (\$50.00) as set out in G.S. 93E-1-8(d) for each course or type of  
11 appraisal education activity to be evaluated. Continuing education credit for a non-approved course shall be granted  
12 only if the trainee, licensee, or certificate holder provides proof of course completion and the Board finds that the  
13 course satisfies the requirements for approval of appraisal continuing education courses with regard to subject matter,  
14 course length, instructor qualifications, and student ~~attendance~~ attendance, as set forth in 21 NCAC 57B .0603.  
15 Appraisal education activities for which credit may be awarded include teaching appraisal courses, authorship of  
16 appraisal textbooks, and development of instructional materials on appraisal subjects. Up to 14 hours of continuing  
17 education credit may be granted in each continuing education cycle for participation in appraisal education activities.  
18 Trainees, licensed or certified appraisers who have taught an appraisal course ~~or courses~~ approved by the Board for  
19 continuing education credit are deemed to have taken an equivalent course and are not subject to the fee prescribed in  
20 G.S. 93E-1-8(d), provided they submit verification of having taught the course(s). A trainee, licensee, or certificate  
21 holder who teaches a Board approved continuing education course shall not receive continuing education credit for  
22 the same course more than once every two years, regardless of how often he or she teaches the course. Requests for  
23 equivalent approval for continuing education credit shall be received before June 15 of an odd-numbered year to be  
24 credited towards the continuing education requirement for that odd-numbered year. ~~Equivalent approval shall be~~  
25 ~~granted only for courses that are 7 hours or longer, and shall only be granted for a minimum of 7 hours.~~

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

30 (i) A licensee or certificate holder who resides in another state, and is currently credentialed in another state, may  
31 satisfy the continuing education requirements by submitting an affidavit which lists the course provider, title, hours,  
32 and date of completion of all continuing education completed within the current continuing education cycle. The Board  
33 will audit no less than ten percent of licensees who renew with an affidavit. ~~and is active on the National Registry in~~  
34 ~~another state may satisfy the requirements of this Section, other than the seven-hour National USPAP update course~~  
35 ~~requirement in Paragraph (d) of this Rule, by providing a current letter of good standing from another state showing~~  
36 ~~that the licensee or certificate holder has met all continuing education requirements in the other state.~~ A licensee or  
37 certificate holder who became licensed in North Carolina by licensure or certification with another state and now

1 resides in North Carolina may renew by ~~letter of good standing~~ affidavit for his or her first renewal as a resident of  
2 North Carolina only if the appraiser moved to North Carolina on or after January 1 of an odd-numbered year. If an  
3 appraiser was a resident of this state before January 1 of an odd-numbered year, the appraiser shall comply with the  
4 requirements of this section regardless of how the license or certificate was obtained.

5 (j) A trainee, licensee, or certificate holder who returns from active military duty on or after February 1 of an odd-  
6 numbered year may renew his or her registration, license, or certificate in that odd-numbered year even if the required  
7 continuing education is not completed before June 1 of that year. All required continuing education shall be completed  
8 within 180 days of when the trainee, licensee, or certificate holder returns from active duty. The Board may revoke  
9 the registration, license, or certificate in accordance with 93E-1-12 if the required continuing education is not  
10 completed within 180 days. This Paragraph applies to an individual who is serving in the armed forces of the United  
11 States and to whom G.S. 105-249.2 grants an extension of time to file a tax return.

12  
13 *History Note:* Authority G.S. 93B-15; 93E-1-7(a); 93E-1-10;

14 *Eff. July 1, 1994;*

15 *Amended Eff. July 1, 2014; January 1, 2013; July 1, 2011; July 1, 2010; January 1, 2008; March*  
16 *1, 2007; March 1, 2006; July 1, 2005; July 1, 2003; 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. July 1, 2022; July 1, 2019; July 1, 2018.*  
20



21 NCAC 57A .0206 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

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

(a) Expired registrations, licenses, and certificates may be reinstated within 12 months after expiration upon application, payment to the Board of the renewal and late filing fees as set out in G.S. 93E-1-7, and ~~provision of~~ proof of having obtained the continuing education that would have been required had the registration, license, or certificate been ~~continuously~~ renewed.

(b) If a registration, license, or certificate has been expired for more than 12 months, but less than ~~24 months~~, five years, an applicant may apply for reinstatement. In order to be considered for reinstatement, the applicant shall pay the filing fee as set out in G.S. 93E-1-7 and include in the application proof that the applicant has obtained the continuing education that would have been required had the registration, license, or certificate been continuously renewed, which shall include the most recent edition of the seven hour National USPAP update, as required by the Appraiser Qualifications Board of the Appraisal Foundation. In addition, the Board shall consider whether the applicant for reinstatement has any prior or current disciplinary actions, and shall examine the applicant's fitness for registration, licensure, or certification before granting the request for reinstatement. A completed application for reinstatement shall be received by June 1 of the ~~second 12 months~~ fifth year after the registration, license, or certificate expired or it shall not be accepted.

(c) An application for reinstatement shall not be granted if the registration, license, or certificate has been expired for more than ~~24 months~~ five years.

(d) Reinstatement is effective on the date it is issued by the Board. It is not retroactive.

(e) A trainee or appraiser whose registration, license, or certification has expired and who is returning from active military duty may renew his or her registration, license, or certificate when the trainee or appraiser returns from active duty without payment of a late filing fee as long as the trainee or appraiser renews the registration, license, or certificate within 180 days of when the trainee or appraiser returns from active duty. This Rule applies to an individual who is serving in the armed forces of the United States and to whom G.S. ~~405-249.2~~ 105-249.2 grants an extension of time to file a tax return.

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

*Eff. July 1, 1994;*

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

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

*Amended Eff. July 1, 2022.*

**REQUEST FOR § 150B-21.10 CHANGES**

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57A .0208

**DEADLINE FOR RECEIPT: Friday, June 10, 2022**

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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 email the reviewing attorney to inquire concerning the staff recommendation.

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

*In Paragraph (a), oxford commas are preferred, and it may be the better practice to have: "registration, appraiser license, or certificate", line 5.*

Please retype the rule accordingly and resubmit it to our office electronically.

Lawrence R. Duke  
Commission Counsel  
Date submitted to agency: June 6, 2022

21 NCAC 57A .0208 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57A .0208      REPLACEMENT REGISTRATION, LICENSE AND CERTIFICATE FEES**

~~(a) A trainee, licensee or certificate holder may, by paying the fee prescribed in G.S. 93E-1-7(d) to the Board, obtain a duplicate trainee registration, appraiser license or certificate or pocket card to replace an original registration, license, or certificate or pocket card which that has been lost, damaged damaged, or destroyed or if the name of the trainee, licensee or certificate holder has been lawfully changed. The Request for Reissuance of Appraiser Wall Certificate is available on our website at [www.ncappraisalboard.org](http://www.ncappraisalboard.org). The Board, at its discretion, may require a trainee, licensee or certificate holder requesting a duplicate registration, license or certificate to submit an affidavit stating the reason for the request.~~

(b) The form shall include the following:

(1) the appraiser's name and signature;

(2) the appraiser's license number; and

(3) the appraiser's address.

*History Note: Authority G.S. 93E-1-7(d); 93E-1-10;*

*Eff. July 1, 1994;*

*Amended Eff. January 1, 2008; August 1, 2002; April 1, 1999;*

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

*Amended Eff. July 1, 2022.*

**REQUEST FOR § 150B-21.10 CHANGES**

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57A .0209

**DEADLINE FOR RECEIPT: Friday, June 10, 2022**

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

*On line 8, it would be better to mirror the statute as it relates to the fee: “the appropriate agency or instrumentality of the federal government.”*

Please retype the rule accordingly and resubmit it to our office electronically.

Lawrence R. Duke  
Commission Counsel  
Date submitted to agency: June 6, 2022

21 NCAC 57A .0209 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57A .0209 NATIONAL APPRAISER REGISTRY**

Licensees and certificate holders ~~who are qualified for enrollment in the national registry of licensed and certified real estate appraisers~~ may apply for enrollment in the national registry of licensed and certified real estate appraisers or for the renewal or reinstatement of such enrollment ~~upon a Board form~~ online through the licensee login section on the Board's website at [www.ncappraisalboard.org](http://www.ncappraisalboard.org). The ~~application form~~ enrollment ~~must~~ shall be accompanied by the fee specified in G.S. 93E-1-11(d) plus any additional fee that may be required by the appropriate federal ~~agency~~ agency ~~or instrumentality~~.

*History Note: Authority G.S. 93E-1-10; 93E-1-11(d);*

*Eff. July 1, 1994;*

*Amended Eff. January 1, 2008; March 1, 2007; August 1, 2002;*

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

*Amended Eff. July 1, 2022.*

**REQUEST FOR § 150B-21.10 CHANGES**

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57A .0210

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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 email the reviewing attorney to inquire concerning the staff recommendation.

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

*Paragraph (e), was “permit” left out of the last sentence: “contain a copy of the temporary practice [permit] number”?*

Please retype the rule accordingly and resubmit it to our office electronically.

Lawrence R. Duke  
Commission Counsel  
Date submitted to agency: June 6, 2022

21 NCAC 57A .0210 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57A .0210      TEMPORARY PRACTICE**

(a) A real estate appraiser who does not reside in North Carolina and who is licensed or certified by the appraiser licensing or certifying agency in another state may apply to receive temporary appraiser licensing or certification privileges in this State by filing an application with the Board. The application is available on the Board's website at [www.ncappraisalboard.org](http://www.ncappraisalboard.org). The application shall include:

- (1) the applicant's name, address, phone number, ~~email, date of birth, social security number, driver's license number, email;~~
- (2) license or certification number currently held in another state;
- (3) whether the applicant has had any disciplinary actions taken against them in connection with any appraiser, real estate, or other professional license held;
- (4) whether the applicant has ever been convicted of any criminal offense or has any criminal charges pending;
- (5) the projected beginning and ending date of the appraisal assignment;
- (6) a legal description of the subject properties and ~~state the~~ purpose of the appraisal assignment; and
- (7) the signature of the applicant.

(b) Upon filing a completed application accompanied by the fee prescribed in G.S. 93E-1-9(c), the Board shall consider whether an applicant's appraiser license or certification is or has been subject to discipline in their resident state or any other state, and shall consider all other information outlined in Rule .0202 of this Section, in determining whether to approve an application. If the application is approved, an applicant shall be granted a temporary practice permit by the Board authorizing the applicant to perform in this State the appraisal assignment described in the application, provided that the Board determines that the length of time projected by the applicant for completion of the assignment is reasonable given the scope and complexity of the assignment.

(c) Privileges granted under the provisions of this Rule shall expire upon the expiration date set forth in the temporary practice permit. If additional time is needed to complete the appraisal assignment, the permittee may request an extension of the temporary practice permit. The request shall be submitted and received by the Board prior to the expiration of the original practice permit, shall be in writing, and shall include the following:

- (1) temporary practice permit number;
- (2) the amount of additional time needed to complete the assignment; and
- (3) the reason the extension is necessary.

Upon receipt of the request, the Board shall extend the temporary practice privileges if it determines that additional time is needed to complete the assignment.

~~(d)~~ An applicant for a temporary practice permit shall not begin performing any appraisal work in this State until the temporary practice permit has been issued by the Board. The Board shall deny an applicant who begins work before the permit is issued.

1 ~~(d)~~ (e) Persons granted temporary practice privileges under this Rule shall only advertise or otherwise hold themselves  
2 out as being a North Carolina licensed or certified appraiser for the assignment for which they received the temporary  
3 practice permit. Any appraisal report for an appraisal of property located in North Carolina shall contain a copy of the  
4 temporary practice number for that assignment.

5 ~~(e)~~ (f) A trainee shall not apply for a temporary practice permit. The term "trainee" shall include apprentices and others  
6 who are licensed and regulated by a state agency to perform real estate appraisals under the supervision of a certified  
7 appraiser. If a trainee ~~does enter the State to inspect~~ not registered in this State inspects a property located in this State,  
8 the trainee shall be accompanied by the trainee's supervising appraiser. The trainee's supervisor shall be a North  
9 Carolina certified real estate appraiser. If not, the supervising appraiser shall be certified as a real estate appraiser in  
10 another state and shall receive a temporary practice permit for the assignment.

11  
12 *History Note: Authority G.S. 93E-1-9; 93E-1-10; 12 U.S.C. 3351(a);*

13 *Eff. July 1, 1994;*

14 *Amended Eff. July 1, 2014; September 1, 2008; January 1, 2008; March 1, 2007; July 1, 2005; July*  
15 *1, 2003; August 1, 2002; 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. July 1, 2022; May 1, 2020.*  
19



**REQUEST FOR § 150B-21.10 CHANGES**

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57B .0402

**DEADLINE FOR RECEIPT: Friday, June 10, 2022**

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

*On line 5, the current amendment deletes “paid” and leaves “payable”. Should the fee be “paid” or “payable”?*

Please retype the rule accordingly and resubmit it to our office electronically.

Lawrence R. Duke  
Commission Counsel  
Date submitted to agency: June 6, 2022

21 NCAC 57A .0402 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57A .0402      DISPLAY OF REGISTRATIONS, LICENSES AND CERTIFICATES**

(a) The original or a copy of the ~~trainee~~ registration, ~~real estate appraiser license~~ license, or certificate of a ~~trainee,~~  
~~licensed or certified real estate appraiser~~ shall be displayed at each of the trainee's or appraiser's places of business.

(b) The annual registration, ~~license~~ license, or certificate renewal ~~pocket card~~ issued by the Board to each trainee,  
~~licensed~~ licensed, or certified real estate appraiser shall be retained by the trainee, ~~licensee~~ licensee, or certificate  
holder as evidence of registration, ~~licensure~~ licensure, or certification.

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

*Eff. July 1, 1994;*

*Amended Eff. March 1, 2006; August 1, 2002; April 1, 1999;*

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

*Amended Eff. July 1, 2022.*

21 NCAC 57A .0404 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57A .0404      CHANGE OF NAME OR ADDRESS**

All trainees, licensees, and certificate holders shall notify the Board in writing of each change of business address, residence address, or name change within 10 days of the change. The trainee, licensee, or certificate holder shall submit the Request for Reissuance of Appraiser Wall Certificate ~~and Pocket Card~~ Due to Name Change form. The form shall be accompanied by the fee prescribed in G.S. 93E-1-7(d). The form may be found on the Board's website at [www.ncappraisalboard.org](http://www.ncappraisalboard.org), and shall include the following information:

- (1) licensee's previous name;
- (2) licensee's new name;
- (3) the date the name was legally changed;
- (4) signature, date, and license number; and
- (5) the legal documentation showing the name change.

*History Note:      Authority G.S. 93E-1-10;  
Eff. July 1, 1994;  
Amended Eff. August 1, 2002; April 1, 1999;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017;  
Amended Eff. July 1, 2022; May 1, 2020.*

21 NCAC 57A .0405 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

### **21 NCAC 57A .0405 APPRAISAL REPORTS**

(a) Each written appraisal report prepared by or under the supervision of a licensed or certified real estate appraiser shall bear the signature of the licensed or certified appraiser, the license or certificate number of the licensee or certificate holder in whose name the appraisal report is issued, and the designation "licensed residential real estate appraiser," "certified residential real estate appraiser," or "certified general real estate appraiser," as applicable. Each ~~such~~ appraisal report shall also ~~indicate state~~ whether or not the licensed or certified appraiser has personally inspected the property, and shall identify in the body of the report any other person who ~~assists~~ assisted in the appraisal process other than by providing clerical assistance. ~~Such identification must be placed in the body of the report.~~ Appraisers shall personally affix their signature to their appraisal reports and shall not allow any other person or entity to affix their signature. Trainees are not required to affix their signatures to appraisal reports, but if they do so, they must personally affix their signature and shall not allow any other person or entity to affix their signature. Trainees and appraisers shall sign their reports with the same name and in the same manner as it is printed on their ~~pocket cards.~~ license or certification.

~~(b) Every licensed and certified real estate appraiser shall affix or stamp to all appraisal reports a seal which shall set forth the name and license or certificate number of the appraiser in whose name the appraisal report is issued and shall identify the appraiser as a "licensed residential real estate appraiser", a "certified residential real estate appraiser", or as a "certified general real estate appraiser", as applicable. The seal must be legible, must conform to the seal authorized by the Board at time of initial licensure or certification, and must be a minimum of 1 inch in diameter. Appraisers shall personally affix their seal to their appraisal reports and shall not allow any other person or entity to affix their seal. Registered trainees are prohibited from using a seal on appraisal reports.~~

~~(c)~~ (b) A licensed or certified real estate appraiser who signs an appraisal report prepared by another person, in any capacity, is responsible for the content and conclusions of the report.

~~(d)~~ (c) A written appraisal report shall be issued on all real estate appraisals performed in connection with federally related transactions.

~~(e)~~ (d) Appraisers shall keep a log of all appraisals performed. The log shall contain the appraiser's license or certificate number, the street address of the subject property, the date the report was signed, the name of anyone assisting in the preparation of the ~~report~~ report, and the name of the client. These logs shall be updated at least every 30 days.

~~(f)~~ (e) Any appraiser who signs an appraisal report is entitled to make or retain a copy of that appraisal report, as long as the copy is made at the time the report is prepared. Any appraiser who signs an appraisal report ~~must~~ shall be given a copy of the appraisal report and the work file upon request for ~~the purpose~~ purposes of: of submission of the report and work file to the Appraisal ~~Board,~~ Board; compliance with due process of law, such as a ~~subpoena,~~ subpoena; submission to a peer review ~~committee,~~ committee; or in accordance with retrieval arrangements made by the appraiser and the person or entity retaining the report and work file.

~~(g)~~ (f) Appraisal reports transmitted electronically to clients shall be sent in a secure format, such as Adobe PDF.

1    *History Note:*    *Authority G.S. 93E-1-10;*  
2                            *Eff. July 1, 1994;*  
3                            *Amended Eff. July 1, 2011; July 1, 2010; September 1, 2008; January 1, 2008; March 1, 2007;*  
4                            *March 1, 2006; July 1, 2003; August 1, 2002; April 1, 1999;*  
5                            *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*  
6                            *2017;*  
7                            *Amended Eff. July 1, 2022.*  
8

21 NCAC 57A .0407 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

### **21 NCAC 57A .0407 SUPERVISION OF TRAINEES**

(a) A certified real estate appraiser may engage a registered trainee to assist in the performance of real estate appraisals. ~~appraisals, provided that the appraiser:~~ In the alternative, applicants for licensure or certification may complete the requirements of the Practical Applications of Real Estate Appraisal (PAREA) of the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board, and submit a certificate of completion.

(b) If a certified real estate appraiser engages a registered trainee to assist in the performance of real estate appraisals, the appraiser shall:

(1) ~~has~~ have been certified for at least three years;

(2) ~~has have no more than three trainees working under his or her supervision at any one time; the number of trainees working under him or her at any one time as follows:~~

~~(A) — a certified residential appraiser may have two trainees working under his or her supervision at any one time. Once at least one of those trainees has completed 50 percent of the required appraisal experience, as set forth in G.S. 93E 1-6, a certified residential appraiser may add another trainee; and~~

~~(B) — a certified general appraiser may have three trainees working under his or her supervision.~~

(3) prior to the date any trainee begins performing appraisals under his or her supervision, the supervisor shall inform the Board of the name of the trainee by filing a Supervisor Declaration Form with the Board. The form may be found on the Board's website at [www.ncappraisalboard.org](http://www.ncappraisalboard.org). The supervisor shall also inform the Board when a trainee is no longer working under his or her supervision by ~~using~~ submitting a new the Supervisor Declaration Form. The form shall include the following information:

(A) the name and registration number of trainee;

(B) the name and certification number of supervisor;

(C) the date the trainee completed the supervisor/trainee course;

(D) the date the supervisor completed the supervisor/trainee course;

(E) whether the supervisor has had any disciplinary action within the past three years or pending complaints against his or her certification; and

(F) the signature of both the supervisor and trainee (only required for association).

(4) actively and personally ~~supervises~~ supervise the trainee on all appraisal reports and appraisal related activities until the trainee is no longer under his or her supervision;

(5) ~~reviews~~ review all appraisal reports and supporting data used in connection with appraisals in which the services of a trainee is utilized, and assures that research of general and specific data has been conducted and reported, application of appraisal principles and methodologies has been applied, and

that any analysis, opinions, or conclusions are developed and reported so that the appraisal report is not misleading;

(6) ~~complies~~ comply with all provisions of Rule .0405 of this Section regarding appraisal reports;

(7) ~~reviews and signs~~ review and sign the trainee's log of appraisals prepared in accordance with Paragraph ~~(e)~~ (d) of this Rule. The supervisor shall make available to the trainee a copy of every appraisal report where the trainee ~~performs more than 75 percent of the work~~ documents appraisal experience on their experience log and the trainee's contribution is noted in the appraisal report, or the trainee signs the appraisal report; on the appraisal; and

(8) ~~has not~~ have received any disciplinary action against his or her appraisal certificate from the State of North Carolina or any other state within the previous three years. For the purposes of this Subparagraph, "disciplinary action" means an active suspension, a downgrade of a credential, a revocation, or any other action that restricts a supervisor's ability to engage in appraisal practice.

~~(b)~~ (c) "Active and personal supervision" includes direction, guidance, and support from the supervisor. The supervising appraiser shall have input into and knowledge of the appraisal report prior to its completion, and shall make any changes to the report before it is transmitted to the client. In addition, the supervisor shall accompany the trainee on the inspections of the subject property on the first ~~5025~~ appraisal assignments or the first ~~1500~~ 750 hours of experience, whichever comes ~~first~~ first, for which the trainee will perform more than 75 percent of the work, for which the trainee either signs the appraisal report or is noted as providing significant appraisal assistance in the report, in compliance with Standard Rule 2(a) and Standard Rule 2(b) of the Uniform Standards of Professional Appraisal Practice. After that point, the trainee may perform the inspections without the presence of the supervisor provided that the supervisor is satisfied that the trainee is competent to perform those ~~inspections, and that the subject property is less than 50 miles from the supervisor's primary business location. The supervisor shall accompany the trainee on all inspections of subject properties that are located more than 50 miles from the supervisor's primary business location-inspections.~~

~~(e)~~ (d) An appraisal experience log shall be maintained jointly by the supervisor and the trainee. Both the supervisor and the trainee are responsible for maintaining the experience log and ensuring that it is accurate, current, and includes the following:

- ~~(1) — the type of property appraised;~~
- ~~(2) — the type of appraisal performed;~~
- ~~(3) — the date the report was signed;~~
- ~~(4) — the complete street address of appraised property;~~
- ~~(5) — a description of the work performed by the trainee;~~
- ~~(6) — the scope of review and supervision of the supervisor, including whether the supervisor accompanied the trainee on the inspection of the subject property;~~
- ~~(7) — the number of actual work hours by the trainee on the assignment; and~~
- ~~(8) — the signature and state certification number of the supervisor.~~
- (1) — the applicant's name and signature;

- (2) the supervisor's name and signature;
- (3) the supervisor's certificate number;
- (4) the date the supervisor signed the log;
- (5) the subject property address;
- (6) the date the appraisal report was signed;
- (7) the report type, such as an appraisal report, a restricted appraisal report, or the type of reporting form used;
- (8) the client's name;
- (9) the applicant's file number for the appraisal assignment, if any;
- (10) the number of actual work hours by the trainee applicant on the assignment;
- (11) whether the supervisory appraiser accompanied the applicant on the inspection of the subject property; and
- (12) a description of the work performed by the applicant and his or her supervisor on each assignment.

The log shall be updated at least every 30 days. A separate log shall be maintained for each supervising appraiser. A log form is available on the Board's website at [www.ncappraisalboard.org](http://www.ncappraisalboard.org).

~~(d) (e)~~ An appraiser shall complete the supervisor course developed by the North Carolina Appraisal Board attend an education program regarding the role of a supervisor before any supervision of a trainee. prior to supervising any trainees. This course shall be taught only by instructors approved by the Board in accordance with 21 NCAC 57B .0614.

~~(e) (f)~~ Trainees shall ensure that the Appraisal Board has received the Supervisor Declaration Form on or before the day the trainee begins assisting the supervising appraiser by contacting the Board by telephone or email at [ncab@ncab.org](mailto:ncab@ncab.org). The form may be found on the Board's website at [www.ncappraisalboard.org](http://www.ncappraisalboard.org). Trainees shall not receive appraisal experience credit for appraisals performed in violation of this Paragraph.

~~(f) (g)~~ Supervising appraisers shall not be employed by a trainee or by a company, firm, or partnership in which the trainee has a controlling interest.

~~(g) (h)~~ If a trainee signs an appraisal report or provides assistance in the appraisal process and is noted in the report as having provided assistance, the appraiser signing the report shall have notified the Appraisal Board before the appraisal is signed that he or she is the supervisor for the trainee. If more than one appraiser signs the report, the appraiser with the highest level of credential shall be the declared supervisor for the trainee. If all appraisers signing the report have the same level of credential, at least one of them shall be declared as the trainee's supervisor before the report is signed.

~~(h) (i)~~ Only one trainee may receive credit for providing real property appraisal assistance on an appraisal report.

*History Note: Authority G.S. 93E-1-6.1; 93E-1-10; 93E-1-12;*

*Eff. July 1, 1994;*

*Amended Eff. January 1, 2015; July 1, 2014; January 1, 2013; July 1, 2010; September 1, 2008;*

*January 1, 2008; March 1, 2007; March 1, 2006; July 1, 2005; August 1, 2002; April 1, 1999;*



1                   *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*  
2                   *2017;*  
3                   *Amended Eff. July 1, 2022; May 1, 2020; July 1, 2019.*  
4

21 NCAC 57A .0501 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

### SECTION .0500 – STANDARDS OF APPRAISAL PRACTICE

#### 21 NCAC 57A .0501 APPRAISAL STANDARDS

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

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

(b) A copy of USPAP may be obtained from the Appraisal Foundation at <https://www.appraisalfoundation.org>. The cost for a copy of USPAP is seventy-five dollars (\$75.00).

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

*Eff. July 1, 1994;*

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

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

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

21 NCAC 57A .0601 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

### **SECTION .0600 - EXPERIENCE CREDIT**

#### **21 NCAC 57A .0601      EXPERIENCE CREDIT TO UPGRADE**

Applicants for licensure or certification shall meet the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board. An applicant shall obtain the required experience by performing or reviewing appraisals using appraisal methods and processes that are employed by real estate appraisers and shall comply with the edition of the USPAP in effect at the time of the appraisal, in addition to meeting the applicable requirements set forth in this Section. In the alternative, applicants for licensure or certification may complete the requirements of the Practical Applications of Real Estate Appraisal (PAREA) of the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board, and submit a certificate of completion.

*History Note:      Authority G.S. 93E-1-10;  
                            Eff. July 1, 2016;  
                            Amended Eff. July 1, 2022; May 1, 2020.*

21 NCAC 57A .0604 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57A .0604      TYPES OF APPRAISAL EXPERIENCE**

(a) An applicant may receive experience credit for standard appraisals, ~~supervising appraiser's reviews, and review appraisals, and condemnation demonstration appraisals.~~ In the alternative, applicants for licensure or certification may complete the requirements of the Practical Applications of Real Estate Appraisal (PAREA) of the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board, and submit a certificate of completion.

~~(b) If the applicant performed at least 75 percent of the work associated with an appraisal, including a field inspection and preparation of the appraisal report, full credit shall be given for that appraisal. Except as provided in Paragraphs (d) and (e) of this Rule, no credit shall be awarded if the applicant performed less than 75 percent of the work on an appraisal.~~

(c) A "standard appraisal" ~~means~~ is the process of developing an appraisal in accordance with Standard Rule 1 of USPAP and preparing a written appraisal report or file memorandum describing the appraisal and reporting the estimate of value.

~~(d) A "supervising appraiser's review" means the process of reviewing an appraisal report prepared by an affiliated appraiser and signing the appraisal report, including signing as "review appraiser" on a Uniform Residential Appraisal Report form. It shall not include signing a report that a real estate appraiser trainee has prepared.~~

~~(e)~~(d) A "review appraisal" ~~means~~ is the process of reviewing an appraisal report prepared by another appraiser and preparing a separate written appraisal report or file memorandum setting forth the results of the review process. ~~No more than 50 percent of an applicant's appraisal experience credit shall be from preparing review appraisals.~~

~~(f) A "condemnation appraisal" means an appraisal of real property for eminent domain proceedings where a partial taking is involved and the appraiser must develop both a "before taking" and an "after taking" value.~~

~~(g)~~(e) A "demonstration appraisal" ~~means~~ is an appraisal performed without a client. ~~No more than 25 percent of the applicant's experience shall be from preparing demonstration appraisals.~~ If a trainee performs a demonstration appraisal, the trainee's supervisor shall sign the appraisal in order for the trainee to receive experience credit for it.

*History Note:      Authority G.S. 93E-1-10;  
                             Eff. July 1, 2016;  
                             Amended Eff. July 1, 2022.*

21 NCAC 57A .0605 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57A .0605      REPORTING APPRAISAL EXPERIENCE**

(a) Applicants shall use the Appraisal Board's Appraisal Experience Log to report appraisal ~~experience.~~ experience,  
or in the alternative, applicants shall complete the requirements of the Practical Applications of Real Estate Appraisal  
(PAREA) of the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's  
Appraiser Qualifications Board, and shall submit a certificate of completion. The appraisal experience log is available  
on the Board's website at [www.ncappraisalboard.org](http://www.ncappraisalboard.org).

(b) The Log shall contain the following:

- (1) the applicant's name and signature;
- (2) the supervisor's name and signature;
- (3) the supervisor's certificate number;
- (4) the date the supervisor signed the log;
- (5) the subject property address;
- (6) the date the appraisal report was signed;
- (7) the report ~~type~~ type, such as an appraisal report, a restricted appraisal report, or the type of reporting  
form used;
- (8) the client's name;
- (9) the applicant's file number for the appraisal assignment, if any;
- (10) the number of actual work hours by the trainee applicant on the assignment; ~~requested for appraisal  
experience;~~
- (11) whether the supervisory appraiser accompanied the applicant on the inspection of the subject  
property; and
- (12) a description of the work performed by the applicant and his or her supervisor on each assignment.

(c) Applicants shall retain copies of all appraisals and their associated work files in accordance with the Record  
Keeping Rule of USPAP to support all appraisal experience reported on the log.

*History Note:      Authority G.S. 93E-1-6.1; 93E-1-10;*  
*Eff. July 1, 2016;*  
*Amended Eff. July 1, 2022; September 1, 2019.*

21 NCAC 57B .0101 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

## **SUBCHAPTER 57B - REAL ESTATE APPRAISAL EDUCATION**

### **SECTION .0100 - COURSES REQUIRED FOR REGISTRATION, LICENSURE AND CERTIFICATION**

#### **21 NCAC 57B .0101 REGISTERED TRAINEE COURSE REQUIREMENTS**

(a) Each applicant for registration as a trainee shall meet the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board.

(b) The Board shall approve all course sponsors, schools, and course content that qualify for credit. These courses shall be completed within the five-year period immediately preceding the date when application for registration is made to the Board by the applicant.

~~(c) Basic Appraisal Principles shall be a prerequisite to taking Basic Appraisal Procedures, and Basic Appraisal Procedures shall be a prerequisite to taking the 15 hour USPAP course.~~

~~(d) These courses shall be obtained in a classroom setting. No credit shall be given for these courses taken by any other method, such as correspondence school courses or online courses.~~

~~(e)~~ (c) Before the application may be granted by the Board, the applicant shall complete the ~~supervisor~~ supervisor-  
trainee course developed by the North Carolina Appraisal Board as set forth in ~~21 NCAC 57A .0407(d)~~ 21 NCAC  
57A.0407(e).

*History Note: Authority G.S. 93E-1-6(a); 93E-1-8(a); 93E-1-10;*

*Eff. July 1, 1994;*

*Amended Eff. January 1, 2015; January 1, 2013; July 1, 2010; September 1, 2008; January 1, 2008;*

*July 1, 2005; July 1, 2003; August 1, 2002;*

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

*Amended Eff. July 1, 2022; May 1, 2020.*

21 NCAC 57B .0210 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57B .0210 COURSE RECORDS**

Schools and course sponsors ~~must~~ shall:

- (1) retain on file for five years copies of all grade and attendance records for each approved course and ~~must shall~~ make such records available to the Board upon request;
- (2) retain on file for two years a master copy of each final course examination, ~~and such the file copy~~ which shall indicate include the answer key, course title, course ~~dates~~ dates, and name of instructor. Examination file copies shall be made available to the Board upon request;
- (3) within 15 days of course completion, ~~but not later than June 15 of each year,~~ submit to the Board a roster of all students who ~~satisfactorily~~ completed the course; and
- (4) provide each student with contact information for the Appraisal Board so that students may contact the Board with questions or concerns regarding the course.

*History Note: Authority G.S. 93E-1-8(a); 93E-1-10;*

*Eff. July 1, 1994;*

*Amended Eff. January 1, 2013; January 1, 2008; March 1, 2007; July 1, 2005; July 1, 2003; August 1, 2002;*

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

*Amended Eff. July 1, 2022.*

21 NCAC 57B .0303 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57B .0303 COURSE COMPLETION STANDARDS**

(a) Academic standards for course completion shall assure that students receiving a passing grade possess knowledge and understanding of the subject areas prescribed for the course. A student's grade shall be based on his or her performance on examinations, graded homework, and class work assignments.

(b) Course completion requirements shall include a comprehensive final examination that accounts for at least 50 percent of a student's grade for the course. ~~Take home or open~~ Open book final examinations shall be prohibited. Schools and course sponsors may, within 90 days of the course ending date, allow a student one opportunity to make up any missed course examination or to retake any failed course examination without repeating the course; however, any make up examination shall be comparable to the initial examination with regard to the number of questions and overall difficulty, and at least 75 percent of the questions in the make up examination shall be different from those used in the initial examination.

(c) The final examination shall be ~~proctored~~ proctored in person or remotely. ~~The~~ If in person, the proctor shall:

- (1) require photographic identification from the applicant, such as a driver's license or a passport;
- (2) not allow a student to bring ~~a~~ any personal items such as a backpack, purse, briefcase, or device that would enable the student to access the internet during the examination; and
- (3) be the school or course sponsor director, an employee of the school or course sponsor, or the instructor for the course. If a director, employee, or instructor is not available to proctor the examination, the school or course sponsor shall employ an official to serve as a proctor. Officials that may serve as proctors include a public librarian, notary public, attorney, police officer, or teacher. A proctor ~~Proctors~~ shall not be a family member or friend of a student unless that person is the director, an employee, or an instructor of the school or the course sponsor.

~~(d) The attendance required for satisfactory course completion shall be 90 percent of all scheduled classroom hours for the course.~~

(d) If the final examination is proctored remotely, the proctor shall ensure that it is a closed book exam with no study materials available during the exam, through continuously observing the student remotely from a web camera or through use of software with bio-metric proctoring.

(e) The instructor may offer additional hours of instruction so that students may make up lost hours of instruction.

(f) Students who are taking a qualifying course, other than the 15 hour National USPAP course, for continuing education ~~credit~~ credit, may sit for the final course examination, but they shall not be required to pass the examination in order to receive continuing education credit. Students who take and pass the examination, and who comply with the provisions of this Rule shall be given a course completion certificate. Students who do not take and pass the examination but who otherwise comply with the provisions of this Rule shall be given a certificate of attendance. The requirements set forth in a conditional dismissal, consent order, or order of the Board after a hearing shall not be modified by the provisions of this Paragraph.



1    *History Note:*    *Authority G.S. 93E-1-8(a); 93E-1-10;*  
2                            *Eff. July 1, 1994;*  
3                            *Amended Eff. July 1, 2016; July 1, 2014; July 1, 2010; September 1, 2008; July 1, 2005; August 1,*  
4                            *2002;*  
5                            *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*  
6                            *2017;*  
7                            *Amended Eff. July 1, 2022.*  
8

21 NCAC 57B .0304 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57B .0304 COURSE SCHEDULING**

(a) All courses shall have fixed beginning and ending ~~dates, and schools and course sponsors shall not utilize a scheduling system that allows students to enroll late for a course and then complete their course work in a subsequently scheduled course.~~ dates. Late enrollment shall be permitted only if the enrolling student satisfies the attendance requirements set forth in ~~Paragraphs (d) and Paragraph~~ (e) of Rule .0303 of this Section.

(b) Courses shall be scheduled in a manner that provides for class meetings of up to eight classroom hours in any given day.

(c) A classroom hour consists of 50 minutes of classroom instruction. Classroom breaks at the rate of 10 minutes per classroom hour shall be scheduled; however, instructors shall not use accumulated, unused break time to end the class early.

(d) Instruction shall be given for the minimum hours as set forth in ~~G.S. 93E-1-6.~~ the Real Property Appraiser Qualifications Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board.

(e) All courses, except ~~those taught online via the Internet,~~ asynchronous distance education courses, shall have a minimum of ~~five~~ three students ~~enrolled~~ in attendance in order for the course to be held.

*History Note: Authority G.S. 93E-1-8(a); 93E-1-10;*

*Eff. July 1, 1994;*

*Amended Eff. July 1, 2016; July 1, 2010; January 1, 2008; July 1, 2005; August 1, 2002;*

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

*Amended Eff. July 1, 2022; May 1, 2020.*

21 NCAC 57B .0307 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57B .0307      CRITERIA FOR COURSE RECOGNITION**

(a) Schools and course sponsors seeking to offer appraiser qualifying courses shall make written application to the Board and pay applicable fees as required by G.S. 93E-1-8(b). The application may be accessed ~~at~~ on the Board's website at [www.ncappraisalboard.org](http://www.ncappraisalboard.org). This application shall include:

- (1) the name of school, mailing address, and phone number;
- (2) the name and email address of the school owner and contact person;
- (3) the name of the school's Director pursuant to Rule .0207 of this Subchapter;
- (4) whether the school owner(s), Director, or any proposed instructor have had any criminal convictions or had any disciplinary action taken against a professional license;
- (5) whether the classroom facilities meet the minimum requirements in Rule .0204 of this Subchapter;
- (6) the courses they are seeking approval for;
- (7) the proposed instructors for the courses; and
- (8) the applicant's signature.

(b) Appraisal subject matter electives offered for credit pursuant to the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board shall meet all other requirements of this Chapter. The content of these electives shall be related to the appraisal of real property to be approved for credit. Appraisal subject matter elective courses shall contain a minimum of 15 hours.

(c) The 15 hour USPAP course shall be ~~the 15 hour National USPAP Course~~ as approved by the Appraiser Qualifications Board of the Appraisal Foundation.

(d) The application shall state the name of the instructor for each course. All instructors shall be approved by the Board pursuant to Rule .0306 of this Section. After the course is approved, if a school or course sponsor ~~wishes~~ seeks to change instructors, the school shall notify the Board of the name of the new instructor at least seven calendar days before the proposed change would take effect. If the proposed instructor is not currently approved in accordance with Rule .0306 of this Section, the instructor shall be approved by the Board before the school or course sponsor may allow the instructor to start instructing.

(e) Course sponsors may offer all qualifying classes ~~other than Basic Appraisal Principles, Basic Appraisal Procedures, and the 15 hour USPAP course online.~~ via distance education, as set forth in the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board. The Board shall be provided access to the course online and shall not be charged any fee for such access. To be approved for credit, an online qualifying education course shall meet all of the conditions imposed by the Rules in this Subchapter. ~~The course shall be interactive, permitting the participant to communicate, via telephone, electronic mail, or a website bulletin board, with the presenter and other participants. The sponsor of an online course shall have a method for recording and verifying attendance. A participant may periodically log on and off of an online course provided the total time spent participating in the course is equal to or exceeds the credit hours assigned to the program. The course design and delivery mechanism for an online course shall have received approval from the International Distance~~

1 ~~Education Certification Center (IDECC). Information about the IDECC may be found on their website at~~  
2 ~~www.idecc.org.~~ A course completion certificate shall be forwarded to the student as stated in Rule .0607 of this  
3 Subchapter.  
4

5 *History Note: Authority G.S. 93E-1-8(a); 93E-1-10;*  
6 *Eff. July 1, 1994;*  
7 *Amended Eff. July 1, 2014; July 1, 2010; September 1, 2008; January 1, 2008; August 1, 2002;*  
8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*  
9 *2017;*  
10 *Amended Eff. July 1, 2022; May 1, 2020.*  
11

21 NCAC 57B .0402 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57B .0402 ORIGINAL COURSE APPROVAL FEE**

The original ~~application prelicensing and precertification approval~~ fee shall be that specified in G.S. 93E-1-8(b). The fee shall be ~~paid by certified check, bank check or money order~~ payable to the North Carolina Appraisal Board and is non-refundable. Schools and course sponsors may offer approved courses as frequently as is desired during the period for which approval is granted without paying additional course fees.

*History Note: Authority G.S. 93E-1-8(b); 93E-1-10;*

*Eff. July 1, 1994;*

*Amended Eff. January 1, 2008;*

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

*Amended Eff. July 1, 2022.*

21 NCAC 57B .0602 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57B .0602 APPLICATION AND FEE**

(a) Course sponsors seeking approval of ~~their courses as~~ appraisal continuing education courses ~~must~~ shall make written application to the Board. A course sponsor ~~must~~ shall be the owner of the proprietary rights to the course for which approval is sought or ~~must~~ shall have the permission of the course owner to seek course approval. ~~If the course for which approval is sought is one that may be offered outside North Carolina, and the course owner wants the Board to approve such course when it is conducted outside North Carolina, application must be made by the course owner.~~

After receipt of a ~~properly~~ completed application, the Board ~~will~~ shall review the application pursuant to the criteria set forth in 21 NCAC 57B .0603 and shall notify the sponsor of its decision.

(b) The original application fee shall ~~as prescribed~~ be that specified in G.S. 93E-1-8(d) for each course for which approval is ~~sought, sought, provided that no~~ A fee is ~~not~~ required if the course sponsor is an accredited North Carolina college, university, junior college, or community or technical college, or if the course sponsor is an agency of the federal, ~~state~~ state, or local government. ~~The fee is non-refundable.~~ A course sponsor may offer approved courses as frequently as is desired during the period for which approval is granted without paying additional fees.

(c) Each application ~~must~~ shall be accompanied by copies of all course materials, including handbooks, slides, overheads, and other non-published materials. The application ~~must~~ shall also include the title, author, publisher and edition for each published textbook. Each application ~~must~~ shall also have a timed outline for the course.

(d) The application ~~must~~ shall state the name of the instructor for the course.

*History Note: Authority G.S. 93E-1-8(c),(d);*

*Eff. July 1, 1994;*

*Amended Eff. January 1, 2008; March 1, 2006; August 1, 2002;*

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

*Amended Eff. July 1, 2022.*

21 NCAC 57B .0603 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

### **21 NCAC 57B .0603      CRITERIA FOR COURSE APPROVAL**

The following requirements shall be satisfied in order for course sponsors to obtain approval of a course for appraiser continuing education credit:

- (1) The subject matter of the course shall comply with the requirements of Rule .0204 of Subchapter 57A and the information to be provided in the course shall be both accurate and current.
- (2) The course shall involve a minimum of ~~three and one-half classroom~~ two hours of instruction on acceptable subject matter as outlined in ~~21 NCAC 57A.0201(c).~~ Rule .0204(c) of Subchapter 57A. A classroom hour consists of 50 minutes of classroom instruction and 10 minutes of break time. Instruction shall be given for the full number of hours for which credit is given. Instructors shall not accumulate unused break time to end the class early.
- (3) The course instructor(s) shall:
  - (a) possess the fitness for licensure required of applicants for trainee registration, real estate appraiser licensure, or certification; and
  - (b) either:
    - (i) two years' full-time experience that is related to the subject matter to be taught;
    - (ii) a baccalaureate or higher degree in a field that is related to the subject matter to be taught;
    - (iii) two years' full-time experience teaching the subject matter to be ~~taught;~~ taught; or
    - (iv) an equivalent combination of such education and ~~experience; or experience.~~
    - (v) ~~be approved by the Board pursuant to Rule .0606(11) of this Section.~~
- (4) ~~If two or more instructors shall be utilized to teach a course during the approval period and the course shall be taught in states other than North Carolina, it is sufficient for the course sponsor to show that it has minimum instructor requirements comparable to these requirements. The inquiry into fitness shall include consideration of whether the instructor has had any disciplinary action taken on his or her appraisal license or any other professional license in North Carolina or any other state, or whether the instructor has been convicted of or pleaded guilty to any criminal act.~~
- (5)(4) The course shall be one involving a qualified instructor who, except as noted in ~~Item~~ subparagraph (6) (5) of this Rule, shall be physically present in the classroom at all times, and ~~who~~ shall personally provide the instruction for the course. The course instructor may utilize ~~videotape~~ video instruction, ~~remote television instruction,~~ or similar types of instruction by other persons to enhance or supplement his or her personal instruction; however, such other persons shall not be considered to be the course instructor and the course instructor shall be physically present when such indirect instruction by other persons is being utilized. No portion of the course shall consist of correspondence instruction. The instructor shall comply with Rule .0306(c) of this Subchapter. Instructors for the National USPAP courses shall be certified by the Appraiser Qualifications Board

of the Appraisal Foundation. Current Appraisal Board members shall not teach continuing education courses during their term of office on the Board.

~~(6)~~ (5) Course sponsors may offer all continuing education classes via distance education as set forth in the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board. A sponsor seeking approval of a computer-based education course shall provide the Board access to the course via the internet at a date and time satisfactory to the Board and the Board shall not be charged any fee for such access. ~~To be approved for credit, an on-line course shall meet all of the conditions imposed by the Rules in this Subchapter in advance. The course must be interactive, permitting the participant to communicate, via telephone, electronic mail, or a website bulletin board, with the presenter and other participants. The sponsor of an on-line course shall have a reliable method for recording and verifying attendance. A participant may periodically log on and off of an on-line continuing education course provided the total time spent participating in the course is equal to or exceeds the credit hours assigned to the program. The course design and delivery mechanism for an on-line course offered on the Internet shall be approved by the International Distance Education Certification Center (IDECC). Information about the IDECC may be found on their website at www.idecc.org.~~ A course completion certificate shall be forwarded to the student as stated in Rule .0607 of this Section, and a course roster shall be sent to the Appraisal Board in accordance with Rule .0608 of this Section.

~~(7)~~ (6) The course shall be an educational program intended to improve the knowledge, skill and competence of trainees, and licensed and certified real estate appraisers.

~~(8)~~ (7) The course sponsor shall certify that the course shall be conducted in accordance with the operational requirements stated in Rule .0606 of this Section and that the course sponsor will comply with all other applicable rules contained in this Section.

~~(9)~~ (8) The course title shall not include the words "Uniform Standards of Professional Appraisal Practice" or "USPAP" unless the course is either the 15 hour National USPAP course or the 7 hour National USPAP update course. If the course is the 7 hour National USPAP course, the course title shall state which edition of USPAP will be taught in that specific course.

~~(10)~~ (9) Each course shall utilize a textbook or course materials that have been approved by the Board.

~~(11)~~ (10) If the course content is related to technology, such as software, hardware, electronic devices, manuals, or databases, the course shall be developed specifically for utilization in the real estate appraisal business in order to be approved for continuing education credit. Such courses shall not require the student to purchase specific products, and ~~shall not use~~ the course shall not be used to sell or advertise particular products or software.

*History Note: Authority G.S. 93E-1-8(c); 93E-1-10;  
Eff. July 1, 1994;*



1                   *Amended Eff. January 1, 2015; July 1, 2010; January 1, 2008; March 1, 2007; March 1, 2006; July*  
2                   *1, 2005; July 1, 2003; August 1, 2002;*  
3                   *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*  
4                   *2017;*  
5                   *Amended Eff. July 1, 2022; September 1, 2019.*

21 NCAC 57B .0605 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57B .0605 CONTINUING EDUCATION CREDIT HOURS**

The course approval issued to a course sponsor shall include the number of hours of continuing education credit that will be awarded for the course. The minimum number of continuing education credit hours awarded for a course shall be ~~three and one half hours~~, two hours, and the maximum number of continuing education credit hours awarded for a course, regardless of its length, shall be thirty hours. Continuing education credit hours shall not be carried forward into subsequent licensing periods. No continuing education credit shall be ~~given~~ awarded for courses taken before the student was registered as a trainee or licensed or certified as an appraiser in this state or any other state.

*History Note: Authority G.S. 93E-1-8(c); 93E-1-10;*

*Eff. July 1, 1994;*

*Amended Eff. July 1, 2014; January 1, 2013; August 1, 2002;*

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

*Amended Eff. July 1, 2022.*

21 NCAC 57B .0606 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57B .0606 COURSE OPERATIONAL REQUIREMENTS**

Course sponsors shall maintain compliance with Rule .0603 of this Section and shall also comply with the following requirements:

- (1) Courses shall last a maximum of eight classroom hours in any day. A classroom hour shall consist of 50 minutes of classroom instruction and ten minutes of break time.
- (2) Course sponsors shall not utilize advertising of any type that is false or misleading about the course content, number of hours of credit that have been awarded by the Board, or credentials of instructor. Sponsors shall specify the number of continuing education credit hours awarded by the Board for the course.
- (3) Course sponsors shall, upon request, provide any prospective student a description of the course content regarding the instruction to be provided in the course.
- (4) Courses ~~shall be~~ conducted in a facility ~~that meets~~ shall meet the following requirements:
  - (a) contains a student chair, desk or worktable space for each student;
  - (b) is free of noise or visual distractions that disrupt class sessions; and
  - (c) complies with all applicable local, state and federal laws and regulations regarding safety, health, and sanitation.
  - (d) Classes shall not be held in a personal residence
- (5) ~~The course sponsor shall require students to attend at least 90 percent of the scheduled classroom hours in order to complete the course, even if the number of continuing education credit hours awarded by the Board for the course is less than the number of scheduled classroom hours.~~ Attendance shall be monitored during all class sessions to ensure compliance with the attendance requirement. Instruction shall be given for the number of hours for which credit is given. Instructors shall not accumulate unused break time to end the class early.
- (6) Instructors shall require student attentiveness during class sessions. Students shall not be permitted to engage in activities that are not related to the instruction being provided.
- (7) Course sponsors for which an application fee is required by Rules .0602(b) and .0611(b) of this Section shall ~~administer~~ have course cancellation and fee refund policies. In the event a scheduled course is canceled, efforts shall be made to notify preregistered students of the cancellation and all prepaid fees received from such preregistered students shall be refunded within 30 days of the date of cancellation or, with the student's permission, applied toward the fees for another course.
- (8) Upon request of the Board, in order to ensure compliance with the requirements of this Rule, the course sponsor shall submit to the Board a recording that depicts the instructor teaching portions of any continuing education course.
- (9) Course sponsors shall provide the Board in writing or via an electronic link to the sponsors' website with the dates and locations of all classes the sponsor is offering in North Carolina at least 10

1 calendar days before the class is offered, unless circumstances beyond the control of the course  
2 sponsor require that the course be rescheduled, such as a weather emergency. If the dates or location  
3 of the classes change after such information is provided to the Board, the course sponsor shall notify  
4 the Board of such changes within five days of the rescheduled date in writing or via an electronic  
5 link.

6 (10) Course sponsors shall provide each student with contact information for the Appraisal Board.

7 (11) If an instructor has any disciplinary action taken ~~on~~ against his or her appraisal license or any other  
8 professional license in North Carolina or any other state, or if the instructor has been convicted of  
9 or pled guilty to any misdemeanor or felony, the school or course sponsor shall report that fact to  
10 the Board within 15 business days.

11 (12) All courses, except ~~those taught online,~~ asynchronous distance education courses, shall have a  
12 minimum number of ~~five~~ three students enrolled in the course in order for the course to take place.

13  
14 *History Note: Authority G.S. 93E-1-8(c); 93E-1-10;*

15 *Eff. July 1, 1994;*

16 *Amended Eff. January 1, 2013; July 1, 2010; January 1, 2008; March 1, 2007; July 1, 2005; August*  
17 *1, 2002;*

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

20 *Amended Eff. July 1, 2022; May 1, 2020; July 1, 2019.*

21 NCAC 57B .0608 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57B .0608      SPONSOR REPORTING OF CONTINUING EDUCATION CREDIT**

Course sponsors ~~must, shall,~~ within 15 days of course ~~completion but no later than June 15 of each year, completion,~~ submit to the Board a roster of all North Carolina registered trainees, licensed and certified ~~appraisers~~ appraisers, who ~~satisfactorily~~ completed the course.

*History Note:      Authority G.S. 93E-1-8(c); 93E-1-1;*

*Eff. July 1, 1994;*

*Amended Eff. July 1, 2010; January 1, 2008; July 1, 2005; August 1, 2002;*

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

*Amended Eff. July 1, 2022.*

**REQUEST FOR § 150B-21.10 CHANGES**

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57B .0609

**DEADLINE FOR RECEIPT: Friday, June 10, 2022**

***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 email the reviewing attorney to inquire concerning the staff recommendation.

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

*Paragraph (b), to whom should the request be made, and where can the contact information for that person be found (i.e., where could the “fax” number, “telephone” number, “or other electronic means” be found?).*

Please retype the rule accordingly and resubmit it to our office electronically.

Lawrence R. Duke  
Commission Counsel  
Date submitted to agency: June 6, 2022

21 NCAC 57B .0609 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57B .0609 CHANGES DURING THE APPROVAL PERIOD**

(a) Course sponsors ~~must~~ shall obtain advance approval from the Board for any changes to be made in approved courses with regard to the number of ~~classroom~~ hours, course ~~content~~ content, or instructors. Requests for approval of such changes ~~must~~ shall be in writing, and ~~must~~ shall be sent to the Board at least 15 calendar days before the proposed change would take effect.

(b) In the event of an emergency, such as the disability, ~~death~~ death, or unforeseen departure of the instructor or school director, where it is not possible to request approval of a change at least 15 days in advance, the school ~~must~~ shall request such change immediately but no later than the end of the next business day via fax, ~~telephone~~ telephone, or other electronic means.

*History Note: Authority G.S. 93E-1-8(c); 93E-1-10;*

*Eff. July 1, 1994;*

*Amended Eff. March 1, 2006;*

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

*Amended Eff. July 1, 2022.*

21 NCAC 57B .0614 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

**21 NCAC 57B .0614        INSTRUCTORS FOR THE TRAINEE/SUPERVISOR COURSE REQUIRED BY  
G.S. 93E-1-6.1**

(a) Instructors for the trainee supervision course set forth in G.S. 93E-1-6.1 shall be real estate appraisers who have been certified residential or certified general appraisers for at least three years.

(b) Instructors shall not have received any disciplinary action regarding their appraisal certificate from the State of North Carolina or any other state within the previous three years. ~~In addition, instructors shall not have been convicted of or pleaded guilty to any criminal act. "Criminal act" shall not include traffic infractions.~~

~~(c) All applicants for instructor of the trainee supervision course shall obtain a criminal records check. This records check shall have been performed within 60 days of the date the completed application for approval as an instructor is received by the Board. Applicants shall pay the vendor directly for the cost of these reports. The records check shall comply with the provisions of 21 NCAC 57A .0202(e).~~

~~(d)~~ (c) Persons who wish to teach the trainee supervision course shall be approved by the Board before they may teach this course. Approval of a trainee supervision course instructor authorizes the instructor to teach the course for any approved course sponsor.

~~(e)~~ (d) Applicants who wish to become instructors for the trainee supervision course shall attend an educational workshop sponsored by the Board or complete the trainee supervision course with another approved sponsor, before they may be approved. Applicants may check the Board's website for information regarding the date and location of the workshop. The website may be accessed at [www.ncappraisalboard.org](http://www.ncappraisalboard.org).

~~(f)~~ (e) Approval of trainee supervision course instructors expires on the next December 31 following the date of approval. Applications for renewal of Board approval, shall be filed with the Board annually on or before December 1.

*History Note:     Authority G.S. 93E-1-6.1; 93E-1-8(c); 93E-1-10;*

*Eff. July 1, 2014;*

*Amended Eff. July 1, 2016;*

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

*Amended Eff. July 1, 2022; May 1, 2020.*



## **REQUEST FOR § 150B-21.10 CHANGES**

AGENCY: Appraisal Board

RULE CITATION: 21 NCAC 57D .0202

**DEADLINE FOR RECEIPT: Friday, June 10, 2022**

***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 email the reviewing attorney to inquire concerning the staff recommendation.

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

*Subparagraph (c)(3), delete "of" between "process" and "agent".*

*Subparagraph (c)(4) is very broad. Perhaps this should track the language of N.C. Gen. Stat. § 93E-2-4. Also, this statute needs to be included in the History Note: Authority.*

*Subparagraph (c)(5), to what "bond" does this subparagraph refer? Specificity may need to be added. Also, was "no" intended instead of "to"?*

*Subparagraph (c)(7), was "one or more" intended where it says, "one ore more"?*

*The statutes listed in paragraph (e) should also be included in the History Note: Authority.*

Please retype the rule accordingly and resubmit it to our office electronically.

Lawrence R. Duke  
Commission Counsel  
Date submitted to agency: June 6, 2022

21 NCAC 57D .0202 is amended as published in 36:16 NCR 1395-1408 with changes as follows:

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

(a) All registrations shall expire on June 30 of each year, unless renewed ~~before that time.~~ during the renewal period.  
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~~ applying for renewal of registration shall apply in writing upon the form provided by the Board or log into the licensee login section on the Board's website and shall ~~forward~~ pay the renewal fee. The renewal fee shall be two thousand dollars (\$2000). The renewal fee is not ~~refundable.~~ refundable after July 1.

(c) The renewal form shall include the following:

- (1) The appraisal management company's name and registration number;
- (2) the contact person for renewal;
- (3) the updated address for the company, service of process of agent, and compliance manager, if applicable;
- (4) whether the company owner(s) have had any disciplinary action;
- (5) a copy of the bond that expires to sooner than June 30<sup>th</sup> of the year following renewal;
- (6) the signature of the applicant; and
- (7) the operation type, total number of appraisers on the panel in North Carolina for the previous year, the total number of appraisers on the panel nationwide for the previous year, and the number of appraisers on the panel who performed one ore more appraisals in connection with a covered transaction in North Carolina for the previous year.

~~(d)~~ (d) 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)~~ (e) Any company who acts or holds itself out as a registered appraisal management company while its appraisal management company registration is expired shall be subject to disciplinary action and penalties 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, 2014;*

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

*Amended Eff. July 1, 2022; July 1, 2018.*