

Readopt with amendment Rab 302.09, effective 2-2-13 (Document #10270), to read as follows:

Rab 302.09 Real Estate Appraiser Educational Requirements.

- (a) “Classroom hour” means, for the purposes of this section, at least 50 minutes of instruction or examination out of each 60 minute course segment.
- (b) Experience accrued pursuant to Rab 302.02 – Rab 302.08 shall not be substituted for education.
- (c) Applicants for apprentice classification, licensure, or certification shall complete formal instruction in real estate appraisals and appraisal ethics and standards for the total number of hours indicated below, pursuant to AQB’s core curriculum requirements as described below in this section. In addition, applicants for certification shall also meet the general education requirements in Rab 302.03.
- (d) Applicants for classification as an apprentice shall complete a minimum of 75 classroom hours in the subject areas and in the number of hours for each subject area as set forth in Table 3.2.4 “Apprentice 75-Hour Core Curricular Requirements” below:

Table 3.2.4 Apprentice 75-Hour Core Curricular Requirements

Basic Appraisal Principles	30 Hours
Basic Appraisal Procedures	30 Hours
The 15-Hour National USPAP Course or its Equivalent	15 Hours

(e) All qualifying education shall be completed within the 5-year period prior to the date of submission of an application for an apprentice credential.

(f) Applicants for licensure as a real estate appraiser shall complete a minimum of 150 classroom hours in the subject areas and in the number of hours for each subject area as set forth in Table 3.2.5 “Licensed Real Estate Appraiser 150-Hour Core Curricular Requirements” below:

Table 3.2.5 Licensed Real Estate Appraiser 150-Hour Core Curricular Requirements

Basic Appraisal Principles	30 Hours
Basic Appraisal Procedures	30 Hours
The 15-Hour National USPAP Course or its Equivalent	15 Hours
Residential Market Analysis and Highest & Best Use	15 Hours
Residential Appraiser Site Valuation and Cost Approach	15 Hours
Residential Sales Comparison and Income Approaches	30 Hours
Residential Report Writing and Case Studies	15 Hours

(g) Applicants for certification as a certified residential real estate appraiser shall complete a minimum of 200 classroom hours in the subject areas and in the number of hours for each subject area as set forth in Table 3.2.6 “Certified Residential Real Estate Appraiser 200-Hour Core Curricular Requirements” below:

Table 3.2.6 Certified Residential Real Estate Appraiser 200-Hour Core Curricular Requirements

Basic Appraisal Principles	30 Hours
Basic Appraisal Procedures	30 Hours
The 15-Hour National USPAP Course or its Equivalent	15 Hours
Residential Market Analysis and Highest & Best Use	15 Hours
Residential Appraiser Site Valuation and Cost Approach	15 Hours
Residential Sales Comparison and Income Approaches	30 Hours
Residential Report Writing and Case Studies	15 Hours
Statistics, Modeling, and Finance	15 Hours
Advanced Residential Applications and Case Studies	15 Hours
Appraisal Subject Matter Electives (may include hours over minimums shown above)	20 Hours

(h) Applicants who are a licensed residential real estate appraiser can satisfy the educational requirements to become a certified residential real estate appraiser, as shown in Table 3.2.6 above, by completing the additional educational hours as set forth in Table 3.2.7 “Certified Residential Real Estate Appraiser Core Curricular Requirements for Licensed Residential Real Estate Appraisers” below:

Table 3.2.7 Certified Residential Real Estate Appraiser Core Curricular Requirements for Licensed Residential Real Estate Appraisers

Statistics, Modeling, and Finance	15 Hours
Advanced Residential Applications and Case Studies	15 Hours
Appraisal Subject Matter Electives	20 Hours

(i) Applicants for certification as a certified general real estate appraiser shall complete a minimum of 300 classroom hours in the subject areas and in the number of hours for each subject area as set forth in Table 3.2.8 “Certified General Real Estate Appraiser 300-Hour Core Curricular Requirements” below:

Table 3.2.8 Certified General Real Estate Appraiser 300-Hour Curricular Requirements

Basic Appraisal Principles	30 Hours
Basic Appraisal Procedures	30 Hours
The 15-Hour National USPAP Course or its Equivalent	15 Hours
General Appraiser Market Analysis and Highest & Best Use	30 Hours
General Appraiser Site Valuation and Cost Approach	30 Hours
General Appraiser Sales Comparison Approaches	30 Hours
General Appraiser Income Approach	60 Hours
General Appraiser Report Writing and Case Studies	30 Hours
Statistics, Modeling, and Finance	15 Hours
Appraisal Subject Matter Electives (may include hours over minimums shown above)	30 Hours

(j) Applicants who are a licensed residential real estate appraiser can satisfy the educational requirements to become a certified general real estate appraiser, as shown in Table 3.2.8 above, by completing the additional educational hours as set forth in Table 3.2.9 “Certified General Real Estate Appraiser Core Curricular Requirements for Licensed Residential Real Estate Appraisers” below:

Table 3.2.9 Certified General Real Estate Appraiser Core Curricular Requirements for Licensed Residential Real Estate Appraisers

General Appraiser Market Analysis and Highest & Best Use	15 Hours
General Appraiser Site Valuation and Cost Approach	15 Hours
General Appraiser Sales Comparison Approaches	15 Hours
General Appraiser Income Approach	45 Hours
General Appraiser Report Writing and Case Studies	15 Hours
Statistics, Modeling, and Finance	15 Hours
Appraisal Subject Matter Electives (may include hours over minimums shown above)	30 Hours

(k) Applicants who are a certified residential real estate appraiser can satisfy the educational requirements to become a certified general real estate appraiser, as shown in Table 3.2.8 above, by completing the additional educational hours as set forth in Table 3.2.10 “Certified General Real Estate Appraiser Core Curricular Requirements for Certified Residential Real Estate Appraisers” below:

Table 3.2.10 Certified General Real Estate Appraiser Core Curricular Requirements for Certified Residential Real Estate Appraisers

General Appraiser Market Analysis and Highest & Best Use	15 Hours
General Appraiser Site Valuation and Cost Approach	15 Hours
General Appraiser Sales Comparison Approaches	15 Hours
General Appraiser Income Approach	45 Hours
General Appraiser Report Writing and Case Studies	10 Hours

(l) Classroom hours shall be credited only for educational offerings with content that follows the AQB core curriculum requirements.

(m) Courses taken to satisfy the qualifying education requirements shall not be repetitive.

(n) Each applicant shall take the 15-Hour National USPAP Course, or its equivalent, and pass the associated 15-Hour National USPAP Course Examination. At least one of the course instructors shall be an AQB Certified USPAP Instructor who is also a state certified appraiser. Equivalency shall be determined through the AQB.

Readopt with amendment Rab 302.17, effective 2-2-13 (Document #10270), to read as follows:

Rab 302.17 Criteria for Course Approval.

(a) Courses seeking approval by the board shall submit:

(1) A completed “Request for Course Approval” form, effective July 2018, as available on the board’s website;

(2) For all submissions, the following materials:

- a. A timed outline;
- b. Instructor qualification criteria;
- c. Student and instructor materials; and
- d. AQB/IDECC approval letters, if applicable; and

(3) For qualification education, the following materials:

- a. A sample final exam and answer key;
- b. List of course prerequisites; and

c. Passing grade requirements.

(b) Course outlines, syllabi, and examinations shall be reviewed by the board or board staff for appraisal content and approved if the instruction indicated conforms to the AQB.

(c) The board shall grant the waiver from AQB approval for good cause. the course provider shall submit to the board a completed “Request for Course Approval” form, effective July 2018.

(d) A course provider seeking to offer a course that has already been approved by the board shall submit evidence that it has the course owner’s permission to teach that course and evidence that the instructor’s qualifications meet or exceed those required to teach the course.

Readopt with amendment Rab 304.01, effective 9-24-13 (Document #10418), to read as follows:

Rab 304.01 Reciprocal Licensing and Certification.

- (a) A person licensed or certified as a real estate appraiser in another state and whose license or certificate is in good standing may obtain a New Hampshire license or certificate through reciprocity if:
- (1) The person submits a completed application for a license or certificate, as specified in Rab 301, and pays the required fees; and
 - (2) The person is listed as being active and AQB compliant in the Appraisal Subcommittee’s National Appraiser Registry.
- (b) Each applicant for a certificate or license applying for reciprocity under (a) above shall be exempt from the examination requirements of Rab 303.03, provided that the applicant submits:
- (1) An executed “Irrevocable Uniform Consent to Service of Process” form as required by RSA 310-B:11, I and Rab 301.02(o); and
 - (2) A photocopy or similar evidence of the current out-of-state license or certificate held that clearly displays:
 - a. The name of the holder;
 - b. The license or certificate number, and
 - c. Applicable expiration dates.
- (c) A license or certificate shall be issued if the applicant meets all requirements of this section.

Readopt with amendment Rab 306.01, effective 2-2-13 (Document #10270), as amended effective 5-9-13 (Document #10335), cited and to read as follows:

PART Rab 306 FEE SCHEDULE

Rab 306.01 Maintenance of a Fee Schedule. Application, classification, certification, renewal, and license fees shall be as follows:

- (a) The application fee shall be \$150.00;
- (b) The apprentice classification fee shall be \$150.00 per year;
- (c) The fee for licenses shall be \$400.00 for a 2 year term;
- (d) The fee for certificates shall be \$400.00 for a 2 year term;
- (e) The application fee for registration of appraisal management companies shall be \$900.00 per year;
- (f) The renewal fee for registration of appraisal management companies shall be \$800.00 per year;
- (g) The temporary permit practice fee shall be \$250.00;
- (h) The biennial renewal fee for a license or certification shall be \$400.00, unless (i) applies;
- (i) The renewal fee for individuals licensed less than 24 months in a biennial renewal period shall be the federal registration fee required pursuant to RSA 310-B:5, II and \$13.34 for each month licensed;
- (j) The licensee shall pay a late fee of \$50, in addition to the regular renewal fee, for renewal of a license up to 6 months after license expiration; and
- (k) The fee for rosters showing names, classification, and place of business of all real estate appraisers licensed or certified under this chapter shall be \$25.00.

Readopt with amendment Rab 307.04, effective 2-2-13 (Document #10270), to read as follows:

Rab 307.04 Temporary Practice Permits.

- (a) A temporary practice permit shall confer on the appraiser to whom it is issued the right to perform a specific appraisal assignment.
- (b) Temporary practice permits shall be issued with the following limitations:
 - (1) The appraisal or appraisals shall be limited to the class of licensure or certification from among the classes listed in RSA 310-B:6, I (b), (c), and (d) which is the same as, or equivalent to, the class of the out-of-state license or certificate which is the basis for the issuance of the temporary permit;
 - (2) Each temporary practice permit shall be valid for a single assignment; and
 - (3) Each temporary practice permit shall be valid for an initial duration of 6 months, renewable one time upon notice to the board.

Readopt with amendment Rab 307.08, effective 2-2-13 (Document #10270), as amended effective 9-24-13 (Document #10418), to read as follows:

Rab 307.08 Documents Required to Accompany Application Form. The following documents shall be submitted with the completed “Application for Licensure/Certification as a Real Estate Appraiser” form, as specified in Rab 301:

- (a) In the case of an affirmative response to Rab 307.07(m), (n), and (o), a written explanation addressing all material facts and copies of all official documents relating to the explanation;
- (b) A copy of the applicant’s current out-of-state appraiser license or certification;
- (c) A copy of the engagement letter or contract covering the appraisals sought to be permitted; and
- (d) A fully executed irrevocable consent for service of process as required pursuant to RSA 310-B:11, I.

Amend Rab 308.01(d), effective 2-2-13 (Document #10270), cited and to read as follows:

Rab 308.01 Appraisal Management Company Requirements.

- (d) Applicants for appraisal management company registration shall provide, or cause to be provided, the following on or with a “Appraisal Management Company (AMC) Application for Practice in New Hampshire” form supplied by the board:
 - (1) The applicant’s name, including any names previously used, and AMC number;
 - (2) The fictitious name or names listed as doing business (dba) under which it does business in any state;
 - (3) The applicant’s business addresses and telephone numbers;
 - (4) The name and address of the company’s agent if the person is not a corporation that is domiciled in this state, for service of process in this state;
 - (5) The names, and addresses, of any individual or any corporation, partnership, or other business entity that owns 10 percent or more of the appraisal management company;
 - (6) A statement indicating whether the company is more than 10 percent owned by a person who has been convicted of, or entered a plea of nolo contendere to, a felony relating to the practice of appraisal, banking, mortgage lending, or the provision of financial services, or any crime involving fraud, misrepresentation, or moral turpitude;
 - (7) Name, address, and email address of one controlling person designated as the main contact for all communication between the appraisal management company and the board;
 - (8) A statement indicating that the appraisal management company has a system and process in place to verify that an individual being added to the appraiser panel of the appraisal management company holds a license in good standing in this state;

- (9) A statement that the person requires appraisers completing appraisals at its request to comply with USPAP including the requirements for geographic and product competence;
- (10) A statement indicating that the person has a system in place to verify that only licensed or certified appraisers are used for federally related transactions;
- (11) A statement indicating that the person has a system or process to require that appraisals are conducted independently and free from inappropriate influence and coercion as required by the appraisal independence standards established under section 129E of the Truth in Lending Act, including the requirement that fee appraisers be compensated at a customary and reasonable rate when the appraisal management company is providing services for a consumer credit transaction secured by the principal dwelling of a consumer;
- (12) A statement indicating that the person maintains a detailed record of each service request that it receives and the appraiser that performs the residential real estate appraisal services for the appraisal management company;
- (13) A statement indicating whether the applicant is or ever has been subject to any disciplinary action taken by any other real estate appraisal licensing entity and, if so, a description of such action;
- (14) A statement indicating whether the entity for which the application is submitted has ever been convicted of a crime and, if so, a description of such conviction and copies of relevant court documents;
- (15) A statement indicating whether the entity for which the application is submitted has any criminal charges pending in any jurisdiction and, if so, a description of such charges and copies of the charging documents;
- (16) The applicant's dated signature;
- (17) An irrevocable uniform consent to service of process, required pursuant to RSA 310-B:12-d; and
- (18) The application fee specified in Rab 306.01.

Readopt with amendment Rab 401.02, effective 2-2-13 (Document #10270), as follows:

Rab 401.02 Renewal Application. The applicant shall supply the following on or with the "Real Estate Appraiser Renewal Form" for license renewal:

- (a) The applicant's full name;
- (b) The applicant's license number;
- (c) The applicant's mailing address, electronic address, home phone number, and work phone number;
- (d) Principal business address and all other addresses at which the applicant is currently engaged in the business of preparing real estate appraisal reports;

- (e) A statement indicating that the applicant has complied with the continuing education requirements of Rab 403;
- (f) A log showing the type and date of continuing education activity claimed, sponsoring provider, and continuing education hours earned;
- (g) A statement indicating whether the applicant has been convicted of any felony or misdemeanor since the last renewal that has not been annulled by a court pursuant to RSA 651:5 and, if not annulled, the name of the court in which the conviction occurred, the details of the offense, the date of conviction, and the sentence imposed;
- (h) A statement indicating any disciplinary or legal action brought against the applicant by any appraiser board of licensing authority since the last renewal or not previously disclosed to the board;
- (j) A statement indicating that the applicant has adhered to the ethical and professional standards of Rab 500;
- (k) Acknowledgment that the provision of materially false information in the application knowingly provided is a basis for denial;
- (l) Acknowledgement that, if the applicant provided false information that is discovered after the license is renewed, it shall be a basis for disciplinary action by the board;
- (m) The applicant's signature under penalty of unsworn falsification and date; and
- (n) The application fee specified in Rab 306.01.

Appendix

Rule	Specific State Statute with the Rule Implements
Rab 302.09	RSA 310-B:8; RSA 310-B:24, VII
Rab 302.17	RSA 310-B:8; RSA 310-B:24, VII
Rab 304.01	RSA 310-B:12; RSA 310-B:24, I; 12 U.S.C. 3351
Rab 306.01	RSA 310-B:5, II; RSA 310-B:12-a; RSA 310-B:12-e; RSA 310-B:20; RSA 310-B:21; RSA 310-B:24, VI, 12 U.S.C. 3338
Rab 307.04	RSA 310-B:12-a, RSA 310-B:24, I-a,
Rab 307.08	RSA 310-B:12-a, RSA 310-B:24, I-a
Rab 308.01(d)	RSA 310-B:12-b - RSA 310-B:12-n; RSA 310-B:24, VII-a
Rab 401.02	RSA 310-B:5; RSA 310-B:10; RSA 310-B:12-b, III; RSA 310-B:12-e, II; RSA 310-B:12-n (c); RSA 310-B:13