

Adopt Rab 301.01 through Rab 301.04, previously effective 2/2/13 (Document #10270) and expired 2/3/2023, to read as follows:

Rab 301.01 Application Process and Classification Overview.

(a) A person wishing to become licensed shall submit an application form provided by the board containing the information specified in Rab 301.02, including the application fee specified in Rab 306.01 and the fee required by 12 U.S.C. 3338.

(b) An application, which is not signed by the applicant, and is not accompanied by payment of the application fee, shall not be accepted, and shall be returned to the applicant.

(c) If the application is denied, the applicant shall be provided an opportunity to request a hearing for reconsideration within 30 days of the issuance of the denial on the deficiency issues identified by the board.

(d) An application for which there has been no communication by the applicant to the board for 120 days shall be destroyed.

(e) Individuals may apply for the following types of classification, licenses, and certificates issued by the board:

- (1) Apprentice classification;
- (2) Licensed residential real estate appraiser;
- (3) Certified residential real estate appraiser; and[;]
- (4) Certified general real estate appraiser.

Rab 301.02 Application. An applicant for real estate appraiser licensure or certification shall present the following on or with the application provided by the board:

- (a) Name and date of birth;
- (b) Home mailing address;
- (c) E-mail address;
- (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) State and county of legal residency;
- (f) Business telephone number;
- (g) Appraiser licenses or certificates currently or previously held, including:
 - (1) State issuing the license or certificate;

- (2) License or certificate number, if applicable; and
- (3) Effective dates;
- (h) Other names by which the applicant has been or is known;
- (i) A statement regarding whether any appraiser license or certificate has ever been refused, revoked, suspended, or other disciplinary action taken against the applicant for appraisal activity in any state, including all material details relative to such action;
- (j) A statement that explains all the material details relative to any conviction, whether by verdict or any plea, for a felony or misdemeanor as set forth in RSA 310-B:5-a that has not been annulled by a court of competent jurisdiction, including:
 - (1) The specific statute(s) violated;
 - (2) The court in which such conviction occurred;
 - (3) The date of the conviction;
 - (4) The sentence imposed by the court; and
 - (5) Whether the sentence has been fully served;
- (k) Statement of any previous applications for a New Hampshire appraiser license or certificate, including full details relative to such applications;
 - (l) The applicant's social security number required pursuant to RSA 161-B:11, VI-a;
- (m) A completed qualifying education course matrix documenting completion of the required core curriculum as specified in Rab 302.09, including written documentation issued by the course provider that a passing grade was achieved on each course;
- (n) List of appraisal experience, on separate sheets for residential and commercial appraisals, including the following for each appraisal listed:
 - (1) File number, or other reference information used by the applicant to retrieve the file in question;
 - (2) Date of the appraisal;
 - (3) Address of the property that was the subject of the appraisal;
 - (4) The type of appraisal performed, from the following list:
 - a. Residential, single family;
 - b. Residential, 2 to 4 family;
 - c. Residential building lot;

- d. Undeveloped commercial or industrial land;
 - e. Single occupant commercial, industrial property, or a combination of the 2;
 - f. Multiple occupant commercial, industrial property, or a combination of the 2;
 - g. Other property types, providing a short description of each such type;
 - h. Feasibility study;
 - i. Market analysis;
 - j. Cash flow analysis;
 - k. Investment analysis; and
 - l. Highest and best use study; or
 - m. Successfully completing approved PAREA programs per the current AQB criteria;
- (5) The estimated value stated in the appraisal report;
- (6) The client, except in the case of PAREA experience credits where there is not necessarily a client;
- (7) The credit hours requested to be granted toward the experience requirement; and
- (8) Whether the applicant requests credit hours as a reviewer or co-signer of the appraisal report;
- (o) Separately signed and dated affirmations by the applicant that they:
- (1) Understand and accept that the application shall be of a continuing nature;
 - (2) Shall notify the board of and supply all changes in information submitted as part of the application prior to the issuance of a license or certificate; and
 - (3) Understands the types of misconduct for which disciplinary action can be initiated against them as set forth in RSA 310-B:5-a and RSA 310-B:18, and will comply with the standards set forth in RSA 310-B:18-a;
- (p) Non-resident applicants shall submit to the board a signed and dated irrevocable consent for service of process, as required by RSA 310-B:11, I; and
- (q) The applicant shall sign and date the application form, thereby indicating that the application in its entirety is accurate and complete to the best of their knowledge and belief; and
- (r) Applicants shall pay the application fee specified in Rab 306.01.

Rab 301.03 Apprentice Application.

(a) To be considered for an apprentice classification, the applicant shall present the following on or with the application provided by the board:

- (1) Name and date of birth;
- (2) Home mailing;
- (3) E-mail address;
- (4) State of legal residency;
- (5) Daytime telephone number;
- (6) Other names by which the applicant has been or is known, and applicable dates;
- (7) The applicant's social security number required pursuant to RSA 161-B:11, VI-a;
- (8) A statement regarding any apprentice credential, appraiser licenses or certificates that have been refused, revoked, suspended, or other disciplinary action for appraisal activity in any state, including all material details relative to such action;
- (9) The material details relative to any conviction, whether by verdict or any plea, for a felony or misdemeanor as set forth in RSA 310-B:5-a that has not been annulled by a court of competent jurisdiction, including:
 - a. The specific statute(s) violated;
 - b. The court in which such conviction occurred;
 - c. The date of the conviction;
 - d. The sentence imposed by the court; and
 - e. Whether the sentence has been fully served;
- (10) A completed qualifying education course matrix documenting completion of the required core curriculum as specified in Rab 302.09, including written documentation issued by the course provider that a passing grade was achieved on each course;
- (11) The name of the certified individual who will agree to serve as the apprentice's supervising appraiser;
- (12) A written, signed, and dated acknowledgement from the supervising appraiser; and
- (13) Separately signed and dated affirmations by the applicant that they:
 - a. Understands and accepts that the application shall be of a continuing nature;
 - b. Shall notify the board of and supply all changes in information submitted as part of the application prior to the issuance of a license or certificate; and

c. Understands the types of misconduct for which disciplinary action can be initiated against them as set forth in RSA 310-B:5-a and RSA 310-B:18, and will comply with the standards set forth in RSA 310-B:18-a.

(b) Non resident applicants shall submit to the board a signed and dated irrevocable consent for service of process form, as required by RSA 310-B:11, I.

(c) The applicant shall sign and date the application form, thereby indicating that the application in its entirety is accurate and complete to the best of their knowledge and belief.

(d) Applicants shall pay the application fee specified in Rab 306.01.

Rab 301.04 Additional Requirements.

(a) Each application for classification, licensure, or certification shall be of a continuing nature and it shall be the responsibility of the applicant to provide changes in information to the board at any point up to the issuance of the classification, license, or certificate.

(b) Holders of classification, licenses and certificates shall comply with the standards of practice and standards of conduct set forth in RSA 310-B. Disciplinary action shall be initiated by the board for misconduct by such persons as set forth in Rab 402 and RSA 310-B.

(c) Each applicant shall submit to the department of safety, division of state police, a notarized criminal record release authorization along with any required fee, with the board identified as the recipient of the record or records.

Readopt with amendment Rab 302.01, effective 6/23/21 (Document #13216), to read as follows:

Rab 302.01 Experience Required.

(a) Candidates shall meet the experience requirements established by the AQB, in the “The Real Property Appraiser Qualification Criteria and Interpretations of the Criteria”, [~~adopted January 1, 2008 as revised on May 1, 2018~~] **effective 1/2022**. This shall include the appendix containing the appraiser qualifications criteria adopted in December 2011, which appraisers shall comply with on and after January 1, 2015. This document shall be available as noted in Appendix A.

(b) Each person who seeks to become a licensed or certified real estate appraiser shall accrue at least the minimum number of hours of experience within the minimum time period as specified in (c)-(e) below. No person who has accrued less than the minimum number of hours of experience or who has accrued experience in less than the minimum time period shall apply for licensure or certification. However, there shall be no maximum time period during which a candidate may accrue experience.

(c) Each person who seeks to become a licensed residential real estate appraiser shall accrue at least 1,000 hours which shall be accrued in no fewer than 6 months. However, experience hours in excess of the 1,000 may be accrued[-] but shall not be applied toward licensure until the person has reached the end of the minimum 6-month period.

(d) Each person who seeks to become a certified residential real estate appraiser shall accrue at least 1,500 hours of appraisal experience in no fewer than 12 months. Experience hours in excess of the 1,500

may be accrued[7] but shall not be applied toward licensure until the person has reached the end of the minimum 12-month period.

(e) Each person who seeks to become a certified general real estate appraiser shall accrue at least 3,000 hours of appraisal experience, of which at least 1,500 hours shall have been in non-residential appraisal work, obtained in no fewer than 18 months. Experience hours in excess of the 3,000 total hours and 1,500 hours of nonresidential appraisal work may be accrued[7] but shall not be applied toward licensure until the person has reached the end of the minimum 18-month period.

Adopt Rab 302.02, previously effective 2/2/13 (Document #10207) and expired 2/3/2023, to read as follows:

Rab 302.02 General Criteria for Experience.

(a) Experience shall consist of verifiable time spent in performing tasks in accordance with:

(1) “The Real Property Appraiser Qualification Criteria and Interpretations of the Criteria”, effective 1/2022. This shall include the appendix containing the appraiser qualifications criteria adopted in December 2011, which appraisers shall comply with on and after January 1, 2015. This document shall be available as noted in Appendix A.; and

(2) The requirements of the then-current “Uniform Standards of Professional Appraisal Practice” (USPAP) adopted by the ASB, as required by RSA 310-B:18-a.

(b) Acceptable appraising experience shall include appraisal, appraisal review and successfully completed approved PAREA programs for residential applicants only, per AQB criteria effective 1/1/2022 that:

(1) Was obtained after January 30, 1989;

(2) Conforms to Standards 1, 2, 3, and 4, of USPAP; and

(3) Demonstrates proficiency in appraisal principles, methodology, procedures, and reporting conclusions.

(c) Appraisal experience may include, but shall not be limited to, the following types of appraisal activities:

(1) Real property appraisals;

(2) Real property appraisal review; and

(3) Appraisal consulting assignments as defined by USPAP.

Readopt with amendment Rab 302.03, effective 6/21/21 (Document #13216), to read as follows:

Rab 302.03 General Educational Requirements for Certification.

(a) Each applicant as a certified residential real estate appraiser shall hold:

- (1) An associate’s degree in the field of either business administration, finance, accounting, economics, or real estate;
- (2) A bachelors degree or higher in any field of study; or
- (3) A licensed residential real estate appraiser credential for a minimum of 5 years and have no record of any adverse and final disciplinary history during the 5 years preceding the application for certification when the applicant does not meet the education requirement in (1) or (2) above.

(b) Each applicant for certification as a general real estate appraiser shall hold at least a bachelor’s degree, or higher, from a college or university accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education.

(c) Each applicant as a licensed residential real estate appraiser shall not be required to have any college level education.

(d) Pursuant to Rab 302.03(c) if the accredited college or university accepts the College-Level Examination Program® (CLEP) examination(s) and issues a transcript for the exam showing its approval, the board shall consider such examination result to be the equivalent of credit for the college course.

Adopt Rab 302.04 through Rab 302.18, previously effective 2/2/13 (Document #10207) and expired 2/3/2023, to read as follows:

Rab 302.04 Experience Hour Standards.

(a) Traditional method for applicants who are under the supervision of a licensed certified residential or certified general appraiser:

- (1) The number of hours of experience that a licensed or certified residential real estate appraiser applicant can claim shall be the actual number of hours required to complete each assignment, up to the maximum number of hours as indicated in Table 3.2.1 “Appraisal Type and Maximum Experience Hours For Licensed Or Certified Residential Real Estate Appraiser” below for each appraisal type:
- (2) Reports prepared pursuant to (a) above shall, unless they are narratives, be on forms such as those developed by Fannie Mae, provided that all reports are made to comply with USPAP.
- (3) The number of hours of experience that a certified general real estate appraiser applicant can claim shall be the actual number of hours required to complete each assignment.
- (4) Applicants shall be awarded credit for the actual hours, up to a maximum of 40, spent in the preparation of feasibility studies, market analysis, cash flow analysis, investment analysis and other appraisal consulting assignments provided the reports conform to USPAP Standards if required by USPAP.

(b) A PAREA program that applies to applicants who are not under the supervision of a licensed certified residential or certified general appraiser and are approved by the AQB. This program shall serve as an alternative to the traditional experience requirements as described in Rab 302.04(a) and shall:

- (1) Be the PAREA program that is AQB approved and meets all required elements found in the PAREA section of the “Real Property Appraiser Qualification Criteria” as defined in Rab 302(a);
- (2) Not require that there be a client for an appraisal for that experience to qualify as an experience.
- (3) Applicants using PAREA training as alternative experience shall submit a certificate of completion that is signed by an individual from the training program qualified to verify an applicant’s successful completion.
- (4) Applicants using PAREA training as alternative experience shall not:
 - a. Receive partial credit for PAREA training;
 - b. Receive a certificate of completion until all required components of PAREA training have been successfully completed and approved by the program mentor;

Rab 302.05 Limitation for Certified General Real Estate Appraiser Applicants.

(a) Experience for certified general real estate appraiser applicants shall total 3000 hours and be earned as follows:

- (1) No more than 1500 hours of the experience requirement shall be obtained from appraisals on single family residential, residential 2 to 4 family, residential building lot, any written narrative appraisal report of a single-family property; and
- (2) A minimum of 1500 hours shall be from nonresidential appraisal work.

Rab 302.06 Review Experience. Applicants may claim the actual time spent for reviews of appraisals prepared in compliance with USPAP Standard 3 and 4.

Rab 302.07 Assessor Experience. Experience as a real estate assessor shall not be substituted for real estate appraisal experience as required under this part.

Rab 302.08 Reports, Documentation and Criteria.

(a) Experience shall be documented in the form of appraisal reports. Applicants presenting such experience documents shall be prepared to provide further substantiation to verify appraisal experience documentation, and its conformity to USPAP.

(b) To be credited with the requested hours appraisal reports shall conform to USPAP.

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.

Rab 302.10 Documentation of Formal Instruction Required.

(a) Evidence of formal instruction shall be submitted to the board and shall consist of written documentation issued by the course provider, such as an official transcript, that a passing grade was achieved.

(b) Applicants shall submit, in addition to the materials required in Rab 302.10 (a), a completed qualifying education course matrix, which shall be available from the board.

Rab 302.11 College Credit. Notwithstanding the provisions of Rab 302.09 (a), appraisal courses completed at a college, university, junior college, or community college shall receive 15 hours of credit for each credit hour granted for the course by the college, university, junior college, or community college.

Rab 302.12 Qualified Course Credit. For the purposes of meeting the requirements of Rab 302.09:

(a) Each course of instruction shall be for a duration of at least 15 hours;

(b) To receive credit for a course taken, the applicant shall achieve a passing score on an examination that tests the subject area of the course of instruction;

(c) Where the qualifying education course includes multiple topics identified within the Required Core Curriculum, testing of each component shall be required and the applicant shall comply with (b) above for each such component; and

(d) Each course of instruction shall be approved by the board pursuant to the criteria set forth in Rab 302.17.

Rab 302.13 Course Providers. For the purposes of meeting the requirements of Rab 302.09 formal instruction shall be provided by any of the following:

(a) Colleges or universities;

- (b) Community or junior colleges;
- (c) Real estate appraisal or real estate related organizations, including but not limited to the appraisal sponsors of the Appraisal Foundation, or the National Association of Realtors® and its affiliates;
- (d) State or federal agencies or commissions;
- (e) Proprietary schools; or
- (f) Providers offering courses approved by the board pursuant to Rab 302.16.
- (g) The Appraisal Foundation or its Boards.

Rab 302.14 Time Limitation. Each applicant shall have obtained at least 50% of their qualifying formal appraisal instruction within the 10 years prior to the submission of their application.

Rab 302.15 Course Content. The content of course instruction shall meet the minimum requirements of the AQB's Core Curriculum as detailed in their Guide Note 1: AQB Guidance for Curriculum Content in the Real Property Appraiser Qualification Criteria and Interpretations of the Criteria, adopted January 1, 2008, available as noted in Appendix A.

Rab 302.16 Standards for Approval of Courses. A course to be approved by the board shall comply with the following criteria:

- (a) The content of the course of instruction shall be within those subject areas set forth in Rab 302.15;
- (b) The course shall have been approved by the AQB's Course Approval Program (CAP).
- (c) Courses of instruction shall test competency in the subject area of the course through the use of a final examination;
- (d) Final examinations shall consist of at least one hour of examination time for each 15 classroom hours of instruction; and
- (e) Final examinations shall include questions that test the student's knowledge of the subject area of the course of instruction. Course providers shall submit sample examination questions to the board that indicate such examinations test knowledge.

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 or 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.

Repeal Rab 302.18, previously effective 2/2/13 (Document #10270) and expired 2/3/23, to read as follows:

~~[Rab 302.18 Distance Education. Distance education shall not be used for qualifying education.]~~

Adopt Rab 303.01 through Rab 303.05, previously effective 2/2/13 (Document #10270) and expired 2/3/23, to read as follows:

Rab 303.01 Prerequisite Educational Requirements. Each applicant for licensure, or certification shall meet the prerequisite educational requirements set forth in Rab 302.09 to be qualified to sit for the uniform state certification or licensing examination approved by the AQB, offered and administered by the testing provider approved by the AQB, and graded according to AQB standards.

Rab 303.02 Prerequisite Experience Requirements.

(a) Each applicant for licensure, or certification shall possess the prerequisite amount of experience as set forth in Rab 302.01 to sit for the uniform state certification or licensing examination approved by the AQB, offered, and administered by the provider approved by the AQB and graded according to AQB standards.

(b) There shall be no maximum time limit during which experience may be obtained however at least 25% of the experience requirement shall have been met in the 2 years prior to the submission of the application.

Rab 303.03 Examination Required.

(a) A passing score on the uniform state certification or licensing examination shall be achieved in order to qualify for any classification, license, or certificate described in Rab 301.01(e).

(b) The examination shall be the Uniform State Appraiser Examination developed by the Appraiser Foundation or approved by the AQB.

Rab 303.04 Notification of Examination Date; Identification.

(a) Applicants meeting the prerequisite educational and experience requirements in Rab 302 shall be notified in writing by the board or its agents of their status to sit for the certification or licensing examinations.

(b) The notification pursuant to (a) above shall include a validation card with information concerning testing and fees.

(c) The notification and validation card in (a) and (b) above shall be sent to each applicant upon approval of their application to sit for the examination.

(d) To gain admittance to the examination, applicants shall present the following to the examination administrators at the time of the examination administration:

- (1) A validation card; and
- (2) Picture identification of the applicant, including but not limited to a valid:
 - a. Driver's license;
 - b. Non-driver identification card issued by any state's division of motor vehicles or analogous agency;
 - c. Student identification card; or
 - d. Passport.

Rab 303.05 Examination Deadlines. A new applicant not currently licensed or certified in another jurisdiction, shall have up to 24 months, after approval by the board, to take and pass an AQB approved qualifying examination for licensure or certification. Successful completion of the examination shall be valid for a period of 24 months.

Adopt Rab 305.01 through Rab 305.03, previously effective 2/2/13 (Document #10270) and expired 2/3/23, to read as follows:

Rab 305.01 Responsibilities of Apprentice.

(a) The holder of an apprentice classification document issued by the board and identifying the person as a real estate appraiser apprentice shall work only under the direct supervision of a supervising appraiser. Only an individual who meets the requirements of Rab 305.02(e) and who has acknowledged in writing that they agree to perform the responsibilities of a supervisor set forth in Rab 305.02 shall be accepted by the board as a supervising appraiser.

(b) Prior to commencing any work as an apprentice, the holder of an apprentice classification shall inform the board in writing of the identity of any individuals who have agreed to serve as a supervising appraiser for the apprentice. The holder of an apprentice classification shall inform the board in writing within 7 days of any individual previously designated as a supervising appraiser ceasing to agree to perform the responsibilities of a supervising appraiser, or if any individual not previously designated as a supervising appraiser agreeing to supervise the work product of the apprentice.

(c) The holder of an apprentice classification shall have the following duties and responsibilities:

- (1) The apprentice shall maintain and submit to the board upon application for classification renewal a log which meets the requirements set forth in Rab 305.03;
- (2) The apprentice shall ensure that the log is available during normal work hours for immediate inspection by the board or its agent;
- (3) When performing appraisal assignments, the apprentice shall carry on their person the classification document issued by the board identifying the holder as a real estate appraiser apprentice; and
- (4) To comply with the Competency Rule of USPAP.

(d) In the event a supervising appraiser can no longer provide direct supervision to an apprentice and the apprentice does not have another supervising appraiser, the apprentice shall return the classification document within 30 days to the board. However, the board shall reissue the classification document to the apprentice when the apprentice has obtained a new supervising appraiser.

(e) The apprentice appraiser shall not have no more than 2 supervising appraisers.

(f) The apprentice shall complete an AQB approved course specifically oriented to the responsibilities of supervisory and apprentices commencing on and after January 1, 2015.

Rab 305.02 Responsibilities of Supervising Appraiser.

(a) An appraiser who agrees to serve as a supervising appraiser to an apprentice shall acknowledge in writing to the board that they agree to perform all responsibilities set forth in (b) below.

(b) A supervising appraiser shall have the following duties and responsibilities in directly supervising the apprentice:

- (1) The supervisory appraiser shall at all times be responsible for and provide direct supervision of the work performed by the apprentice by:
 - a. Accepting responsibility for the appraisal report by signing and certifying that the report complies with USPAP;
 - b. Reviewing and signing the apprentice appraiser's appraisal report(s);
 - c. Personally inspecting each appraised property with the apprentice appraiser until the supervising appraiser determines the apprentice appraiser is competent, in accordance with the Competency Rule of USPAP for the property being appraised; and

d. Ensuring the apprentice appraiser demonstrate that they have sufficient geographic competence to appraise the subject property;

(2) The supervisory appraiser shall, at least once a month, sign the log required to be kept by the apprentice pursuant to Rab 305.03;

(3) The supervisory appraiser shall set forth on the signed log their certification number;

(4) The supervisory appraiser shall make available to the apprentice copies of any appraisal report in which the apprentice's work product has been utilized or in which the apprentice made professional contribution;

(5) The supervisory appraiser shall immediately notify the board, in writing, in the event that they cease to perform the responsibilities set forth in this section;

(6) The supervisory appraiser shall complete an AQB approved course specifically oriented to the responsibilities of supervisory appraiser and apprentices commencing on and after January 1, 2015; and

(7) The supervisory appraiser shall keep copies of all apprentice appraiser reports for the longer of:

a. A period of at least 5 years; or

b. At least 2 years after final disposition of any judicial proceeding in which testimony was given, whichever period expires last.

(c) "Directly supervise" for purposes of this section, means to:

(1) Personally review the work product of the apprentice;

(2) Approve and sign each appraisal report including work product prepared by the apprentice or in which the apprentice has made a professional contribution and to sign all such reports and certify that all such reports have been independently and impartially prepared in compliance with USPAP, these rules, and RSA 310-B; and

(3) Identify the apprentice by name in the certification section and summarizing within the report the extent of the assistance provided by the apprentice appraiser if they do not sign the appraisal report.

(d) A supervisory appraiser shall be a New Hampshire certified appraiser in good standing for the preceding 3 years in any jurisdiction in which they hold licensure or certification, with a minimum of 3 years' experience as a New Hampshire certified appraiser.

(e) For the purpose of (d) above, being in good standing shall require that all of the following are true:

(1) The certified appraiser is not currently subject to a board-approved consent agreement, order or any other State or jurisdiction-imposed sanction that affects the certified appraiser's eligibility to practice and that results in prohibition of supervision within the last 3 years;

- (2) The certified appraiser is not subject to a summary order or final order that includes terms that affect the certified appraiser's eligibility to practice and that results in prohibitions of supervision; and
 - (3) The appraiser's certificate or license is not suspended or revoked.
- (f) No supervisory appraiser shall supervise more than 3 apprentices at one time.

Rab 305.03 Real Estate Appraiser Apprentice Log for Traditional Model.

(a) An appraisal experience log shall be maintained jointly by the apprentice and their supervisory appraiser. It is the responsibility of both the apprentice and supervisory appraiser to ensure the appraisal experience log is accurate, current, and complies with the requirements of the apprentice appraiser's credentialing requirements. The experience log shall include each appraisal assignment in which the apprentice participates and include at least the following:

- (1) The date of the appraisal report was signed;
 - (2) File number, or other reference information used by the applicant to retrieve the appraisal;
 - (2) The type of appraisal report performed;
 - (3) The address of the appraised property;
 - (4) Name of the client;
 - (5) A description of work performed;
 - (6) The number of actual work hours by the apprentice on the assignment; and
 - (7) The signature and certification number of the supervisory appraiser. If applicable, separate appraisal logs shall be maintained for each supervising appraiser.
- (b) The apprentice shall set forth within the log, for each assignment, information indicating whether the apprentice was involved in obtaining, calculating, or preparing the following:
- (1) Land or site inspections and descriptions;
 - (2) Building inspections and descriptions;
 - (3) Neighborhood descriptions and analysis;
 - (4) Highest and best use analysis;
 - (5) Research of comparable sales and analysis;
 - (6) Cost analysis;
 - (7) Income analysis for income properties;
 - (8) Meaningful sales analysis;

- (9) Correlation of data into final value; and
- (10) Any other components of the appraisal process.

Adopt Rab 307.01 through Rab 307.03, previously effective 2/2/13 (Document #10270) and expired 2/3/23, to read as follows:

Rab 307.01 Purpose. The purpose of this part is to permit appraisers certified or licensed in another state but not certified or licensed in this state to engage in limited temporary appraisal practice in this state when the properties to be appraised are part of federally related transactions as defined in RSA 310-B:2, IX.

Rab 307.03 Issuance of Temporary Practice Permit. The board shall issue a temporary practice permit as described in Rab 307.04 to an appraiser who is not certified or licensed in this state but is currently certified or licensed in another state when:

- (a) The property or properties to be appraised under the temporary practice permit are part of a federally related transaction;
- (b) The appraiser's business is of a temporary nature; and
- (c) The appraiser is personally eligible for and applies for such a permit pursuant to Rab 307.06.

Adopt Rab 307.05 through Rab 307.07, previously effective 2/2/13 (Document #10270) and expired 2/3/23, to read as follows:

Rab 307.05 Rights and Obligations of Holders of Temporary Practice Permits.

- (a) Holders of temporary practice permits shall comply with RSA 310-B, the rules of the board and all other applicable laws while engaged in appraisal practice within the state.
- (b) Holders of temporary practice permits shall develop their appraisals and issue their appraisal reports in conformance with USPAP.
- (c) The board shall take disciplinary action against a holder of a temporary practice permit for any act or omission for which the board would take action against an appraiser licensed or certified by the board.
- (d) Following disciplinary action against a holder of a temporary practice permit, the board shall forward to the regulatory body of the state that issued the underlying certification or license a copy of the evidence upon which the disciplinary action was based and a copy of the decision and order of the board.

Rab 307.06 Temporary Practice Permit Application Procedure.

- (a) Application for a temporary practice permit shall be made by submitting prior to beginning any appraisal in New Hampshire:
 - (1) A completed Temporary Practice Permit Application as further described in Rab 307.07;

(2) The documents specified in Rab 307.08; and

(3) The permit fee in the amount and form specified in Rab 306.01.

(b) Within 5 business days of its receipt of the materials described in and submitted pursuant to (a) above, the board shall either deny the permit application in writing or issue a temporary practice permit bearing a temporary practice number.

(c) A temporary practice permit shall be granted only if:

(1) The application was timely and complete; and

(2) The applicant paid the required fee.

Rab 307.07 Application Form. The applicant shall provide the following on or with the Temporary Practice Permit application form obtained from the board:

(a) Whether the applicant is a state licensed appraiser, state certified residential appraiser, or state certified general appraiser;

(b) The name of the applicant;

(c) The applicant's home physical address;

(d) The applicant's home mailing address;

(e) The applicants home phone number or cell phone number;

(f) The applicant's business physical address;

(g) The applicant business mailing address;

(h) The applicant's business telephone numbers;

(i) The applicant's date of birth;

(j) The applicant's social security number required pursuant to RSA 161-B:11, VI-a;

(k) The applicant's tax identification number;

(l) The applicant's drivers license number;

(m) The state that issued the applicant's appraiser license or certification;

(n) The telephone number of the state regulatory body that issued the applicant's appraiser license or certification;

(o) The license or certificate number;

(p) Whether the applicant has ever been found guilty, whether by verdict or pursuant to a plea of any kind, of a misdemeanor or felony described in RSA 310-B:5-a or an analogous provision in any other state;

(q) Whether the applicant or any partnership or corporation in which the applicant was a legal or financial participant has ever been disciplined, sanctioned, or fined or had a license, certificate or registration suspended, revoked, surrendered or resigned by the board or agency issuing the license, certificate or registration;

(r) Whether the applicant has ever been denied a real estate appraiser license or certification or a non-resident temporary practice registration or permit;

(s) The name of the applicant's client;

(t) The name of the contact person for the client;

(u) The addresses, including city, county, and state, of the properties to be appraised;

(v) The types, whether industrial building, farmland or the like, of the properties to be appraised;

(w) Whether the properties to be appraised are part of a federally-related transaction;

(x) Whether the appraisals sought to be permitted are under a single contract with a single client; and

(y) The estimated time required to complete the applicant's assignment.

(z) Applicants shall pay the application fee specified in Rab 306.01.

Readopt with amendment Rab 308.01, effective 7/18/19 (Document #12826), to read as follows:

Rab 308.01 Appraisal Management Company Requirements.

(a) Appraisal management companies offering appraisal services in New Hampshire shall meet the requirements established pursuant to RSA 310-B:12-b through RSA 310-B:12-u.

(b) Each appraisal management company shall designate one controlling person who is an employee of the appraisal management company that will be the designated contact for all communication between the board and the appraisal management company.

(c) No appraisal management company applying for a certificate of registration shall:

(1) Be owned by or employ any person to perform job functions related to the ordering, preparation, performance or review of appraisals who has had an appraiser license or certificate in this state or in any other state, refused, denied, cancelled, surrendered in lieu of revocation, or revoked, unless such license or certificate was subsequently granted or reinstated; and

(2) Be 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.

(d) Applicants for appraisal management company registration shall provide, or cause to be provided, ~~[the following on or with a]~~ **on the** “Appraisal Management Company (AMC) Application” ~~[for Practice in New Hampshire” form]~~ supplied by the board **the following information:**

(1) Is this form being used for an initial application or renewal application;

~~[(1)]~~**(2)** The applicant company’s name~~[-including any names previously used,]~~ **and appraisal management company (AMC) license number, if applicable;**

~~[(2)]~~**(3)** The ~~[fictitious]~~ name or names listed as doing business (dba) under which it does business in any state, **if applicable;**

~~[(3)]~~**(4)** The applicant’s business addresses, contact person(s), email address, and telephone numbers;

(5) The applicant’s employer identification number (EIN);

(6) Yes or no to the question “Is the AMC located within New Hampshire?”;

~~[(6)]~~**(7)** 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];~~

(8) Yes or no to the questions “Is the AMC owned by a federally regulated depository institution?”;

~~[(4)]~~**(9)** An indication as to whether the applicant is a single state or multi-state company;

~~[(9)]~~**(10)** Name, address, and email address of one controlling person designated as the main contact for all communication between the ~~[appraisal management company]~~ **AMC** and the board;

~~[(7)]~~**(11)** 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]~~ **AMC;**

(12) If a company is wholly owned by another corporation list names and titles of the CEO or head of the AMC and the Corporation, partnership, or other business entity they represent;

(13) Indicate yes or no to the following:

a. Does the AMC require an appraiser completing appraisals at its request to comply with USPAP including the requirements or geographic and product competence?;

b. The AMC is not owned and does not employ any person to perform job functions related to the ordering, preparation, performance, or review of appraisals who has had an appraiser license or certificate in this state or in any other state, refused, denied, cancelled, surrendered in lieu of revocation, or revoked? If no, was the license or certificate reinstated?

~~[(8)]~~**c.** ~~[A statement indicating whether the company is more than]~~ **Does the AMC have an owner holding more than** 10 percent **of the entity** ~~[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?;

d. Will the AMC maintain a detailed record of each service request that it receives and the appraiser that performs the residential real estate appraisal services for the AMC?

~~[(10)]~~**e.** ~~[A statement indicating that]~~ **Will** the ~~[appraisal management company has]~~ **AMC have** a system and process in place to verify that an individual being added to the appraiser panel of the ~~[appraisal management company]~~ **AMC** holds a license in good standing in this state?;

~~[(12)]~~**f.** ~~[A statement indicating that the person has]~~ **Does the AMC have** a system in place to verify that only licensed or certified appraisers are used for federally related transactions;

~~[(11)]~~ ~~A statement that the person requires appraisers completing appraisals at its request to comply with USPAP including the requirements for geographic and product competence;]~~

~~[(13)]~~**g.** ~~[A statement indicating that the person]~~ **The AMC** 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;

~~[(14)]~~ ~~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;~~

~~(15)~~ ~~A statement indicating the applicant gives permission to the board to examine books and records and to provide such records to the board upon request;~~

~~(16)~~ ~~A statement that the applicant will only employ appraisers duly certified or licensed by the board to perform appraisals within the state, and that the applicant will verify such licensure prior to issuing an appraisal assignment;]~~

~~[(17)]~~**h.** ~~[A statement indicating whether the applicant is or]~~ **Has the AMC** ever has been subject to any disciplinary action taken by any other real estate appraisal licensing entity and, if ~~[so]~~ **yes, provide a detailed** description ~~[of such]~~ **of any and all** action(s);

~~[(18)]~~**i.** ~~[A statement indicating whether]~~ **Has** the entity for which the application is submitted ~~[has]~~ ever been convicted of a crime and, if ~~[so]~~ **yes, provide a detailed** description of such conviction and copies of relevant court documents;

~~[(19)]~~**j.** ~~[A statement indicating whether]~~ **Does** the ~~[entity]~~ **AMC** for which the application is submitted ~~[has]~~ **have** any criminal charges pending in any jurisdiction **or country** and, if ~~[so]~~ **yes, provide** a **detailed** description of ~~[such]~~ **the** charges ~~[and]~~ **including** copies of the charging documents;

~~[(20)]~~**k.** The applicant’s dated signature **below the following statement**~~[-]~~:

“I attest that the information contained in this form is true and accurate to the best of my knowledge and belief and acknowledge that the provision of false information in the application is a basis for disciplinary action by the board. I will only employ appraisers duly licensed or certified by the Board to perform appraisals within the State and will verify such licensure or certification prior to issuing an appraisal assignment.

In addition, I give permission to the New Hampshire Real Estate Appraisers Board to examine books and records and to provide such records upon the request of the Board or its agent.”

(14) The “AMC National Registry Fee Calculation Sheet” providing the following information:

a. During the fee calculation period of October 1st of the previous year and September 30th of the current year, how many appraisers, on the AMC’s panel, performed appraisals in connection with a covered transaction in New Hampshire?”;

b. Times the total number calculated in a. above by \$25.00 and that is the total amount due with the “Appraisal Management Company (AMC) Application”; and

c. The controlling person shall sign and date the form under the following statement:

I, _____ (Print Name of Designed Controlling Person) attest that the panelist information reported on this document is true and correct to the best of my knowledge and belief and acknowledge that the provision of false information in the application is a basis for disciplinary action by the board.

~~[(21)]~~**(15)** If the appraisal management company is not domiciled in New Hampshire, an irrevocable uniform consent to service of process, required pursuant to RSA 310-B:12-d; and

~~[(22)]~~**(16)** The application fee specified in Rab ~~[306.04]~~ **308.01(14)**.

(e) Each applicant shall submit to the department of safety, division of state police, a notarized criminal record release authorization along with any required fee, with the board identified as the recipient of the record or records.

(f) Applicants for appraisal management company registration shall be of good moral character, as evidenced by:

- (1) The past disciplinary history with this board of any individual that owns 10% or more of the appraisal management company. If the appraisal management company is wholly owned by another company, the past disciplinary history of the CEO or head of that company;
- (2) The answers to questions Rab 308.01(d)(17)–(19), as provided on the **“Appraisal Management Company (AMC) [a]Application”** form; and
- (3) Any criminal offender record reports obtained pursuant to (e) above.

APPENDIX B

| Rule | Specific State Statute which the Rule Implements |
|------------------------------------|---|
| Rab 301 | RSA 310-b:5 and RSA 310-b:24, 1 |
| Rab 301.01-301.02 | RSA 310-B:5, RSA 310-B:6, RSA 310-B:20; RSA 310-B:24,I; 12 C. 3338 |
| Rab 301.03 | RSA 310-B:5, RSA 310-B:6, I (a) |
| Rab 301.04 | RSA 310-B:20; RSA 310-B:5, RSA 310-B:24, I |
| Rab 302.01 – Rab 302.02 | RSA 310-B:9 |
| Rab 302.03 | RSA 310-B:9, RSA 310-B:24, I, 12 U.S.C. 3345 |
| Rab 302.04 – Rab 302.08 | RSA 310-B:9 |
| Rab 302.09 | RSA 310-B:8; RSA 310-B:24, VII |
| Rab 302.10 – Rab 302.17 | RSA 310-B:8; RSA 310-B:24, VII |
| Rab 302.18 (repealed) | RSA 310-B:8; RSA 310-B:24, VII |
| Rab 303 | RSA 310-B:7; RSA 310-B:24, III |
| Rab 305 | RSA 310-B:6, I(a) |
| Rab 305.02 (d) | RSA 310-B:6, I(a), 12 U.S.C. 3345 |
| Rab 305.02 (e) intro., (1) and (2) | RSA 310-B:6, I(a), 12 U.S.C. 3345 |
| Rab 307 | RSA 310-B:12-a, RSA 310-B:24, I-a, |
| Rab 308.01 | RSA 310-B:12-b; RSA 310-B:12-n; RSA 310-B:24, VII-a; 12 U.S.C. 3338 |