

Department of State Division of Publications 312 Rosa L. Parks Ave., 8th Floor, Snodgrass/TN Tower Nashville, TN 37243 Phone: 615-741-2650 Email: publications.information@tn.gov	For Department of State Use Only Sequence Number: <u>12-01-20</u> Notice ID(s): <u>3218-3219</u> File Date: <u>12/1/2020</u>
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Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Tennessee Real Estate Appraiser Commission
Division:	Regulatory Boards
Contact Person:	Anna D. Matlock
Address:	500 James Robertson Parkway, Davy Crockett Tower, Nashville, Tennessee
Zip:	37243
Phone:	(615) 741-3072
Email:	Anna.Matlock@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Don Coleman
Address:	500 James Robertson Parkway Davy Crockett Tower Nashville, Tennessee 37243
Phone:	(615) 741-0481
Email:	Don.Coleman@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	500 James Robertson Parkway		
Address 2:	Davy Crockett Tower, Conference Room 1-B		
City:	Nashville		
Zip:	37243		
Hearing Date:	Thursday, January 21, 2021		
Hearing Time:	9:00 a.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

In the event that this in-person hearing is prohibited by reason of Executive Order, closure of the building, or a determination by the Commission, this hearing will be conducted via WebEx. In such a case, the meeting may be accessed here:

Meeting number (access code): 178 745 3385
Meeting password: JkwmJDK9Z23

Join by phone: +1-415-655-0003 US TOLL

Join from a video system or application: 1787453385@tngov.webex.com; You can also dial 173.243.2.68 and enter your meeting number.

Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
1255-01	General Provisions
Rule Number	Rule Title
1255-01-.05	Qualifications for State Licensed Appraiser
1255-01-.07	Qualifications for State Certified Residential Appraiser
1255-01-.08	Qualifications for General Certification
1255-01-.12	Registered Trainee
Chapter Number	Chapter Title
1255-02	Evaluation of Appraiser Education
Rule Number	Rule Title
1255-02-.04	Course Guidelines

Redline – 2020 Rulemaking Hearing Rules
Tennessee Real Estate Appraiser Commission

Chapter 1255-01
General Provisions
Amendments

Rule 1255-01-.05(1)(b)(2) is amended by deleting the text of part (b)(2) in its entirety and substituting instead language so that, as amended, Rule 1255-01-.05(1)(b)(2) shall read:

- (b) Appraisal Education. An applicant shall satisfy the following appraisal education requirements as a prerequisite to sit for the state licensed appraiser examination:
1. One hundred fifty (150) hours of courses in subjects related to real estate appraisal (hereinafter, “qualifying education requirement”) which shall include:
 - (i) Successful completion of fifteen (15) hours of the National Uniform Standards of Professional Appraisal Practice Course or its equivalent. Equivalency shall be determined by the Appraiser Qualifications Board Course Approval Program or by an alternate method established by the Appraiser Qualifications Board;
 - (l) The Commission shall grant an applicant credit toward the qualifying education requirement for the National Uniform Standards of Professional Appraisal Practice Course only when at least one of the course instructors is an AQB Certified USPAP Instructor who is also a state certified residential real estate appraiser or state certified general real estate appraiser.
 - (ii) Successful completion of a thirty (30) hour course in Appraisal Principles;
 - (iii) Successful completion of a thirty (30) hour course in Appraisal Practice or Procedures;
 - (iv) Successful completion of a fifteen (15) hour course in Residential Market Analysis and Highest and Best Use;
 - (v) Successful completion of a fifteen (15) hour course in Residential Appraiser Site Valuation and Cost Approach;
 - (vi) Successful completion of a thirty (30) hour course in Sales Comparison and Income Approaches; and
 - (vii) Successful completion of a fifteen (15) hour course in Residential Report Writing and Case Studies.
 2. All Courses listed in subparagraph (b) may be taken via distance education.

Authority: T.C.A. §§ 62-39-203, 62-39-204, 62-39-303, 62-39-329, 62-39-333, and 62-39-337.

Rule 1255-01-.07(1)(b)(2) is amended by deleting the text of part (b)(2) in its entirety and substituting instead language so that, as amended, Rule 1255-01-.07(1)(b)(2) shall read:

- (b) Appraisal Education. An applicant shall satisfy the following appraisal education requirements as a prerequisite to sit for the state certified residential real estate appraiser examination:

1. Two hundred (200) hours of courses, in subjects related to real estate appraisal (hereinafter “qualifying education requirement”), which shall include:

- (i) Successful completion of fifteen (15) hours of the National Uniform Standards of Professional Appraisal Practice Course or its equivalent. Equivalency shall be determined through the Appraiser Qualifications Board Course Approval Program or by an alternate method established by the Appraiser Qualifications Board;
- (l) The Commission shall grant an applicant credit toward the qualifying education requirement for the National Uniform Standards of Professional Appraisal Practice Course only when at least one of the course instructors is an AQB Certified USPAP Instructor who is also a state certified residential real estate appraiser or state certified general real estate appraiser.
- (ii) Successful completion of a thirty (30) hour course in Appraisal Principles;
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- (iv) Successful completion of a fifteen (15) hour course in Residential Market Analysis and Highest and Best Use;
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- (vi) Successful completion of a thirty (30) hour course in Sales Comparison and Income Approaches;
- (vii) Successful completion of a fifteen (15) hour course in Residential Report Writing and Case Studies;
- (viii) Successful completion of a fifteen (15) hour course in Statistics, Modeling and Finance;
- (ix) Successful completion of a fifteen (15) hour course in Advanced Residential Applications and Case Studies; and
- (x) Successful completion of twenty (20) hours of appraisal subject matter electives-, which may include any hours over the minimum listed in (i) through (x).

2. All Courses listed in subparagraph (b) may be taken via distance education.

Authority: T.C.A. §§ 62-39-203, 62-39-204, 62-39-311, 62-39-312, 62-39-313, 62-39-329, 62-39-333, and 62-39-337.

Rule 1255-01-.08(1)(b)(2) is amended by deleting the text of part (b)(2) in its entirety and substituting instead language so that, as amended, Rule 1255-01-.08(1)(b)(2) shall read:

- (b) Appraisal Education. An applicant shall satisfy the following appraisal education requirements as a prerequisite to sit for the state certified general real estate appraiser examination:
 - 1. Three hundred (300) hours of courses, in subjects related to real estate appraisal (hereinafter “qualifying education requirement”), which shall include:

- (i) Successful completion of fifteen (15) hours of the National Uniform Standards of Professional Appraisal Practice Course or its equivalent. Equivalency shall be determined through the Appraiser Qualifications Board Course Approval Program or by an alternate method established by the Appraiser Qualifications Board;
- (l) The Commission shall grant an applicant credit toward the qualifying education requirement for the National Uniform Standards of Professional Appraisal Practice Course only when at least one of the course instructors is an AQB Certified USPAP Instructor who is also a state certified residential real estate appraiser or state certified general real estate appraiser.
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- (vii) Successful completion of a thirty (30) hour course in General Appraiser Site Valuation and Cost Approach;
- (viii) Successful completion of a sixty (60) hour course in General Appraiser Income Approach;
- (ix) Successful completion of a thirty (30) hour course in General Appraiser Report Writing and Case Studies; and
- (x) Successful completion of thirty (30) hours of appraisal subject matter electives which may include any hours over the minimum listed above in (i) through (x).

2. All Courses listed in subparagraph (b) may be taken via distance education.

Authority: T.C.A. §§62-39-203, 62-39-204, 62-39-305, 62-39-311, 62-39-312, 62-39-313, 62-39-314, 62-39-329, 62-39-333, and 62-39-337.

Rule 1255-01-.12(7)(h) is amended by deleting “no more than one-half (1/2) of,” so that, as amended, Rule 1255-01-.12(7)(h) shall read:

- (h) A registered trainee may complete the individual’s required education credits via distance education.

Authority: T.C.A. §§ 62-39-203, 62-39-204, 62-39-301, 62-39-303, 62-39-304, 62-39-321, and 62-39-333.

Chapter 1255-02
Evaluation of Appraiser Education
Amendments

Rule 1255-02-.04 is amended by creating a new paragraph (9) so that, as amended, Rule 1255-02-.04(9) shall read:

- (9) In addition to distance education requirements, distance education courses intended for use as qualifying education must provide a written, closed-book final examination (proctored by an official as approved by the college or university, or by the sponsoring organization). The term “written” refers to an examination that might be written on paper, or administered electronically, on a computer workstation or other device. Oral exams are not acceptable. The testing must be in compliance with AQB examination requirements for qualifying education.

Authority: T.C.A. §§ 62-39-203, 62-39-204, and 62-39-333.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 12/01/2020

Signature: *Anna D. Matlock*

Name of Officer: Anna D. Matlock

Title of Officer: Associate General Counsel

Department of State Use Only

Filed with the Department of State on: 12/1/2020

Tre Hargett
Tre Hargett
Secretary of State

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 - (ii) Successful completion of a thirty (30) hour course in Appraisal Principles;
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 - (iv) Successful completion of a fifteen (15) hour course in Residential Market Analysis and Highest and Best Use;
 - (v) Successful completion of a fifteen (15) hour course in Residential Appraiser Site Valuation and Cost Approach;
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 - (vii) Successful completion of a fifteen (15) hour course in Residential Report Writing and Case Studies.
2. All Courses listed in subparagraph (b)~~(1)(i),(ii), and (iii)~~ may be taken via distance education.

Authority: T.C.A. §§ 62-39-203, 62-39-204, 62-39-303, 62-39-329, 62-39-333, and 62-39-337.

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Authority: T.C.A. §§ 62-39-203, 62-39-204, and 62-39-333.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 12/01/2020

Signature: *Anna D. Matlock*

Name of Officer: Anna D. Matlock

Title of Officer: Associate General Counsel

Department of State Use Only

Filed with the Department of State on: _____

Effective on: _____

Tre Hargett
Secretary of State