

Mark-up version of Section IX of Arkansas Appraiser Licensing and Certification Board (AALCB) Rules and Regulations

Proposed rules to implement Act 1066 of the 90th General Assembly. *This act pertains to reinstatement of an appraiser's credential.* Reviewed and adopted by the AALCB Rules, Regulations, and Policy Committee on November 17, 2015. Reviewed and adopted by the AALCB at its regular meeting on November 17, 2015.

Arkansas Appraiser Licensing and Certification Board proposed rule changes:

Section IX - Licensure Expiration, Renewal, Upgrade, Reinstatement and Inactive Status

A. Each license or certificate issued and each license or certificate renewal shall expire on June 30th each year following the date of issuance. State registered appraisers' certificates of registration will expire on December 31 of each calendar year. The expiration date of a license or certificate shall appear on the pocket card accompanying each license or certificate. No other notice of this expiration need be given to its holder except as provided in the requirements for continuing education.

B. Each application for renewal of a registration, license or certificate shall be accompanied by evidence on forms prescribed by the Board of the applicant having completed the continuing education requirement for renewal as prescribed in these regulations. Each application for renewal shall also be accompanied by an appropriate fee. The Board may mail to each licensee or certificate holder, at least sixty (60) days prior to the expiration date of each renewal year, a notice of the expiration and application for renewal of the registration, license or certificate to the licensee's or certificate holders address on file with the Board. The Board may issue a new registration, license or certificate for each renewal application only after including proof of completion of the continuing education requirements pursuant to these regulations and only after receipt of the appropriate fee. Delinquent renewal applications must be accompanied by a delinquent fee of fifty dollars (\$50) per month or partial month elapsed since the expiration date. Any registrant, licensee or certificate holder who fails to complete continuing education requirements will not be eligible for registration, license or certificate renewal.

~~C.~~ Failure of a registrant, licensee or certificate holder to receive the notice and application to renew from the Board shall not excuse the registrant, licensee or certificate holder from the requirements for renewal contained in these regulations.

~~C.~~ Any registrant, licensee or certificate holder who fails to renew within twelve (12) months of the expiration of their registration, license or certificate must re-apply and, where appropriate, take and pass an examination equivalent of that required for pre licensing as designated by the Board in order to show current knowledge of real property appraisal practices, techniques and procedures before the license or certificate may be renewed.

~~C.~~ A licensed or certified Arkansas appraiser who wishes to temporarily retire from appraisal practice shall notify the Board in writing at least 30 days before expiration of a current license or certification. A state registered appraiser will not be permitted to place their registration on inactive or retired status. In regards to the foregoing B. & C., ~~U~~nless notice of intent to place a

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license/certification on inactive status or intent to not renew (including State Registered) is received prior to expiration, the monthly penalties will continue for a maximum of twelve (12) months or until notice is received. ~~After a one (1) year hiatus, the State Registered appraiser will be required to submit a new application, satisfy any deficiencies that may have been outstanding at the time registrant failed to renew or notify the Board, plus a maximum penalty of \$600.~~

D. The following is required of applicants for reinstatement of a previously held Arkansas certification, license, or registration which has been expired for more than one year:

- (1) Submission of an application form as prescribed by the Board.
- (2) The applicant for reinstatement shall submit a demonstration appraisal report which will be reviewed by members of the board. If the demonstration report is found to not be in compliance with the appropriate edition of the "Uniform Standards of Professional Appraisal Practice," or if it is not in compliance with Board statutes, an interview with the applicant may be required.
- (3) Regarding continuing education requirements, the applicant shall provide evidence of:
 - (a) Completion of the current 14 hour USPAP course, and
 - (b) Completion of a minimum of seven (7) hours of approved qualifying or continuing education for each year the reinstatement applicant's certification, license, or registration was expired. If the applicant's requirement for education is 14 hours or less, the 14 hour USPAP course, as specified in (E) (2) (a) above, will fulfill the requirement for education.
- (4) Applicants who were previously certified or licensed shall, within twelve (12) months of Board approval of a reinstatement application, successfully complete with a passing score the Appraiser Qualifications Board endorsed Uniform State Licensing Examination or its equivalent administered by a Board approved testing company.
- (5) Applicants will pay a \$125.00 fee at the time of application for reinstatement. If the required test is passed and the applicant is otherwise approved for reinstatement, the applicant will pay the balance of the prescribed fee required for his or her credential. Application fees are non-refundable.
- (6) Additionally, all applicants for reinstatement shall meet the following qualifications and conditions:
 - (a) The applicant shall not have been convicted, found guilty, or pled guilty, regardless of adjudication, in any jurisdiction of a misdemeanor involving moral turpitude or of any felony. Any plea of nolo contendere shall be considered a conviction for the purposes of this paragraph. The record of a conviction authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such conviction.
 - (b) The Board may require each applicant for a license to furnish, at his/her expense, a recent passport type photograph of him/herself, as well as any other information or form of identification deemed necessary by the Board to determine the applicant's qualifications for licensing or certification.

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E. ~~INACTIVE STATUS~~ Inactive Status may be initiated by the payment of \$100 fee on or before June 30th and may ~~NOT~~ not be continued for more than six (6) years. The failure to remit the applicable annual renewal fee of \$100 on or before June 30th will result in a lapsed license. To reinstate an appraiser's lapsed inactive license, the monthly delinquent fee will be applicable for a maximum of twelve (12) months. The appraiser who elects Inactive Status must, within six (6) years from the date the active license or certification expired, notify the Board of his/her desire to resume active practice. Otherwise, the license becomes null and void.

An appraiser who wishes re-instatement ~~after an~~ within the maximum six (6) year ~~Inactive Status period described in the previous paragraph~~ shall make application to the Arkansas Appraiser Licensing and Certification Board. ~~The application will be reviewed by the Board and, if the applicant for reinstatement has satisfied all requirements, the Board shall re-activate the applicant's registration, license, or certificate will be reactivated.~~

The application for reinstatement shall be accompanied with sufficient documentation that the appraiser has taken, prior to reinstatement, a minimum fourteen (14) hours for each year of inactivity (the equivalent that would have been required if the license was on active status) in refresher courses ~~PLUS~~ plus any continuing education hours which were delinquent before the Inactive Status. Also, any appraiser who has been inactive for more than ~~three (3)~~ two (2) years must show evidence of having taken the ~~most recent seven (7)~~ fourteen (14) hour National USPAP ~~Update~~ course during the preceding year ~~in addition to other continuing education requirements.~~

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December 11, 2015