

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 780

Department or Agency: Alabama Real Estate Appraisers Board

Rule No.: 780-X-5-.02

Rule Title: Board Approval Of Courses

Intended Action Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Lisa Brooks
Lisa Brooks

Date

Tuesday, April 15, 2025

REC'D & FILED
APR 15, 2025
LEGISLATIVE SVC AGENCY

ALABAMA REAL ESTATE APPRAISERS BOARD

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Real Estate Appraisers Board

RULE NO. & TITLE: 780-X-5-.02 Board Approval Of Courses

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

To amend the class length for qualifying appraiser education

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written comments may be made on or before July 9, 2025 at 5:00 PM by mailing to
P.O. Box 304355, Montgomery, AL 36130

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, July 9, 2025

CONTACT PERSON AT AGENCY:

Neva Conway

Lisa Brooks

Lisa Brooks

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

All courses taught in the State of Alabama must be approved by the Alabama Real Estate Appraisers Board for the student to receive credit by the Board for licensure or continuing education for the course.

1. In compliance with 34-27A-5(b)(13), any approved licensure course must

(a) meet the Appraiser Qualification Board ~~(AQB) criteria adopted by the Board for the education cycle submitted for approval and must~~ (AQB) criteria adopted by the Board for the education cycle submitted for approval;

(b) be a least fifteen hours in length ~~with~~ (except for the eight (8) hour course on valuation bias and fair housing law)

(c) must have an exam ~~an exam, save and except continuing education courses~~. If the course is approved for licensure, it is automatically approved for continuing education credit and may be submitted by the licensee for continuing education credit. The Board will consider for approval only those courses which meet the module approach to course description as defined by the AQB.

2. Any approved continuing education course or seminar must be at least two hours in length and approved by the Board.

3. The Board may grant approval for appraisal related courses and instructors, offered by schools accredited by the Southern Association of Colleges and Schools (SACS), that are taught as part of the college, junior college, community college or university's curriculum without application and payment of fees for approval by the institution.

4. If the school is not accredited by SACS, the provider, course and all instructors must be approved by the board, in writing, prior to teaching the course, for approval of the credit for licensure or continuing education.

5. Approval may also be granted for courses and/or seminars offered by Community or Junior colleges. If the school is accredited by SACS, and the course is a part of the curriculum, the course is approved without necessity of evaluation by the Board. The instructor requires approval by the Board.

6. Approval may also be granted for courses and/or seminars from Real Estate Appraisal or related organizations, state or federal agencies or commissions, proprietary schools, or other providers approval by the Board. The Board may waive application and payment of evaluation fees for approval of courses taught by these entities.

7. All applications for approval of educational offering shall be made on forms provided by the Board and accompanied by a course approval certificate issued by the Appraisal Qualifications Board (AQB), a course outline or syllabus, the textbook, any handouts, a final examination, if applicable. No other applications will be accepted. Applicants may duplicate forms or enclose additional information for clarification. Applications that are not properly completed, that do not contain all the necessary information or have the correct fees will not be processed and will be returned to the applicant.

8. Approval of educational offerings is for a two-year period. The two-year cycle ends September 30, 1994 and every two-year period thereafter. Approval for one cycle does not automatically mean approval for any other cycle.

9. All educational offerings will be reviewed by the Executive Director. If recommended for approval by the Executive Director, the educational offering will be submitted to the Board for approval at the next regularly scheduled Board meeting. Approval by the Board is required.

(i) If the educational offering is deemed unacceptable by the Executive Director, the Executive Director must submit the reason or reasons to the Board why the educational offering was found to be unacceptable. If the Board agrees that the educational offering is unacceptable, then the applicant will be provided with reason or reasons for denial.

(ii) The applicant will have 30 days from date of denial to submit a request for a hearing before the Board for reconsideration.

(iii) The Board shall provide a hearing for the course provider within 60 days of the request for a hearing.

(iv) The Board shall notify the course provider of the results of the hearing within 10 days of the conclusion of the hearing.

11. Bi-annual application fees are set by the Board. Review of each educational offerings [offering] (course or seminar) for pre-license or continuing education is \$5.00 per educational hour. These fees are non-refundable.

12. All approved courses are subject to review at any time after approval by the Alabama Real Estate Appraisers Board for compliance with AQB criteria. In the event of such a review, school or course provider officials shall make available to the authorized representative of the Board all records requested which are necessary to the review. Any action by the Board which limits or restricts approval of courses during the two-year approval cycle shall entitle the school or course provider to a hearing before the Board for reconsideration of the restriction or limitation. The request for a hearing shall be made by the school or course provider in writing to the Board on or before 30 days of notice to the school or course provider of the restriction or limitation. Notice shall be deemed complete of the day of mailing of the notice to the school or course provider.

13. For the education approval cycle which begins on August 1, 2007, all courses submitted for approval as a licensure course must comply with the AQB module for approved licensure education. Courses will continue to be approved for two-year cycles.

14.(i) **Distance Education Courses.** Distance education is a course(s) in which instruction does not take place in a traditional classroom setting but rather through other media in which teacher and student are separated by distance and sometimes by time.

(ii) The Board approves distance education courses for which:

(I) satisfactory documentation that the International Distance Education Certification Center (IDECC) or other AQB approved organization has certified the course as meeting its distance education standards for course design and delivery mechanism;

(II) a college or university that qualifies for content approval that awards academic credit for the distance education course;

(III) or a qualifying college or university for content approval with a distance education delivery program that approves the course design and delivery

that incorporate interactivity. Any Board approval based on such an IDECC certification will cease immediately upon notice from IDECC that certification of the course has been discontinued for any reason.

(iii) In distance education courses, a classroom hour is defined as fifty minutes of instruction out of each sixty-minute segment.

Author: Alabama Real Estate Appraisers Board

Statutory Authority: Code of Ala. 1975, §34-27A-11.

History: New Rule: Filed May 20, 1996; effective June 25, 1996. **Amended:** Filed May 23, 2000; effective June 27, 2000.

Amended: Filed December 4, 2003; effective January 8, 2004.

Amended: Filed May 18, 2007; effective June 22, 2007. **Amended:** Published September 30, 2020; effective November 14, 2020. __

Amended: Published _____; effective _____.