



**Certification Page  
Regular and Emergency Rules  
Revised May 2014**

**Emergency Rules** *(After completing all of Sections 1 and 2, proceed to Section 5 below)*

**Regular Rules**

**1. General Information**

a. Agency/Board Name Department of Administration and Information		
b. Agency/Board Address 2020 Carey Avenue, Suite 702	c. City Cheyenne	d. Zip Code 82002
e. Name of Contact Person Nicole Novotny Smith	f. Contact Telephone Number 307-777-7141	
g. Contact Email Address nicole.novotnysmith@wyo.gov	h. Adoption Date 11/19/2014	
i. Program Certified Real Estate Appraiser Board		

**2. Rule Type and Information:** For each chapter listed, indicate if the rule is New, Amended, or Repealed

If "New," provide the Enrolled Act numbers and years enacted:

c. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed  
*(Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification)*

Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amended	<input type="checkbox"/> Repealed
One	General Provisions			
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed

d.  The Statement of Reasons is attached to this certification.

e. If applicable, describe the emergency which requires promulgation of these rules without providing notice or an opportunity for a public hearing:  
**Statutory authority regulating the practice of Wyoming Certified Real Estate Appraisers is established in W.S. § 33-39-101 through 33-39-225. These Emergency Rules are necessary for federal compliance with the Appraisal Subcommittee of the Federal Financial Institutions Examination Council per mandated regulatory changes effective January 1, 2015. Regular Rules changes shall be submitting to the Governor and Secretary of State immediately after this Emergency Rules filing.**

**3. State Government Notice of Intended Rulemaking**

- a. Date on which the Notice of Intent containing all of the information required by W.S. 16-3-103(a) was filed with the Secretary of State: N/A
- b. Date on which the Notice of Intent and proposed rules in strike and underscore format and a clean copy were provided to the Legislative Service Office: N/A
- c. Date on which the Notice of Intent and proposed rules in strike and underscore format and a clean copy were provided to the Attorney General: N/A

**4. Public Notice of Intended Rulemaking**

- a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice.  Yes  No  N/A
- b. A public hearing was held on the proposed rules.  Yes  No


If "Yes:"	Date:	Time:	City:	Location:

**5. Final Filing of Rules**

- a. Date on which the Certification Page with original signatures and final rules were sent to the Attorney General's Office for the Governor's signature: November 24, 2014
- b. Date on which final rules were sent to the Legislative Service Office: November 24, 2014
- c. Date on which a PDF of the final rules was electronically sent to the Secretary of State: November 24, 2014

**6. Agency/Board Certification**

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual <i>(Blue ink as per Rules on Rules, Section 7)</i>	
Printed Name of Signatory	Nicole Novotny Smith
Signatory Title	Executive Director
Date of Signature	November 24, 2014

**7. Governor's Certification**

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	

**Attorney General:** 1. Statement of Reasons; 2. Original Certification Page; 3. Summary of Comments (regular rules); 4. Hard copy of rules: clean and strike/underscore; and 5. Memo to Governor documenting emergency (for emergency rules only).

**LSO:** 1. Statement of Reasons; 2. Copy of Certification Page; 3. Summary of Comments (regular rules); 4. Hard copy of rules: clean and strike/underscore; 5. Electronic copy of rules (PDFs) emailed to [Criss.Carlson@wyoleg.gov](mailto:Criss.Carlson@wyoleg.gov): clean and strike/underscore; and 6. Memo to Governor documenting emergency (for emergency rules only).

**SOS:** 1. PDF of clean copy of rules; and 2. Hard copy of Certification Page as delivered by the AG.



# Wyoming Certified Real Estate Appraiser Board

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WAYNE VOSS, WORLAND

MEMBER - ASSOCIATION OF APPRAISER REGULATORY OFFICIALS

## Emergency Rules Filing Statement of Reasons

The Wyoming Certified Real Estate Appraiser Board (CREAB) operates with the authority established in W.S. § 33-39-101 through 33-39-225. This Board also functions under the federal direction of the Appraisal Subcommittee (ASC) of the Federal Financial Institutions Examination Council. Since 2011, the Appraiser Qualifications Board (AQB) of the ASC has discussed new criteria, to be effective January 1, 2015, for the licensing/regulation of real estate appraisers. This new criteria is attached to this Statement of Reasons, along with a memo from the AQB to the Appraisal Foundation summarizing the 18-month period in which the AQB published exposure drafts and gathered public comment for implementation of these new criteria.

These Emergency Rules are respectfully submitted so that the State of Wyoming is in compliance with these federal requirements, created and enforced by the ASC, effective January 1, 2015. The Wyoming Certified Real Estate Appraiser Board is audited biannually by the ASC to ensure that our regulatory board is in full compliance. Formal Regular Rules shall be filed immediately after this Emergency Rules filing.

Changes to administrative rules for the purposes of this filing are only contained in Chapter One of the CREAB Rules. Here is a summary of changes by section:

- Section Five: These deletions uphold new ASC standards concerning attainment of a college degree for real estate appraisers
- Section Six: Specifies the new timeline for appraiser examination scores
- Section Seven: Includes a clarification on examination eligibility
- Section Fourteen: Incorporates new language allowing the CREAB to enact discipline per new criteria concerning criminal history and dishonesty in appraising
- Section Sixteen: Specifies new criteria for appraisers serving as supervisory appraisers and their trainees



## UPCOMING CHANGES TO REAL PROPERTY APPRAISER QUALIFICATIONS

On December 9, 2011, the Appraiser Qualifications Board of The Appraisal Foundation adopted changes to the *Real Property Appraiser Qualification Criteria* that will become effective January 1, 2015. These changes represent minimum national requirements that each state must implement no later than January 1, 2015.

### OVERVIEW OF CHANGES

<b>National Uniform Licensing and Certification Examinations</b>	Education <u>and</u> experience must be completed prior to taking the AQB-approved <i>National Uniform Licensing and Certification Examination</i> .
<b>Background Checks*</b>	All candidates for a real property appraiser credential must undergo background screening. State appraiser regulatory agencies are <i>strongly</i> encouraged to perform background checks on <i>existing</i> credential holders as well.
<b>College Degree Acceptance and Core Curriculum Requirements</b>	Credit towards qualifying education requirements may be obtained via the completion of a degree program in Real Estate from an accredited degree-granting college or university provided the college or university has had its curriculum reviewed and approved by the AQB.
<b>Deletion of the Segmented Approach to Criteria Implementation</b>	States had the option to implement the 2008 <i>Real Property Appraiser Qualification Criteria</i> via the “segmented approach.” This implementation option will no longer be valid effective January 1, 2015.
<b>Restriction on Continuing Education Course Offerings</b>	Aside from complying with the requirements to complete the <i>7-Hour National USPAP Update Course</i> (or its AQB-approved equivalent), appraisers may not receive credit for completion of the same continuing education course offering within an appraiser’s continuing education cycle.
<b>Distance Education Requirements</b>	A <i>written, proctored</i> examination is required for all qualifying education distance course offerings. The term <i>written</i> refers to an examination that might be written on paper or administered electronically on a computer workstation or other device.
<b>Revisions to Subtopics in Guide Note 1 (GN-1) and Continuing Education Topics</b>	Added topics on green building (qualifying and continuing education), seller concessions (qualifying and continuing education) and developing opinions of real property value in appraisals that also include personal property and/or business value (continuing education only).

**\*At its April 11, 2014 Public Meeting, the AQB voted to delay implementation of Section VI, Background Checks, until January 1, 2017.**

**COLLEGE LEVEL EDUCATION REQUIREMENT CHANGES\***

<b>CLASSIFICATION</b>	<b>CURRENT REQUIREMENTS</b>	<b>1/1/15 REQUIREMENTS</b>
<b>Trainee Appraiser</b>	None	None
<b>Licensed Residential Appraiser</b>	None	30 semester credit hours of college-level education from an accredited college, junior college, community college, or university OR an Associate's degree or higher (in any field).
<b>Certified Residential Appraiser</b>	21 semester credit hours in specified collegiate subject matter courses from an accredited college or university OR an Associate's degree or higher.	Bachelor's degree or higher (in any field) from an accredited college or university.
<b>Certified General Appraiser</b>	30 semester credit hours in specific collegiate subject matter courses from an accredited college or university OR a Bachelor's degree or higher.	Bachelor's degree or higher (in any field) from an accredited college or university.

\*These requirements are effective for individuals seeking a real property appraiser credential *after* January 1, 2015. However, in some cases, the requirements may also apply to *existing* real property appraisers (for example, a state may require a credentialed appraiser to meet the new Criteria if he or she moves from a state that does not have reciprocity with that state. Or some states may require appraisers seeking to change their credential level to meet all of the 2015 Criteria prior to obtaining the new credential). **Credentialed appraisers are urged to contact the applicable state appraiser regulatory agencies if they are contemplating relocation or changing credential levels.**

**SUPERVISORY APPRAISER AND TRAINEE APPRAISER REQUIREMENT CHANGES**

<b>SUPERVISORY APPRAISER</b>	<b>TRAINEE APPRAISER</b>
State-certified Supervisory Appraiser shall be in good standing with the training jurisdiction and not subject to any disciplinary action within the last three (3) years that affects the Supervisory Appraiser's legal ability to engage in appraisal practice. Shall have been state certified for a minimum of three (3) years prior to being eligible to become a Supervisory Appraiser.	All qualifying education must be completed within the five (5) year period prior to the date of submission of an application for a Trainee Appraiser credential.
A Supervisory Appraiser may not supervise more than three Trainee Appraisers at one time, unless a state program in the licensing jurisdiction provides to progress monitoring, supervising certified appraiser qualifications, and supervision oversight requirements for Supervisory Appraisers.	A Trainee Appraiser is permitted to have more than one Supervisory Appraiser.
Shared responsibility to ensure the appraisal experience log for the Trainee Appraiser is accurate, current, and complies with the requirements of the Trainee Appraiser's credentialing jurisdiction.	
Both the Trainee Appraiser and Supervisory Appraiser shall be required to complete a course that, at a minimum, complies with the specifications for course content established by the AQB. The course will be oriented toward the requirements and responsibilities of Supervisory Appraisers and expectations for Trainee Appraisers. The course must be completed by the Trainee Appraiser prior to obtaining a Trainee Appraiser credential, and completed by the Supervisory Appraiser prior to supervising a Trainee Appraiser.	

CHAPTER 1  
CERTIFIED REAL ESTATE APPRAISER BOARD  
GENERAL PROVISIONS

EMERGENCY RULES ARE NO LONGER IN EFFECT 120 DAYS AFTER FILING  
WITH THE SECRETARY OF STATE

**Section 1. Authority.** Pursuant to the authority vested in the Certified Real Estate Appraiser Board by virtue of W. S. 16-3-101 through 16-3-115 and W. S. 33-39101 through 33-39-130 (the Act), the following rules and regulations are hereby promulgated.

**Section 2. Definitions.** Terms defined in the act shall have the same meanings when used in these rules unless the context or subject matter clearly requires a different interpretation.

(a) “Applicant” means a person or Appraisal management company (AMC) who submits an application for a permit or registration to the Board;

(b) “Appraiser Qualifications Board” “AQB” is the independent board of the Appraisal Foundation which sets the qualification standards for appraisers;

(c) “Appraisal Standards Board” “ASB” is the independent board of the Appraisal Foundation which sets the appraisal standards for appraisers;

(d) “Appraisal Subcommittee “ASC” is the Appraisal Subcommittee of the Federal Financial Institutions Examination Council;

(e) “Board” means the Wyoming certified real estate appraiser board;

(f) “Certified general real estate appraiser” means a person certified by the director to develop and communicate real estate appraisals of all types of property;

(g) “Certified real estate appraiser trainee” means a person certified by the director to develop and communicate real estate appraisals under the immediate and personal direction of a certified real estate appraiser;

(h) “Certified residential real estate appraiser” means a person certified by the director to develop and communicate real estate appraisals of all types of residential property of one-to-four units and vacant or unimproved land that is utilized for one-to-four residential unit purposes or for which the highest and best use is for one-to-four residential units, not to include the appraisal of subdivisions for which a development analysis/appraisal is necessary;

(k) "Client" means any person or entity that contracts with, or otherwise enters into an agreement with, an appraisal management company for the performance of appraisal management services and real estate appraisal services;

(m) "Director" means the director of the Wyoming Real Estate Commission who serves on the Board as a non-voting ex-officio member;

(n) "In good standing" means maintaining an active certification in this state pursuant to the Certified Real Estate Appraiser Act, which certification is not subject to any disciplinary or probationary restrictions;

(o) "Jurisdiction" includes all fifty states and the commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, the District of Columbia and the Virgin Islands as recognized by the United States of America.

(p) "Permit number" means the permit number, which appears on the permit issued to an appraiser or certified real estate trainee by the Board. The Appraiser's permit number and type of certification shall appear on all appraisal reports, i.e., "Certified General Real Estate Appraiser, Wyoming Permit No. \_," or "Certified Residential Real Estate Appraiser, Wyoming Permit No. \_," or "Certified Real Estate Appraiser Trainee, Wyoming Permit No. \_."

(q) "Proof of completion" is a certified transcript or certificate from the entity offering the course/seminar which states the name of the appraiser, certified real estate trainee, the title of the course/seminar, and the date of completion.

(r) "Registration number" means the specific number issued to each individual AMC.

(s) "Temporary work" means work of a temporary nature, not to exceed one (1) appraisal assignment which shall be completed within six (6) months from date of issuance of the temporary permit.

(t) "USPAP" means the Uniform Standards of Professional Appraisal Practice.

**Section 3. Exemptions.** These Rules and Regulations shall not apply to a real estate broker, associate broker or salesman who, in the ordinary course of business, gives an opinion of the price of real estate for the purpose of a prospective listing or sale, provided, this opinion of the price shall not be referred to as or construed to be an appraisal.

**Section 4. Fees.**

(a) The following non-refundable fees shall be charged by the Board:

(i)	Examination fee .....	\$100
(ii)	Certified General, Residential or Trainee permit .....	\$400
(iii)	AMC registration .....	\$1,800
(iv)	Certified General, Residential or Trainee renewal .....	\$400
(v)	AMC renewal – (annual) .....	\$1,800
(vi)	Change of address or Change of business name .....	\$20
(vii)	Duplicate permit or pocket card .....	\$20
(viii)	Education account .....	\$20
(ix)	Permit for temporary work .....	\$150
(x)	Course or Instructor Approval .....	\$50
(xi)	Federal Registry Fee (annual) .....	\$40
(xii)	Work Product Report Review Fee .....	\$275
(xiii)	Late Renewal fee.....	\$100
(xiv)	Certified Documents .....	\$10

(b) The AMC’s registration and renewal fees cover any changes made during the year such as, change of address and change of contact person. Forms for required changes must be submitted to the Board. All changes shall be submitted to the Board within Thirty (30) days.

**Section 5. Education requirements.**



(a) All applicants shall attend a fifteen (15) hour national USPAP course covering the most recent edition of USPAP or its equivalent taught by an AQB-certified USPAP instructor, and pass the associated fifteen (15) hour national USPAP course examination.

(b) In order to qualify for a permit to practice as a certified general real estate appraiser, an applicant shall furnish proof of having successfully completed three hundred (300) creditable classroom hours of courses in subjects related to real estate appraisal which meet the required core curriculum established and published by the Board. In addition, the applicant shall ~~either:~~

~~(i) Hold a bachelor's or higher degree from an accredited college/university acceptable to the Board, or in lieu of a bachelor's degree:~~

~~(ii)(i) Successfully complete thirty (30) semester equivalent credit hours as established and published by the Board from an accredited college or university acceptable to the Board. Repetitious course work in the same curriculum will not be accepted.~~

(c) In order to qualify for a permit to practice as a certified residential real estate appraiser, an applicant shall furnish proof that they have successfully completed two hundred (200) creditable classroom hours of courses in subjects related to real estate appraisal which meet the required core curriculum established and published by the Board, and, in addition, the applicant must ~~either:~~

~~(i) Hold an associate's or higher degree from an accredited community college/university/college acceptable to the Board, or in lieu of an associate's degree:~~

~~(ii)(i) Successfully complete twenty one (21) semester equivalent credit hours as established and published by the Board from an accredited college or university acceptable to the Board. Repetitious course work in the same curriculum will not be accepted.~~

(d) Distance education may be used as qualifying education if the course is approved by the Board, meets AQB criteria and has a proctored final exam at the completion.

(e) In order to qualify for a permit to practice as a certified real estate appraiser trainee, an applicant shall furnish proof of having successfully completed seventy-five (75) creditable classroom hours which meet the required core curriculum established and published by the Board. All qualifying education shall be completed within the five (5) year period prior to the date of submission of a certified real estate appraiser trainee permit.

## **Section 6. Examination requirements.**

(a) Prior to taking the exam for a permit to practice as a certified real estate appraiser, the applicant shall furnish proof to the Board that the applicable education required by Section ~~6-5~~ and experience required by Section 7 ~~have~~s been completed.

(b) The applicant shall pass the examination and furnish proof of work experience prior to a person submitting an application for certification. Examination fees will not be refunded if the Board does not approve the applicant for certification.

(c) Every applicant seeking certification as an appraiser shall register for the Board approved examination with the testing service under contract with the Board.

(i) Failure to complete the examination on the scheduled date will result in forfeiture of the examination fee.

(ii) To re-write the examination, any applicant who does not attain a passing score shall register with the testing service under contract with the Board and submit the examination fee.

(d) A notice to an applicant that they have received a passing score on the Board approved examination does not constitute a permit to practice.

~~(e) An applicant who does not complete the experience requirement within the time frame required by AQB criteria shall retake and pass the examination. Examination scores more than twenty-four (24) months old will not be accepted.~~

## **Section 7. Experience requirements.**

(a) To be eligible to take the examination for certification ~~certified~~ as a certified residential real estate appraiser or a certified general real estate appraiser, an applicant shall present evidence to the Board that the experience requirement has been satisfied.

(b) In order to be certified as a residential real estate appraiser, the total experience shall consist of two-thousand five-hundred (2,500) hours of experience obtained during no fewer than twenty-four (24) months and no more than the sixty (60) months immediately preceding the filing of the application for certification. While the number of hours may be cumulative, the required number of months must accrue before an individual may be certified.

(i) Where the experience claimed is in the capacity of a reviewing appraiser, the total experience shall consist of three-thousand five-hundred (3,500) hours of

experience reviewing residential reports. A reviewing appraiser is one who reviews appraisals as a reviewing appraiser in compliance with W.S. 33-39-107.

(ii) In the event the experience claimed consists of a combination of performing appraisals and reviewing appraisals, the experience claimed shall consist of a minimum of one-thousand five-hundred (1,500) hours experience completing residential appraisal reports and a minimum of one-thousand five-hundred (1,500) hours reviewing residential appraisals in compliance with W.S. 33-39-107.

(c) In order to be certified as a general real estate appraiser, the total experience shall consist of three-thousand (3,000) hours of experience obtained during no fewer than thirty (30) months and no more than the sixty (60) months immediately preceding the filing of the application for certification. While the number of hours may be cumulative, the required number of months shall accrue before an individual may be certified. At least fifty (50) percent of the appraisal experience shall be in non-residential appraisal work.

(i) Where the experience claimed is in the capacity of a reviewing appraiser, the total experience shall consist of four-thousand five-hundred (4,500) hours of experience reviewing appraisal reports of which at least fifty (50) percent must be nonresidential. A reviewing appraiser is one who has reviewed the report as a reviewing appraiser in compliance with W.S. 33-39-107.

(ii) Where the experience claimed consists of a combination of performing appraisals and reviewing appraisals, the experience shall consist of a minimum of two-thousand (2,000) hours of reviewing appraisal reports and two-thousand (2,000) hours of completing appraisal reports, of which at least fifty (50) percent must be non-residential in compliance with W. S. 33-39-107.

### **Section 8. Making application.**

(a) The applicable requirements of Sections 5, 6 and 7 shall be complete prior to submitting an application for certification to the Board. The applicable requirements of Section 5 shall be completed prior to submitting an application for a certified real estate appraiser trainee permit to the Board.

(b) Each person desiring to become certified as a real estate appraiser shall execute an application.

(i) Applications which are not complete and which are not accompanied by the correct fee will not be accepted and will be returned to the applicant.

(ii) Applicants must be at least eighteen (18) years of age.

(iii) All permits currently held by the applicant are in good standing and all permits previously held by the applicant were in good standing at the time of expiration and there is no discipline currently pending against the applicant in any jurisdiction; and

(iv) The applicant has not been subject to discipline in any jurisdiction in the past five (5) years.

(c) At the time of application for general or residential certification, an applicant who is not currently certified in Wyoming or another jurisdiction at the level of certification applied for shall submit the appraisal log referred to in (f) below. An Application Review Committee (ARC) of not more than two (2) board members, including one (1) board member certified in the level of certification applied for, selected by board staff will select two (2) appraisals from the appraisal log and conduct or arrange for a review of the selected appraisals to insure all requirements of the appropriate version of USPAP are met. Should the ARC determine either of the selected appraisals does not meet the requirements of the appropriate version of USPAP, it may request the applicant submit any or all of the following:

(i) a third appraisal selected from the appraisal log;

(ii) a demonstration report; or

(iii) any other further information it deems appropriate.

(d) If, after reviewing all submissions from the applicant, the ARC determines the submissions do not meet the requirements of the appropriate version of USPAP, it shall recommend the Board deny the application.

(e) All applicants shall submit complete and legible fingerprint cards, if applicable, a Certificate of License History.

(f) All applicants not currently certified in Wyoming or another jurisdiction at the level of certification applied for shall submit an appraisal log signed by both the applicant and the supervising appraiser on a form developed by the Board and posted on the Board web site in order to verify the applicant's experience.

(g) No permit will be issued prior to the criminal record background check required by W.S. 33-39-106(a)(vii) being received by the Board.

(h) Applicants who are not residents of Wyoming shall submit:

(i) The written designation required by W.S. 33-39-115(a) appointing the Director as his/her licensed agent upon whom all judicial and other process or legal notices directed to the applicant may be served: and

(ii) The written agreement to abide by all the provisions of the Certified Real Estate Appraiser Act required by W.S. 33-39-115(b).

(j) A permittee whose permit is held by the Board on inactive status shall apply for activation of such inactive permit and shall submit proof of having successfully completed all continuing education required for an active permittee during the period the permit was inactive, including the most current seven (7) hour National USPAP Update Course.

**Section 9. Permit renewals; continuing education.**

(a) A renewal application shall include proof that the permittee, including a certified real estate appraiser trainee, has completed at least thirty (30) hours of continuing education, which meets the curriculum established and published by the Board. Repetitious course work will not be accepted. An inactive permittee will not be required to furnish proof of continuing education until such time as they request activation of the permit.

(b) All permittees shall submit proof of completion of one (1) AQB-approved seven (7) hour National USPAP update course before April 1<sup>st</sup> of the year a new edition of USPAP becomes effective to renew a permit. USPAP update courses may be included in the required continuing education hours.

(c) Distance education may be used as continuing education if the course/seminar meets the AQB criteria and is approved by the Board. A proctored exam is not required but an applicant shall successfully complete all prescribed course requirements.

(d) Up to fifteen (15) hours of a permittee's continuing education requirement may be granted for participation, other than as a student, in appraisal educational processes and programs.

(i) Examples of activities for which credit may be granted are teaching, program development, authorship of textbooks, or similar activities that are determined to be equivalent to obtaining continuing education.

(ii) Credit for instructing any course or seminar can only be awarded once during a continuing education cycle.

(e) Failure to remit renewal fees when due will cause an active or inactive permit to lapse.

(i) A lapsed permit may be reinstated within sixty (60) days upon payment of the renewal fee and late renewal fee.

(ii) Any permittee whose permit, active or inactive, has not been renewed within the sixty (60) day grace period must comply with all requirements of a new applicant.

**Section 10. Appraisal courses/seminars.**

(a) Any entity or individual requesting approval of a course/seminar or an instructor requesting approval by the Board shall submit an application on forms prescribed by the Board which require information concerning the course/seminar being offered, course/seminar outline, examination, grading system and instructor qualifications.

(b) The Board may accept the following courses/seminars as meeting standards for appraiser education:

(i) Any appraisal course/seminar approved by the AQB and the Board.

(ii) Any appraisal course/seminar approved by the Board or by an appraiser regulatory body in any jurisdiction or province with approval standards equal to those established by the Board.

(c) The Board may approve courses/seminars by other schools, professional societies or organizations if they meet the Board standards.

(d) The Board will automatically approve Appraisal Qualifications Board (AQB) Course Approval Program (CAP) approved courses.

(e) Pre-certification education courses shall be at least fifteen (15) classroom hours in duration.

(f) Seminars for continuing education shall be at least three (3) classroom hours in duration.

(g) An approved course/seminar may be monitored by a representative of the Board.

(h) Each course/seminar approval is good for three (3) years, after which the provider shall request approval for another three (3) year period and submit the prescribed fee.

**Section 11. Instructor qualifications.** Course/seminar instructors shall have forty (40) hours of teaching appraisal course/seminar experience within the past two (2) years and shall meet at least one of the following qualifications, unless granted an exemption by the Board:

- (a) A bachelor's degree in the field in which the person is instructing; or
- (b) Five (5) years of current experience in the subject instructed.

**Section 12. Withdrawal of approval.** If the Board determines that an instructor, or course previously approved, no longer meets the prescribed standards, a written notice of withdrawal of approval shall be given stating the reasons for the withdrawal. The withdrawal becomes effective twenty (20) days from the date of the notice unless the person or entity giving the course/seminar files a written request for a hearing prior to the effective date. If a request for a hearing is timely filed, the withdrawal of approval will not become effective except upon order of the Board issued within ninety (90) days after the hearing.

**Section 13. Disputes between permittees.** The Board shall not entertain complaints between permittees concerning matters of fees or the earning, splitting or nonpayment thereof.

**Section 14. Regulatory enforcement grounds.**

(a) Appraisers. In addition to the statutory grounds for disciplinary action against an appraiser (W.S. 33-39-123), the Board may deny a permit or impose any disciplinary action authorized by W.S. 33-39-123(a) or combination thereof for any of the following:

- (i) An act or omission involving dishonesty, fraud or misrepresentation;
- (ii) Failure or refusal, without good cause, to exercise reasonable diligence in developing an appraisal, preparing an appraisal report or communicating an appraisal; or Failure to notify the Board of a change of address within thirty (30) days.
- (iii) Appraising a property type that is outside the scope of a Certified Residential Permit. However, appraisers holding a Certified Residential Permit may obtain the experience necessary to upgrade to a Certified General Permit by appraising properties outside the allowed scope of a Certified Residential Permit by associating with an appraiser holding a Wyoming Certified General Permit, provided that:

(A) The appraiser holding the Certified General Permit shall review, sign, and accept responsibility for the appraisal and report, and

(B) The report shall fully disclose each appraiser's role in the appraisal and reporting process, and

(C) The Certified Residential Permit holder shall not make any representations regarding the value analysis to a third party.

(v) Failure to produce documents and records concerning an appraisal under investigation by the Board.

(vi) Failure to appear and to testify under oath at a hearing held by the Board.

(vii) Failure to pay a fine imposed pursuant to W.S. 33-39-123 within thirty (30) days of the date of the Order.

(viii) In addition to noncompliance with standards prescribed by the Uniform Standards of Professional Appraisal Practice ("USPAP"), as adopted by the Board, any failure to conform to the conduct prescribed by or requirements contained in the Ethics Rule, the Competency Rule, the Scope of Work Rule and the Jurisdictional Exception Rule of USPAP shall constitute a separate ground for discipline under these rules.

(ix) Violation of any provision of W.S. 33-39-101 through 33-39-130, Board Rules and Regulations, or USPAP.

(x) Failure to complete the seven (7) hour national USPAP update course before April 1<sup>st</sup> of the year a new edition of USPAP becomes effective.

(xi) A summary of all final discipline, whether imposed by settlement or following a contested case hearing, will be published in the Real Estate Review, posted on the Board website, and such information as is mandated by federal law for various purposes, including such information that may be subject to a national clearinghouse maintained by the Appraisal Subcommittee of the Federal Financial Institutions Examination Council, and in furtherance of Title XI of the Federal Financial Institutions Examination Act ("FIRREA") Real Estate Appraisal Reform [12 U.S.C. §§3331-3351], as amended by the Dodd-Frank Reform Act will be reported.

(xii) The Board retains jurisdiction over persons issued a permit pursuant to the Act and these rules, regardless of whether the permit expired, lapsed or was relinquished during or after the alleged occurrence of conduct proscribed by the Act or these rules.



(xiii) The applicant has had an appraiser license or certification revoked in any governmental jurisdiction within the five (5) year period immediately preceding the date of application;

(~~xii~~)(xiv) The applicant has been convicted of, or pled guilty or nolo contendere to, a felony in a domestic or foreign court:

(A) During the five (5) year period immediately preceding the date of the application for licensing or certification; or

(B) At any time preceding the date of application, if such felony involved an act of fraud, dishonesty, or a breach of trust, or money laundering;

(xv) The applicant has failed to demonstrate character and general fitness such as to command the confidence of the community and to warrant a determination that the appraiser will operate honestly, fairly, and efficiently within the purposes of these criteria.

(b) AMCs. The Board may impose any disciplinary action authorized by W.S. 33-39-224 for any violation of W.S. 33-39-224(a)(i) through (v) by an AMC, its representatives or employees.

**Section 15. Permit for temporary work.** An appraiser certified in another jurisdiction and in good standing in all jurisdictions in which he/she currently holds or has previously held a permit may apply for a permit in Wyoming for temporary work for one (1) appraisal assignment to be completed within six (6) months from date of issuance of temporary permit.

(a) The appraiser shall submit to the Board a copy of the engagement agreement for the assignment and pay the fee for the permit for temporary work.

(b) A single appraisal assignment may include one (1) or more properties under one (1) contract for a single client.

(c) One six (6) month extension of the temporary practice permit may be granted.

**Section 16. Responsibilities of a Certified Appraiser acting as a supervisory appraiser.**

(a) A supervising appraiser shall be responsible for and provide direct supervision of the work performed by a certified real estate appraiser trainee under his/her supervision. The supervising appraiser shall:

(i) Notify the Board of the name(s) and other Board required information for each certified real estate appraiser trainee under his/her supervision.

(ii) Sign and review the appraisal and assume full responsibility for it; and (iii) Not allow the certified real estate appraiser trainee to make any representations regarding the appraisal to a third party; and

(iv) Disclose in the appraisal report the name of the certified real estate appraiser trainee and the scope of the certified real estate appraiser trainee's contribution to the report.

(v) Maintain an appraisal log jointly with the certified real estate appraiser trainee using the form available on the Board website.

(b) Upon request, the supervising appraiser shall provide the Board with a copy of any appraisal report that a certified real estate appraiser trainee signed under his/her supervision.

(c) The certified real estate appraiser trainee is entitled to copies of appraisal reports he/she prepares.

(d) The supervising appraiser shall physically inspect each property that the certified real estate appraiser trainee is appraising until such time as he/she deems the certified real estate appraiser trainee satisfies the competency provision of USPAP.

~~(e) The supervising appraiser shall hold a permit from and be in good standing in the training jurisdiction. The supervising appraiser shall have been certified for a minimum of two (2) years. The supervising appraiser shall not have been subject to any probation, suspension or revocation by an appraiser regulatory agency within the previous two (2) years. Supervisory appraisers shall be state-certified and "in good standing" in the jurisdiction in which the trainee appraiser practices for a period of at least three (3) years. Supervisory appraisers shall not have been subject to any disciplinary action within any jurisdiction within the last three (3) years that affects the supervisory appraiser's legal eligibility to engage in appraisal practice. A supervisory appraiser subject to a disciplinary action would be considered to be "in good standing" three (3) years after the successful completion/termination of the sanction imposed against the appraiser. Supervisory appraisers shall have been state-certified for a minimum of three (3) years prior to being eligible to become a Supervisory Appraiser.~~

(f) The certified real estate appraiser trainee shall be permitted to work under more than one (1) supervising appraiser; however, no supervising appraiser may supervise more than three (3) certified real estate appraiser trainees at any one time.

(g) The supervising appraiser shall be within reasonable geographic proximity to the certified real estate appraiser trainee.

~~(h) The supervising appraiser shall attend a Supervisor/Trainee course or seminar approved by the Board with each certified real estate appraiser trainee. A course or seminar must be satisfactorily completed within six (6) months of establishing the Supervisor/Trainee relationship. Supervisory appraisers shall be required to complete a course that, at a minimum, complies with the specifications for course content established by the AQB, which is specifically oriented to the requirements and responsibilities of supervisory appraisers and trainee appraisers. The course is to be completed by the supervisory appraiser prior to supervising a trainee appraiser.~~

**Section 17. Responsibilities of a certified real estate appraiser trainee.**

Certified real estate appraiser trainees shall:

(a) Register their name, address and phone number with the Board office.

(b) Work under the direct supervision of a certified appraiser. A certified real estate appraiser trainee is permitted to work under more than one (1) supervising appraiser.

(c) Notify the Board of each supervising appraiser's name.

(d) Maintain an experience log on a form provided by and approved by the Board which shall be reviewed and signed by the supervising certified real estate appraiser.

(e) Maintain separate appraisal logs for each supervising appraiser using the form available on the Board web site.

(f) Participate in the appraisal process in order to receive credit for hours spent and appraisals completed.

(g) Comply with the USPAP competency rule.

(h) Not make representations regarding an appraisal they are involved with to any third party.

(i) Ensure that the supervising appraiser has notified the Board of all pertinent Board required information relative to their status as an appraiser trainee.

(j) Indicate the word “certified real estate appraiser trainee” prominently after their signature on all appraisal reports, reviews or correspondence signed by the certified real estate appraiser trainee.

(k) ~~Attend a Supervisor/Trainee course or seminar approved by the Board with each supervising appraiser. A course or seminar shall be satisfactorily completed within six (6) months of establishing the Supervisor/Trainee relationship. Trainee appraisers shall be required to complete a course that, at a minimum, complies with the specifications for course content established by the AQB, which is specifically oriented to the requirements and responsibilities of supervisory appraisers and trainee appraisers. The course shall be completed by the trainee appraiser prior to obtaining a certified real estate appraiser trainee permit. Further, the trainee appraiser course is not eligible towards the 75 hours of qualifying education required.~~

CHAPTER 1  
CERTIFIED REAL ESTATE APPRAISER BOARD  
GENERAL PROVISIONS

EMERGENCY RULES ARE NO LONGER IN EFFECT 120 DAYS AFTER FILING  
WITH THE SECRETARY OF STATE

**Section 1. Authority.** Pursuant to the authority vested in the Certified Real Estate Appraiser Board by virtue of W. S. 16-3-101 through 16-3-115 and W. S. 33-39101 through 33-39-130 (the Act), the following rules and regulations are hereby promulgated.

**Section 2. Definitions.** Terms defined in the act shall have the same meanings when used in these rules unless the context or subject matter clearly requires a different interpretation.

(a) “Applicant” means a person or Appraisal management company (AMC) who submits an application for a permit or registration to the Board;

(b) “Appraiser Qualifications Board” “AQB” is the independent board of the Appraisal Foundation which sets the qualification standards for appraisers;

(c) “Appraisal Standards Board” “ASB” is the independent board of the Appraisal Foundation which sets the appraisal standards for appraisers;

(d) “Appraisal Subcommittee “ASC” is the Appraisal Subcommittee of the Federal Financial Institutions Examination Council;

(e) “Board” means the Wyoming certified real estate appraiser board;

(f) “Certified general real estate appraiser” means a person certified by the director to develop and communicate real estate appraisals of all types of property;

(g) “Certified real estate appraiser trainee” means a person certified by the director to develop and communicate real estate appraisals under the immediate and personal direction of a certified real estate appraiser;

(h) “Certified residential real estate appraiser” means a person certified by the director to develop and communicate real estate appraisals of all types of residential property of one-to-four units and vacant or unimproved land that is utilized for one-to-four residential unit purposes or for which the highest and best use is for one-to-four residential units, not to include the appraisal of subdivisions for which a development analysis/appraisal is necessary;

(k) "Client" means any person or entity that contracts with, or otherwise enters into an agreement with, an appraisal management company for the performance of appraisal management services and real estate appraisal services;

(m) "Director" means the director of the Wyoming Real Estate Commission who serves on the Board as a non-voting ex-officio member;

(n) "In good standing" means maintaining an active certification in this state pursuant to the Certified Real Estate Appraiser Act, which certification is not subject to any disciplinary or probationary restrictions;

(o) "Jurisdiction" includes all fifty states and the commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, the District of Columbia and the Virgin Islands as recognized by the United States of America.

(p) "Permit number" means the permit number, which appears on the permit issued to an appraiser or certified real estate trainee by the Board. The Appraiser's permit number and type of certification shall appear on all appraisal reports, i.e., "Certified General Real Estate Appraiser, Wyoming Permit No. \_," or "Certified Residential Real Estate Appraiser, Wyoming Permit No. \_," or "Certified Real Estate Appraiser Trainee, Wyoming Permit No. \_."

(q) "Proof of completion" is a certified transcript or certificate from the entity offering the course/seminar which states the name of the appraiser, certified real estate trainee, the title of the course/seminar, and the date of completion.

(r) "Registration number" means the specific number issued to each individual AMC.

(s) "Temporary work" means work of a temporary nature, not to exceed one (1) appraisal assignment which shall be completed within six (6) months from date of issuance of the temporary permit.

(t) "USPAP" means the Uniform Standards of Professional Appraisal Practice.

**Section 3. Exemptions.** These Rules and Regulations shall not apply to a real estate broker, associate broker or salesman who, in the ordinary course of business, gives an opinion of the price of real estate for the purpose of a prospective listing or sale, provided, this opinion of the price shall not be referred to as or construed to be an appraisal.

**Section 4. Fees.**

(a) The following non-refundable fees shall be charged by the Board:

(i)	Examination fee .....	\$100
(ii)	Certified General, Residential or Trainee permit .....	\$400
(iii)	AMC registration .....	\$1,800
(iv)	Certified General, Residential or Trainee renewal .....	\$400
(v)	AMC renewal – (annual) .....	\$1,800
(vi)	Change of address or Change of business name .....	\$20
(vii)	Duplicate permit or pocket card .....	\$20
(viii)	Education account .....	\$20
(ix)	Permit for temporary work .....	\$150
(x)	Course or Instructor Approval .....	\$50
(xi)	Federal Registry Fee (annual) .....	\$40
(xii)	Work Product Report Review Fee .....	\$275
(xiii)	Late Renewal fee.....	\$100
(xiv)	Certified Documents .....	\$10

(b) The AMC’s registration and renewal fees cover any changes made during the year such as, change of address and change of contact person. Forms for required changes must be submitted to the Board. All changes shall be submitted to the Board within Thirty (30) days.

**Section 5. Education requirements.**

(a) All applicants shall attend a fifteen (15) hour national USPAP course covering the most recent edition of USPAP or its equivalent taught by an AQB-certified USPAP instructor, and pass the associated fifteen (15) hour national USPAP course examination.

(b) In order to qualify for a permit to practice as a certified general real estate appraiser, an applicant shall furnish proof of having successfully completed three hundred (300) creditable classroom hours of courses in subjects related to real estate appraisal which meet the required core curriculum established and published by the Board. In addition, the applicant shall:

(i) Hold a bachelor's or higher degree from an accredited college/university acceptable to the Board

(c) In order to qualify for a permit to practice as a certified residential real estate appraiser, an applicant shall furnish proof that they have successfully completed two hundred (200) creditable classroom hours of courses in subjects related to real estate appraisal which meet the required core curriculum established and published by the Board, and, in addition, the applicant must:

(i) Hold an associate's or higher degree from an accredited community college/university/college acceptable to the Board.

(d) Distance education may be used as qualifying education if the course is approved by the Board, meets AQB criteria and has a proctored final exam at the completion.

(e) In order to qualify for a permit to practice as a certified real estate appraiser trainee, an applicant shall furnish proof of having successfully completed seventy-five (75) creditable classroom hours which meet the required core curriculum established and published by the Board. All qualifying education shall be completed within the five (5) year period prior to the date of submission of a certified real estate appraiser trainee permit.

## **Section 6. Examination requirements.**

(a) Prior to taking the exam for a permit to practice as a certified real estate appraiser, the applicant shall furnish proof to the Board that the applicable education required by Section 5 and experience required by Section 7 have been completed.

(b) The applicant shall pass the examination and furnish proof of work experience prior to a person submitting an application for certification. Examination fees will not be refunded if the Board does not approve the applicant for certification.



(c) Every applicant seeking certification as an appraiser shall register for the Board approved examination with the testing service under contract with the Board.

(i) Failure to complete the examination on the scheduled date will result in forfeiture of the examination fee.

(ii) To re-write the examination, any applicant who does not attain a passing score shall register with the testing service under contract with the Board and submit the examination fee.

(d) A notice to an applicant that they have received a passing score on the Board approved examination does not constitute a permit to practice.

(e) Examination scores more than twenty-four (24) months old will not be accepted.

**Section 7. Experience requirements.**

(a) To be eligible to take the examination for certification as a certified residential real estate appraiser or a certified general real estate appraiser, an applicant shall present evidence to the Board that the experience requirement has been satisfied.

(b) In order to be certified as a residential real estate appraiser, the total experience shall consist of two-thousand five-hundred (2,500) hours of experience obtained during no fewer than twenty-four (24) months and no more than the sixty (60) months immediately preceding the filing of the application for certification. While the number of hours may be cumulative, the required number of months must accrue before an individual may be certified.

(i) Where the experience claimed is in the capacity of a reviewing appraiser, the total experience shall consist of three-thousand five-hundred (3,500) hours of experience reviewing residential reports. A reviewing appraiser is one who reviews appraisals as a reviewing appraiser in compliance with W.S. 33-39-107.

(ii) In the event the experience claimed consists of a combination of performing appraisals and reviewing appraisals, the experience claimed shall consist of a minimum of one-thousand five-hundred (1,500) hours experience completing residential appraisal reports and a minimum of one-thousand five-hundred (1,500) hours reviewing residential appraisals in compliance with W.S. 33-39-107.

(c) In order to be certified as a general real estate appraiser, the total experience shall consist of three-thousand (3,000) hours of experience obtained during no fewer than thirty (30) months and no more than the sixty (60) months immediately preceding the filing of

the application for certification. While the number of hours may be cumulative, the required number of months shall accrue before an individual may be certified. At least fifty (50) percent of the appraisal experience shall be in non-residential appraisal work.

(i) Where the experience claimed is in the capacity of a reviewing appraiser, the total experience shall consist of four-thousand five-hundred (4,500) hours of experience reviewing appraisal reports of which at least fifty (50) percent must be nonresidential. A reviewing appraiser is one who has reviewed the report as a reviewing appraiser in compliance with W.S. 33-39-107.

(ii) Where the experience claimed consists of a combination of performing appraisals and reviewing appraisals, the experience shall consist of a minimum of two-thousand (2,000) hours of reviewing appraisal reports and two-thousand (2,000) hours of completing appraisal reports, of which at least fifty (50) percent must be non-residential in compliance with W. S. 33-39-107.

### **Section 8. Making application.**

(a) The applicable requirements of Sections 5, 6 and 7 shall be complete prior to submitting an application for certification to the Board. The applicable requirements of Section 5 shall be completed prior to submitting an application for a certified real estate appraiser trainee permit to the Board.

(b) Each person desiring to become certified as a real estate appraiser shall execute an application.

(i) Applications which are not complete and which are not accompanied by the correct fee will not be accepted and will be returned to the applicant.

(ii) Applicants must be at least eighteen (18) years of age.

(iii) All permits currently held by the applicant are in good standing and all permits previously held by the applicant were in good standing at the time of expiration and there is no discipline currently pending against the applicant in any jurisdiction; and

(iv) The applicant has not been subject to discipline in any jurisdiction in the past five (5) years.

(c) At the time of application for general or residential certification, an applicant who is not currently certified in Wyoming or another jurisdiction at the level of certification applied for shall submit the appraisal log referred to in (f) below. An Application Review

Committee (ARC) of not more than two (2) board members, including one (1) board member certified in the level of certification applied for, selected by board staff will select two (2) appraisals from the appraisal log and conduct or arrange for a review of the selected appraisals to insure all requirements of the appropriate version of USPAP are met. Should the ARC determine either of the selected appraisals does not meet the requirements of the appropriate version of USPAP, it may request the applicant submit any or all of the following:

- (i) a third appraisal selected from the appraisal log;
- (ii) a demonstration report; or
- (iii) any other further information it deems appropriate.

(d) If, after reviewing all submissions from the applicant, the ARC determines the submissions do not meet the requirements of the appropriate version of USPAP, it shall recommend the Board deny the application.

(e) All applicants shall submit complete and legible fingerprint cards, if applicable, a Certificate of License History.

(f) All applicants not currently certified in Wyoming or another jurisdiction at the level of certification applied for shall submit an appraisal log signed by both the applicant and the supervising appraiser on a form developed by the Board and posted on the Board web site in order to verify the applicant's experience.

(g) No permit will be issued prior to the criminal record background check required by W.S. 33-39-106(a)(vii) being received by the Board.

(h) Applicants who are not residents of Wyoming shall submit:

(i) The written designation required by W.S. 33-39-115(a) appointing the Director as his/her licensed agent upon whom all judicial and other process or legal notices directed to the applicant may be served: and

(ii) The written agreement to abide by all the provisions of the Certified Real Estate Appraiser Act required by W.S. 33-39-115(b).

(j) A permittee whose permit is held by the Board on inactive status shall apply for activation of such inactive permit and shall submit proof of having successfully completed

all continuing education required for an active permittee during the period the permit was inactive, including the most current seven (7) hour National USPAP Update Course.

**Section 9. Permit renewals; continuing education.**

(a) A renewal application shall include proof that the permittee, including a certified real estate appraiser trainee, has completed at least thirty (30) hours of continuing education, which meets the curriculum established and published by the Board. Repetitious course work will not be accepted. An inactive permittee will not be required to furnish proof of continuing education until such time as they request activation of the permit.

(b) All permittees shall submit proof of completion of one (1) AQB-approved seven (7) hour National USPAP update course before April 1<sup>st</sup> of the year a new edition of USPAP becomes effective to renew a permit. USPAP update courses may be included in the required continuing education hours.

(c) Distance education may be used as continuing education if the course/seminar meets the AQB criteria and is approved by the Board. A proctored exam is not required but an applicant shall successfully complete all prescribed course requirements.

(d) Up to fifteen (15) hours of a permittee's continuing education requirement may be granted for participation, other than as a student, in appraisal educational processes and programs.

(i) Examples of activities for which credit may be granted are teaching, program development, authorship of textbooks, or similar activities that are determined to be equivalent to obtaining continuing education.

(ii) Credit for instructing any course or seminar can only be awarded once during a continuing education cycle.

(e) Failure to remit renewal fees when due will cause an active or inactive permit to lapse.

(i) A lapsed permit may be reinstated within sixty (60) days upon payment of the renewal fee and late renewal fee.

(ii) Any permittee whose permit, active or inactive, has not been renewed within the sixty (60) day grace period must comply with all requirements of a new applicant.

**Section 10. Appraisal courses/seminars.**

(a) Any entity or individual requesting approval of a course/seminar or an instructor requesting approval by the Board shall submit an application on forms prescribed by the Board which require information concerning the course/seminar being offered, course/seminar outline, examination, grading system and instructor qualifications.

(b) The Board may accept the following courses/seminars as meeting standards for appraiser education:

(i) Any appraisal course/seminar approved by the AQB and the Board.

(ii) Any appraisal course/seminar approved by the Board or by an appraiser regulatory body in any jurisdiction or province with approval standards equal to those established by the Board.

(c) The Board may approve courses/seminars by other schools, professional societies or organizations if they meet the Board standards.

(d) The Board will automatically approve Appraisal Qualifications Board (AQB) Course Approval Program (CAP) approved courses.

(e) Pre-certification education courses shall be at least fifteen (15) classroom hours in duration.

(f) Seminars for continuing education shall be at least three (3) classroom hours in duration.

(g) An approved course/seminar may be monitored by a representative of the Board.

(h) Each course/seminar approval is good for three (3) years, after which the provider shall request approval for another three (3) year period and submit the prescribed fee.

**Section 11. Instructor qualifications.** Course/seminar instructors shall have forty (40) hours of teaching appraisal course/seminar experience within the past two (2) years and shall meet at least one of the following qualifications, unless granted an exemption by the Board:

(a) A bachelor's degree in the field in which the person is instructing; or

(b) Five (5) years of current experience in the subject instructed.

**Section 12. Withdrawal of approval.** If the Board determines that an instructor, or course previously approved, no longer meets the prescribed standards, a written notice of

withdrawal of approval shall be given stating the reasons for the withdrawal. The withdrawal becomes effective twenty (20) days from the date of the notice unless the person or entity giving the course/seminar files a written request for a hearing prior to the effective date. If a request for a hearing is timely filed, the withdrawal of approval will not become effective except upon order of the Board issued within ninety (90) days after the hearing.

**Section 13. Disputes between permittees.** The Board shall not entertain complaints between permittees concerning matters of fees or the earning, splitting or nonpayment thereof.

**Section 14. Regulatory enforcement grounds.**

(a) Appraisers. In addition to the statutory grounds for disciplinary action against an appraiser (W.S. 33-39-123), the Board may deny a permit or impose any disciplinary action authorized by W.S. 33-39-123(a) or combination thereof for any of the following:

(i) An act or omission involving dishonesty, fraud or misrepresentation;

(ii) Failure or refusal, without good cause, to exercise reasonable diligence in developing an appraisal, preparing an appraisal report or communicating an appraisal; or Failure to notify the Board of a change of address within thirty (30) days.

(iii) Appraising a property type that is outside the scope of a Certified Residential Permit. However, appraisers holding a Certified Residential Permit may obtain the experience necessary to upgrade to a Certified General Permit by appraising properties outside the allowed scope of a Certified Residential Permit by associating with an appraiser holding a Wyoming Certified General Permit, provided that:

(A) The appraiser holding the Certified General Permit shall review, sign, and accept responsibility for the appraisal and report, and

(B) The report shall fully disclose each appraiser's role in the appraisal and reporting process, and

(C) The Certified Residential Permit holder shall not make any representations regarding the value analysis to a third party.

(v) Failure to produce documents and records concerning an appraisal under investigation by the Board.

(vi) Failure to appear and to testify under oath at a hearing held by the Board.

(vii) Failure to pay a fine imposed pursuant to W.S. 33-39-123 within thirty (30) days of the date of the Order.

(viii) In addition to noncompliance with standards prescribed by the Uniform Standards of Professional Appraisal Practice ("USPAP"), as adopted by the Board, any failure to conform to the conduct prescribed by or requirements contained in the Ethics Rule, the Competency Rule, the Scope of Work Rule and the Jurisdictional Exception Rule of USPAP shall constitute a separate ground for discipline under these rules.

(ix) Violation of any provision of W.S. 33-39-101 through 33-39-130, Board Rules and Regulations, or USPAP.

(x) Failure to complete the seven (7) hour national USPAP update course before April 1<sup>st</sup> of the year a new edition of USPAP becomes effective.

(xi) A summary of all final discipline, whether imposed by settlement or following a contested case hearing, will be published in the Real Estate Review, posted on the Board website, and such information as is mandated by federal law for various purposes, including such information that may be subject to a national clearinghouse maintained by the Appraisal Subcommittee of the Federal Financial Institutions Examination Council, and in furtherance of Title XI of the Federal Financial Institutions Examination Act ("FIRREA") Real Estate Appraisal Reform [12 U.S.C. §§3331-3351], as amended by the Dodd-Frank Reform Act will be reported.

(xii) The Board retains jurisdiction over persons issued a permit pursuant to the Act and these rules, regardless of whether the permit expired, lapsed or was relinquished during or after the alleged occurrence of conduct proscribed by the Act or these rules.

(xiii) The applicant has had an appraiser license or certification revoked in any governmental jurisdiction within the five (5) year period immediately preceding the date of application;

(xiv) The applicant has been convicted of, or pled guilty or nolo contendere to, a felony in a domestic or foreign court:

(A) During the five (5) year period immediately preceding the date of the application for licensing or certification; or

(B) At any time preceding the date of application, if such felony involved an act of fraud, dishonesty, or a breach of trust, or money laundering;

(xv) The applicant has failed to demonstrate character and general fitness such as to command the confidence of the community and to warrant a determination that the appraiser will operate honestly, fairly, and efficiently within the purposes of these criteria.

(b) AMCs. The Board may impose any disciplinary action authorized by W.S. 33-39-224 for any violation of W.S. 33-39-224(a)(i) through (v) by an AMC, its representatives or employees.

**Section 15. Permit for temporary work.** An appraiser certified in another jurisdiction and in good standing in all jurisdictions in which he/she currently holds or has previously held a permit may apply for a permit in Wyoming for temporary work for one (1) appraisal assignment to be completed within six (6) months from date of issuance of temporary permit.

(a) The appraiser shall submit to the Board a copy of the engagement agreement for the assignment and pay the fee for the permit for temporary work.

(b) A single appraisal assignment may include one (1) or more properties under one (1) contract for a single client.

(c) One six (6) month extension of the temporary practice permit may be granted.

**Section 16. Responsibilities of a Certified Appraiser acting as a supervisory appraiser.**

(a) A supervising appraiser shall be responsible for and provide direct supervision of the work performed by a certified real estate appraiser trainee under his/her supervision. The supervising appraiser shall:

(i) Notify the Board of the name(s) and other Board required information for each certified real estate appraiser trainee under his/her supervision.

(ii) Sign and review the appraisal and assume full responsibility for it; and (iii) Not allow the certified real estate appraiser trainee to make any representations regarding the appraisal to a third party; and

(iv) Disclose in the appraisal report the name of the certified real estate appraiser trainee and the scope of the certified real estate appraiser trainee's contribution to the report.



(v) Maintain an appraisal log jointly with the certified real estate appraiser trainee using the form available on the Board website.

(b) Upon request, the supervising appraiser shall provide the Board with a copy of any appraisal report that a certified real estate appraiser trainee signed under his/her supervision.

(c) The certified real estate appraiser trainee is entitled to copies of appraisal reports he/she prepares.

(d) The supervising appraiser shall physically inspect each property that the certified real estate appraiser trainee is appraising until such time as he/she deems the certified real estate appraiser trainee satisfies the competency provision of USPAP.

(e) Supervisory appraisers shall be state-certified and “in good standing” in the jurisdiction in which the trainee appraiser practices for a period of at least three (3) years. Supervisory appraisers shall not have been subject to any disciplinary action within any jurisdiction within the last three (3) years that affects the supervisory appraiser’s legal eligibility to engage in appraisal practice. A supervisory appraiser subject to a disciplinary action would be considered to be “in good standing” three (3) years after the successful completion/termination of the sanction imposed against the appraiser. Supervisory appraisers shall have been state-certified for a minimum of three (3) years prior to being eligible to become a Supervisory Appraiser.

(f) The certified real estate appraiser trainee shall be permitted to work under more than one (1) supervising appraiser; however, no supervising appraiser may supervise more than three (3) certified real estate appraiser trainees at any one time.

(g) The supervising appraiser shall be within reasonable geographic proximity to the certified real estate appraiser trainee.

(h) Supervisory appraisers shall be required to complete a course that, at a minimum, complies with the specifications for course content established by the AQB, which is specifically oriented to the requirements and responsibilities of supervisory appraisers and trainee appraisers. The course is to be completed by the supervisory appraiser prior to supervising a trainee appraiser.

**Section 17. Responsibilities of a certified real estate appraiser trainee.**

Certified real estate appraiser trainees shall:

(a) Register their name, address and phone number with the Board office.

(b) Work under the direct supervision of a certified appraiser. A certified real estate appraiser trainee is permitted to work under more than one (1) supervising appraiser.

(c) Notify the Board of each supervising appraiser's name.

(d) Maintain an experience log on a form provided by and approved by the Board which shall be reviewed and signed by the supervising certified real estate appraiser.

(e) Maintain separate appraisal logs for each supervising appraiser using the form available on the Board web site.

(f) Participate in the appraisal process in order to receive credit for hours spent and appraisals completed.

(g) Comply with the USPAP competency rule.

(h) Not make representations regarding an appraisal they are involved with to any third party.

(i) Ensure that the supervising appraiser has notified the Board of all pertinent Board required information relative to their status as an appraiser trainee.

(j) Indicate the word "certified real estate appraiser trainee" prominently after their signature on all appraisal reports, reviews or correspondence signed by the certified real estate appraiser trainee.

(k) Trainee appraisers shall be required to complete a course that, at a minimum, complies with the specifications for course content established by the AQB, which is specifically oriented to the requirements and responsibilities of supervisory appraisers and trainee appraisers. The course shall be completed by the trainee appraiser prior to obtaining a certified real estate appraiser trainee permit. Further, the trainee appraiser course is not eligible towards the 75 hours of qualifying education required.