

Rule Summary

Act 628 of 2023 combined the Appraiser Licensing and Certification Board, the Abstracters' Board, and the Home Inspector Registration Board into one board under the title of the State Board of Appraisers, Abstracters, and Home Inspectors. To efficiently combine the rules of all three divisions and minimize duplication of rules for each division, the rules for each division in effect prior to Act 628 of 2023 are being repealed and replaced entirely by a five (5) chapter volume of rules. The chapters are as follows: (1) General Applicability, (2) Appraisers, (3) Appraisal Management Companies, (4) Abstracters, and (5) Home Inspectors. These proposed rules are in the best interest of the public who utilize the services of licensed professionals, as well as the licensees. Although many of the rules previously in effect for each division are contained in the new rules, below are summaries for each chapter of the significant changes that were made while combining the entities' rules into one cohesive document. The changes are consistent with statutory changes, professional development and the safety, health, and welfare of the public.

Chapter 1 – General Applicability

This chapter is designed to cover rules that are applicable to all three divisions of the combined board. Originally, each board had a variation of the rules contained in this chapter. This chapter places all information relevant to all licensees of all three divisions and the general public into one location. This chapter covers the general workings of the Board, licensure information for uniformed services members and their spouses, and general information regarding criminal background checks. The intent of this chapter is to have information easily accessible and not to repeated throughout the separate chapters for each division.

Chapter 2 – Appraisers

This chapter covers the rules governing all levels of appraisers. The following is a summary of the changes that were made from the Appraiser Licensing & Certification Board rules that were in effect prior to Act 628 of 2023:

- Definitions were removed from the rules that are already contained in the governing statutes.
- Repetitive language was removed or placed at the beginning of a rule in order to be applicable to every subsection of the rule without repeating the same language.
- Language was removed concerning criminal background checks that was either outdated or not a necessary step in the review of a criminal background check for licensure purposes.
- Grounds for disciplinary action were updated to accurately list statutory guidelines.
- General qualifications for licensure were updated to accurately state limitations concerning criminal convictions.

Rule Summary

- Removed the percentage of work that could be completed without a traditional client for supervision hours and now allow for any percentage of work to be completed without a traditional client to mirror the federal guidelines.
- Explicitly stated that all experience must be USPAP compliant.
- Updated the value amount for transactions completed by a State Licensed Appraiser to mirror the federal guidelines.
- Added additional language to clarify that a State Registered license cannot be upgraded.
- Revised licensure by Reciprocity to ensure the least restrictive process for non-residents to be licensed and ensure that non-residents maintain the same general requirements for renewal as resident licensees.
- Removed unnecessary fees.

Chapter 3 – Appraisal Management Companies

This chapter covers the rules governing appraisal management companies. The following is a summary of the changes that were made from the Appraiser Licensing & Certification Board rules that were in effect prior to Act 628 of 2023:

- Clarified requirements for registration of foreign management companies to align with statutory requirements.
- Removed language throughout that is already contained in the governing statutes.
- Included language regarding the failure of an audit could result in disciplinary action.
- Updated complaint rules to clarify the complaint process.
- Clarified the language concerning disqualifying criminal offenses.

Chapter 4 – Abstracters

This chapter covers the rules governing abstracters. The following is a summary of the changes that were made from the Abstracter's Board rules that were in effect prior to Act 628 of 2023:

- Definitions were removed from the rules that are already contained in the governing statutes.
- Revised examination criteria to include the subjects to be covered, the percentage required for passage, and the number of attempts at passing the examination prior to a need for new application.
- Updated information regarding renewals to include electronic renewals, failure to renew notifications, and late renewals. Requirement to retake the licensure examination for failure to renew within thirty days was removed.
- Clarified when a temporary certification of registration may be issued.
- Updated reciprocity requirements by removing requirement for letters of recommendation.

Rule Summary

- Removed professional development requirements since they are not required by statute.
- Revised the fee schedule for clarification.

Chapter 5 – Home Inspectors

This chapter covers the rules governing home inspectors. The following is a summary of the changes that were made from the Home Inspector Registration Board rules that were in effect prior to Act 628 of 2023:

- Definitions were removed from the rules that are already contained in the governing statutes.
- Revised the fee schedule to clarify required fees for licensees and to ensure that licensees are aware that failure to pay fees would result in an expired license.
- Revised registration requirements including clarification of the effective date of initial license.
- Changed the term “pre-registration education” to “qualifying education” to be consistent with all other divisions under the combined board.
- Increased the period to complete qualifying education.
- Set a five-year period of validity for examination scores.
- Clarified the necessary requirements regarding liability insurance.
- Add automatic licensure under Act 457 of 2023.
- Revised requirements for reciprocity to ensure least restrictive process for non-residents to become licensed.
- Clarified renewal requirements and consequences of late renewals.
- Updated general requirements for both qualifying education and continuing education including the acceptance of all methods of education.
- Revised required continuing education courses to be met for each renewal period, now requiring completion of eight hours of mandatory courses per renewal period instead of requiring certain courses be completed within sixty months.
- Increased length of time licensees should maintain continuing education certificates for auditing purposes and clarified the waiver process for continuing education requirements.
- Revised information required to be submitted to the Board by education providers and required information provided to students.
- Updated qualifying education requirements to ensure practical, hands-on training is being completed during the required eighty hours of education in lieu of an apprenticeship or supervisory requirement.
- Clarified the requirement of exit examinations upon completion of coursework.
- Revised the coursework topics necessary for the eighty hours of education required for licensure.

Rule Summary

- Adopted the ASHI Standards of Practice and Code of Ethics which conforms with the examination.
- Revised requirements of information required to be on all home inspection reports to ensure clarity for the public when reviewing the report.
- Revised grounds for disciplinary action including more detailed explanation of dishonest/unethical/unprofessional conduct.
- Clarified the complaint process including limiting the filing of a complaint to three years from date of report.