



STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
BOARD OF REAL ESTATE APPRAISERS
35 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0035

Janet T. Mills
Governor

Anne L. Head
Commissioner

**Public Board Meeting
Tuesday, December 5, 2023
AGENDA**

Location: Deering Building – 90 Blossom Lane Augusta, ME
Room: Conference Room 101
Time: 9:00 a.m.
Contact: Shara Chesley- 207-624-8521 or Shara.Chesley@maine.gov

Option for Virtual Attendance by the Public:

In addition, though not required by law, this meeting is being made virtually available using the Zoom platform to members of the public who do not attend in-person. A link for the public to access the Board of Real Estate Appraisers meeting virtually will be posted on the Real Estate Appraisers Board website at:

<https://www.maine.gov/pfr/professionallicensing/professions/board-real-estate-appraisers/home/board-meeting-information>

The Board of Real Estate Appraisers expects that members of the public who attend the meeting virtually will be able to provide public comment to the same extent as members of the public who attend in-person.

I. CALL TO ORDER

II. AGENDA MODIFICATIONS

III. MINUTES REVIEW AND APPROVAL

Review and approval of November 7, 2023 Minutes

IV. ADJUDICATORY HEARING

2022-REA-18721 Andrew K. Lowe

V. COMPLAINT PRESENTATIONS

2023-REA-19448
2023-REA-19461
2023-REA-19472
2023-REA-19486
2023-REA-19509
2023-REA-19626

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Shara.Chesley@maine.gov

VI. RULE MAKING

Presentation of Basis Statement and Summary and Response to Comments and Small Business Impact statement for proposed rulemaking:

- Chapter 230: Supervisory Appraiser Duties
- Chapter 240: Standards of Professional Practice

Potential to vote to adopt.

VII. ADMINISTRATOR’S REPORT

- Continuing Education Question

VIII. PUBLIC COMMENT

Under this item, the Board will offer an opportunity to members of the public in attendance to comment on any public matter under the jurisdiction of the Board, except for any open application or complaint. While the Board cannot take action on any issues presented, the Board will listen to comments and may ask staff to place the issue on a subsequent agenda. At the discretion of the Board Chair, a time limit on comments may be set.

IX. MEETING SCHEDULE

Next meeting scheduled for January 2, 2024

X. ADJOURNMENT

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
76 Northern Ave, Gardiner, Maine

MAINE BOARD OF REAL ESTATE APPRAISERS
PUBLIC RULEMAKING MEETING
November 7, 2023
MINUTES

<u>MEMBERS PRESENT</u>	<u>STAFF PRESENT</u>
Wendy Boston, Chair	Cathy Pendergast, Administrator
Nathan Shipley, Vice-Chair	John Belisle, Assistant Attorney General
Alan Johnson, Complaint Officer	Regina Ritchie, Professional Licensing Supervisor
Russell Barrows	Shara Chesley, Office Specialist I
Jacques Weinstein	
<u>MEMBERS ABSENT</u>	<u>OTHERS PRESENT</u>
None	None

Location: 76 Northern Ave, Gardiner ME **Start:** 9:00 a.m. **Adjourn:** 11:05 a.m.

I. CALL TO ORDER

The meeting was called to order by the Chair at 9:00 a.m.

II. AGENDA MODIFICATIONS

A motion was made by Johnson and seconded by Barrows to add a discussion about trainee real property appraiser experience limited to properties located in Maine. Unanimous.

III. MINUTES REVIEW AND APPROVAL

A motion was made by Barrows and seconded by Shipley to approve the October 3, 2023 minutes as presented. Unanimous.

IV. PUBLIC RULEMAKING HEARING

Recording started at 9:03 a.m.

- Chapter 230: Supervisory Appraiser Duties
- Chapter 230: Standards of Professional Practice

No public comments.

Recording ended at 9:10 a.m.

IV. COMPLAINT PRESENTATIONS

2023-REA-19142 – A motion was made by Barrows and seconded by Shipley to terminate licensee's supervisory relationship with his trainee real property appraisers. Barrows, Shipley, Weinstein and Boston voted in the affirmative. Johnson abstained. Motion Carried.

A motion was made by Barrows and seconded by Shipley to set the matter for hearing for violation of 32 MRS 14028 and USPAP: Ethics Rule; Conduct and Management, Recordkeeping Rule, Standards 1 and 2; Misrepresentation 10 MRS §8003(5-A). Weinstein, Barrows, Shipley, and Boston voted in favor. Johnson abstained. Motion carried.

2023-REA-19415 – A motion was made by Barrows and seconded by Shipley to offer a consent agreement and set the matter for hearing for violation of 32 MRS 14028, USPAP Standard 1-1 (a),(b),(c); Standard 1-3(a) (3),(5); Standard 1-5(a); Standard 1-6 (a),(b),(c); and Scope of Work Rule. Agreement to include a Reprimand, completion of the Appraisal Institute 30 hour Residential Sales Comparison and Income Approaches and 15 hour Residential Appraiser Site Valuation and Cost Approach Courses with passage of examinations completed within 90 days of effective date of consent agreement. Education

cannot be used toward license renewal. Shipley, Barrows, Weinstein and Boston voted in favor. Johnson abstained.

2032-REA-19473 – A motion was made by Barrows and seconded by Shipley to Dismiss with a Letter of Guidance. Weinstein, Barrows, Shipley, Boston voted in favor. Johnson abstained. Motion carried.

V. CONSENT AGREEMENTS

2022-REA-18447- A motion was made by Shipley and seconded by Barrows to offer consent agreement and set for hearing with sanction to include surrender of license. Weinstein, Shipley, Barrows, Boston voted in favor. Johnson abstained. Motion carried.

2022-REA-18756- A motion was made by Barrows and seconded by Shipley to offer consent agreement and set for hearing with sanction to include surrender of license. Weinstein, Shipley, Barrows, Boston voted in favor. Johnson abstained. Motion carried.

2022-REA-18069- A motion was made by Johnson and seconded by Barrows with immediate suspension until proof of compliance with Consent Agreement. Unanimous.

A motion was made by Johnson and seconded by Barrows to allow Chair Boston to sign all meeting consent agreements when ready. Weinstein, Shipley, Barrows, Boston voted in favor. Johnson abstained. Motion carried.

- VI.** The Board discussed the real property appraiser experience requirement limiting experience to Maine properties.

VII. ADMINISTRATOR'S REPORT

The administrator discussed with the Board a new law effective October 25, 2023 regarding recording of remote meetings. No action taken.

The administrator discussed with the Board the agency bill, An Act to Amend the Laws Governing Real Estate Appraisers and Appraisal Management Companies. No action taken.

The Board discussed a comment submitted from Robert Strong. No action taken.

VI. PUBLIC COMMENT

None.

VII. MEETING SCHEDULE

The next meeting is currently scheduled for Tuesday, December 5, 2023.

VIII. ADJOURN

A motion was made by Weinstein and seconded by Barrows to adjourn the meeting. Unanimous. Being no further board business, the meeting was adjourned at 11:05 a.m.

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

298 OFFICE OF PROFESSIONAL AND OCCPUATIONAL REGULATION

BOARD OF REAL ESTATE APPRAISERS

BASIS STATEMENT AND SUMMARY AND RESPONSES TO COMMENTS

Basis Statement: The Maine Board of Real Estate Appraisers (the “Board”) is charged by the Legislature with the regulation of real estate appraisers in the State of Maine for the sole purpose of protecting the public health and welfare. The Legislature granted the Board rulemaking authority pursuant to 32 M.R.S. § 14012.

The proposed rulemaking would repeal and replace the following chapter(s)

Chapter 230: Supervising Appraiser Duties

Chapter 240: Standards of Professional Practice

The principal reason for this proposed rulemaking Chapter 230: Supervisory Appraiser Duties was to have a rule that more clearly and explicitly sets forth the role and responsibilities of a supervisory appraiser. The replacement rule clarifies experience acceptable for credit, experience log content and submission requirements. Additionally, the rule aligns rule terminology with the statute.

The principal reason for this proposed rulemaking Chapter 240: Standards of Professional Practice was to incorporate the Uniform Standards of Professional Appraisal Practice (“USPAP”), 2024 Edition, Copyright © 2024, The Appraisal Foundation, effective January 1, 2024, into the Board’s rules by reference as the standard of practice for licensees.

Notice of the proposed rulemaking was published in the Maine Secretary of State weekly notice on October 18, 2023, in the Portland Press Herald, the Kennebec Journal, the Bangor Daily News, and the Sun Journal on October 18, 2023, posted on the Board of Real Estate Appraisers webpage on October 16, 2023; interested parties were emailed a copy of the rulemaking package on October 16, 2023. The Fact Sheet was filed with the Legislative Council on October 10, 2023.

The Board held a public hearing on November 7, 2023 at 9:00 am to take oral comments, and continued to accept written comments through 5:00 pm on November 17, 2023.

Summary of Comments and Responses:

The Board received no comments on the proposed rules.

Small Business and Economic Impact Statement

(5 M.R.S. § 8052(5-A))

AGENCY: 02-298, Department of Professional and Financial Regulation, Office of Professional of Occupational Regulation, Board of Real Estate Appraisers

NAME, ADDRESS, PHONE NUMBER, E-MAIL OF AGENCY CONTACT PERSON:
Catherine E. Pendergast, 35 State House Station, Augusta, ME 04333-0035, 207-624-8518, TTY: Maine relay 711, Catherine.Pendergast@maine.gov

CHAPTER NUMBER AND RULE TITLE:

Chapter 230: Supervisory Appraiser Duties (repeal and replace)
Chapter 240: Standards of Professional Practice (repeal and replace)

TYPES AND NUMBER OF SMALL BUSINESSES SUBJECT TO THE RULE: The [Board] currently licenses 99 Appraisal Management Companies, 178 Licensed Appraisers, 244 Certified Residential Appraisers, 183 Certified Residential Appraisers, 40 Trainees and 49 Temporary Licensees. Title 5 M.R.S. § 8052 (5-A) defines “small business” as businesses that have 20 or fewer employees. The Board of Real Estate Appraisers does not collect sufficient information to reliably estimate the number of licensees that are small businesses as defined in 5 M.R.S. § 8052(5-A).

PROJECTED REPORTING, RECORD-KEEPING AND OTHER ADMINISTRATIVE COSTS REQUIRED FOR COMPLIANCE WITH THE PROPOSED RULE, INCLUDING THE TYPE OF PROFESSIONAL SKILLS NECESSARY FOR PREPARATION OF THE REPORT OR RECORD: None. Licensees will continue to comply with record keeping and submission of forms to the Board in the same manner as they do now.

PROBABLE IMPACT ON AFFECTED SMALL BUSINESSES: Minimal.

LESS INTRUSIVE OR LESS COSTLY, REASONABLE ALTERNATIVE METHODS OF ACHIEVING THE PURPOSES OF THE PROPOSED RULE: None.

Chapter 230: ~~SUPERVISING~~SUPERVISORY APPRAISER DUTIES

SUMMARY: This rule establishes the ~~supervisory~~ responsibilities ~~for of~~ a certified residential or certified general real property appraiser who supervises a trainee real property appraiser.

1. Commencement and Termination of Supervisory Relationship

A certified residential or certified general real property appraiser shall notify the board in writing of the commencement or termination of a supervisory relationship with a trainee real property appraiser no later than ten (10) days after the commencement or termination of the supervisory relationship.

2. Duties

1. A. ~~— A supervising supervisory~~ appraiser is responsible for the training, guidance and direct supervision of the trainee real property appraiser, including:

- A. 1. ~~—~~ Accepting responsibility for ~~the any~~ appraisal ~~report~~reports drafted by the trainee real property appraiser, by signing and certifying that ~~the any such~~ report is in compliance with the Uniform Standards of Professional Appraisal Practice;
- B. 2. ~~—~~ Reviewing with the trainee real property appraisal report(s); and supporting workfile documents, when necessary; and
- C. 3. ~~—~~ Personally inspecting each appraised property with the trainee real property appraiser until the ~~supervising~~supervisory appraiser determines the trainee is competent in accordance with the Competency Rule of the Uniform Standards of Professional Appraisal Practice for the property type. The ~~supervising~~supervisory appraiser shall make this determination of competency in writing on a form provided by the board and shall submit the determination to the board no later than ten (10) days thereafter.

~~B.~~ ~~—~~

2. Records and Reporting

- A. 1. ~~—~~ The ~~supervising~~supervisory appraiser shall maintain accurate, up-to-date records of all the ~~trainee's~~trainee real property appraiser's activities ~~and, including~~ a schedule of hours of work completed. For any appraisal listed on a trainee appraiser's experience log, a supervisory appraiser must provide a copy of, or access to, any appraisal report and associated workfile documents in their custody and control to the board upon request.

B. ~~2.~~ No later than the fifteenth (15th) day of each month, a ~~supervising~~supervisory appraiser shall complete, sign and submit ~~a report~~an appraisal experience log to the board with respect to each trainee under ~~the appraiser's~~their supervision. The monthly ~~report~~log shall be made on a form prescribed by the Board and must contain all information required by Section 2(2)(F) of this Chapter. The board retains discretion to reject an experience log if it is incomplete or untimely submitted.

C. Trainee real property appraisers will not receive experience credit for appraisals reports that are not signed by the supervisory appraiser.

D. Trainee real property appraisers must be identified in the appraisal certification and scope of work for reports the trainee did not sign to be eligible for experience credit.

E. Separate appraisal logs shall be maintained by the supervisory appraiser for each trainee real property appraiser under their supervision, if applicable.

B-F. Experience logs shall, at a minimum, include the following information for the preceding calendar month:

a. (1) Type of property appraised;

b. (2) Whether the ~~supervising~~supervisory appraiser personally inspected the property with the trainee;

c. (3) Client name and address;

d. (4) Address of appraised property;

e. (5) Description of work performed; ~~and by the trainee real property appraiser and the scope of the review and supervision of the Supervisory Appraiser;~~

f. (6) Number of work hours;

_____ (7) Date of appraisal report; and

_____ (8) The signature and board license number of the supervisory appraiser.

G. If the trainee real property appraiser trainee performed no reportable work, the monthly ~~report~~experience log shall so indicate.

3. Grounds for Discipline

In addition to the grounds enumerated in 10 M.R.S. § 8003(5-A)(A) and 32 M.R.S. § 14014-A, the Board may impose discipline on a supervisory appraiser for failure to execute their duties in accordance with this Chapter.

STATUTORY AUTHORITY:

32 M.R.S. §§ 14012, ~~1427~~14038, 14039

EFFECTIVE DATE:

~~September 18, 1999~~ filing 99-374

~~REPEALED AND REPLACED:~~

~~January 1, 2008~~ filing 2007-466

~~September 18, 2022~~ filing 2022-179

Chapter 240: STANDARDS OF PROFESSIONAL PRACTICE

SUMMARY: This chapter establishes the Uniform Standards of Professional Appraisal Practice as the ~~standards~~standard of practice for licensees and requires licensees to display their signature and license number on certifications of appraisals performed.

~~Section-1.~~ Uniform Standards of Professional Practice

~~Licensees~~Except as set forth in 32 M.R.S. § 14011(7), licensees shall comply with generally accepted standards of professional practice as established by the Uniform Standards of Professional Appraisal Practice ("USPAP"). ~~For purposes of this section, licensees must comply with the 2020-2021 edition of USPAP effective January 1, 2020.~~2024 Edition. The Board hereby incorporates ~~this edition of USPAP~~the Uniform Standards of Professional Appraisal Practice ("USPAP"), 2024 Edition, Copyright © 2024, The Appraisal Foundation, effective January 1, 2024, into this chapter by reference. Copies of the ~~2020-2021~~2024 edition may be obtained, at cost, from The Appraisal Foundation, ~~Distribution~~Publication Fulfillment Center, P.O. Box 381, Annapolis Junction, MD 20701-0381. The web site is <http://www.appraisalfoundation.org/>.

~~Section-2.~~ Use of License Number

Any person licensed by the Board must display that person's signature and license number on the certification of any appraisal performed in this State. The license number shall include the two (2) letter prefix identifying the type of license held.

STATUTORY AUTHORITY:

32 M.R.S. ~~Chapter 124, §§~~ 14012(3)

EFFECTIVE DATE:

~~September 18, 1999~~

~~AMENDED:~~

~~May 29, 2000~~

~~April 10, 2001~~

~~January 1, 2002~~

~~February 8, 2003 filing 2003-40~~

~~December 23, 2003 filing 2003-473~~

~~NON-SUBSTANTIVE CORRECTIONS:~~

~~February 20, 2004 restored web site address in Section 1~~

~~AMENDED:~~

~~December 21, 2004 filing 2004-584~~

~~June 18, 2006 filing 2006-259~~

~~December 22, 2007 filing 2007-527~~

~~January 1, 2010 filing 2009-704~~

~~January 1, 2012 filing 2011-406~~

~~January 1, 2014 filing 2013-297~~

January 1, 2016 filing 2015-245
August 29, 2018 filing 2018-170
January 20, 2020 filing 2020-010__

Chapter 230: SUPERVISORY APPRAISER DUTIES

SUMMARY: This rule establishes the responsibilities of a certified residential or certified general real property appraiser who supervises a trainee real property appraiser.

1. Commencement and Termination of Supervisory Relationship

A certified residential or certified general real property appraiser shall notify the board in writing of the commencement or termination of a supervisory relationship with a trainee real property appraiser no later than ten (10) days after the commencement or termination of the supervisory relationship.

2. Duties

1. A supervisory appraiser is responsible for the training, guidance and direct supervision of the trainee real property appraiser, including:

- A. Accepting responsibility for any appraisal reports drafted by the trainee real property appraiser, by signing and certifying that any such report is in compliance with the Uniform Standards of Professional Appraisal Practice;
- B. Reviewing with the trainee real property appraisal report(s) and supporting workfile documents, when necessary; and
- C. Personally inspecting each appraised property with the trainee real property appraiser until the supervisory appraiser determines the trainee is competent in accordance with the Competency Rule of the Uniform Standards of Professional Appraisal Practice for the property type. The supervisory appraiser shall make this determination of competency in writing on a form provided by the board and shall submit the determination to the board no later than ten (10) days thereafter.

2. Records and Reporting

- A. The supervisory appraiser shall maintain accurate, up-to-date records of all the trainee real property appraiser's activities, including a schedule of hours of work completed. For any appraisal listed on a trainee appraiser's experience log, a supervisory appraiser must provide a copy of, or access to, any appraisal report and associated workfile documents in their custody and control to the board upon request.
- B. No later than the fifteenth (15th) day of each month, a supervisory appraiser shall complete, sign and submit an appraisal experience log to the board with respect to each trainee under their supervision. The monthly log shall be made on a form prescribed by the Board and must contain all information required by Section

2(2)(F) of this Chapter. The board retains discretion to reject an experience log if it is incomplete or untimely submitted.

- C. Trainee real property appraisers will not receive experience credit for appraisals reports that are not signed by the supervisory appraiser.
- D. Trainee real property appraisers must be identified in the appraisal certification and scope of work for reports the trainee did not sign to be eligible for experience credit.
- E. Separate appraisal logs shall be maintained by the supervisory appraiser for each trainee real property appraiser under their supervision, if applicable.
- F. Experience logs shall, at a minimum, include the following information for the preceding calendar month:
 - (1) Type of property appraised;
 - (2) Whether the supervisory appraiser personally inspected the property with the trainee;
 - (3) Client name and address;
 - (4) Address of appraised property;
 - (5) Description of work performed by the trainee real property appraiser and the scope of the review and supervision of the Supervisory Appraiser;
 - (6) Number of work hours;
 - (7) Date of appraisal report; and
 - (8) The signature and board license number of the supervisory appraiser.
- G. If the trainee real property appraiser trainee performed no reportable work, the monthly experience log shall so indicate.

3. Grounds for Discipline

In addition to the grounds enumerated in 10 M.R.S. § 8003(5-A)(A) and 32 M.R.S. § 14014-A, the Board may impose discipline on a supervisory appraiser for failure to execute their duties in accordance with this Chapter.

STATUTORY AUTHORITY:

32 M.R.S. §§ 14012, 14038, 14039

EFFECTIVE DATE:

Chapter 240: STANDARDS OF PROFESSIONAL PRACTICE

SUMMARY: This chapter establishes the Uniform Standards of Professional Appraisal Practice as the standard of practice for licensees and requires licensees to display their signature and license number on certifications of appraisals performed.

1. Uniform Standards of Professional Practice

Except as set forth in 32 M.R.S. § 14011(7), licensees shall comply with generally accepted standards of professional practice as established by the Uniform Standards of Professional Appraisal Practice (“USPAP”), 2024 Edition. The Board hereby incorporates the Uniform Standards of Professional Appraisal Practice (“USPAP”), 2024 Edition, Copyright © 2024, The Appraisal Foundation, effective January 1, 2024, into this chapter by reference. Copies of the 2024 edition may be obtained, at cost, from The Appraisal Foundation, Publication Fulfillment Center, P.O. Box 381, Annapolis Junction, MD 20701-0381. The web site is <http://www.appraisalfoundation.org/>.

2. Use of License Number

Any person licensed by the Board must display that person’s signature and license number on the certification of any appraisal performed in this State. The license number shall include the two (2) letter prefix identifying the type of license held.

STATUTORY AUTHORITY:

32 M.R.S. § 14012(3)

EFFECTIVE DATE:

To: Board Members
From: Catherine E. Pendergast
Date: November 20, 2023
Subject: Continuing Education Inquiry

An inquiry was received regarding continuing education credit for auditing the International Association of Assessing Officers' (IAAO) course, "Fundamentals of Real Property Appraisal. The course is AQB approved for 30 hours (without exam).

Licensee is auditing the course December 4-8, 2023 to be able to instruct the course as an IAAO junior instructor. He is required to attend and will receive a certificate of attendance for the entire 4 days, but he will not receive education credits. He previously completed the course in 1999.

Questions for the Board:

1. Is auditing the class acceptable toward credit for license renewal?
2. If so, is his participation valid for 7 hours of continuing education credit for his 2023 renewal?
3. Is licensee required to submit an Individual Request for Continuing Education with fee? (Course is currently AQB approved).

Applicable Rule – Chapter 220: Educational Course Requirements

Chapter 220: EDUCATIONAL COURSE REQUIREMENTS

Summary: This chapter requires that qualifying education be approved by the Appraisal Qualifications Board and that continuing education be approved by the Appraiser Qualifications Board or the Board of Real Estate Appraisers.

1. Qualifying Education

Class hours required for licensure as a trainee real property appraiser, licensed residential real property appraiser, certified residential real property appraiser and certified general real property appraiser must be earned in courses approved by the Appraiser Qualifications Board. The Board of Real Estate Appraisers will not recognize non-approved courses for licensing purposes.

2. Continuing Education

1. Continuing Education Requirement Generally

At time of renewal, each licensee of the board shall certify to completion of 14 hours of continuing education during the preceding license term. Up to 7 hours may be granted for participation, other than as a student, in appraisal education processes and programs. Credit for instructing any given course or seminar can only be awarded once during a continuing education cycle.

2. Course in National Uniform Standards of Professional Appraisal Practice

As part of the 14 required hours of continuing education described in subsection 1, each licensee shall, during even-numbered years, satisfactorily complete the 7-hour National Standards of Uniform Professional Appraisal Practice course approved by the Appraisal Qualifications Board.

3. Approved Programs

Continuing education must be earned in programs approved by the Appraisal Qualifications Board or the Board of Real Estate Appraisers. The Board of Real Estate Appraisers will not recognize unapproved programs for continuing education credit.

4. Criteria for Program Approval by Board of Real Estate Appraisers

Continuing education programs that have not been approved by the Appraisal Qualifications Board must meet the following criteria for approval.

- A. The program must consist of no less than 2 hours of actual instructional time, exclusive of meals, breaks, and non-instructional presentations or activities.
- B. The program must be taught “live” in a traditional classroom or seminar setting or as a synchronous distance education program. No form of asynchronous distance education or recorded presentation will be approved.
- C. The material to be taught may include subjects not directly related to real estate appraisal. However, only material that is directly related to real estate appraisal will be recognized for continuing education credit.
- D. The program sponsor must distribute an evaluation form provided by the board and certificates of completion to attendees at the conclusion of the program. The sponsor must retain completed evaluations for one year following conclusion of the program and must promptly provide the evaluations to the board upon request. The sponsor must retain the roster of attendees for two years following completion of the program.

5. Approval of Continuing Education Programs by the Board of Real Estate Appraisers

Continuing education programs that have not been approved by the Appraisal Qualifications Board must be submitted to the Board of Real Estate Appraisers for review and approval as set forth in this subsection.

- A. The program sponsor or a prospective attendee shall apply for continuing education program approval on forms provided by the board. Incomplete applications will not be reviewed.

[NOTE: A prospective attendee applying for program approval need not show that the program sponsor will distribute evaluation forms and certificates of completion and abide by the retention requirements as set forth in subsection 4(D).]

- B. The complete application must be submitted sufficiently in advance of the start date of the program to permit review by the board prior to the start date. Applications submitted on or after the start date of the program will not be considered.
- C. The application must include the following information:
 - (1) The title of the program, a general overview of the material to be covered, and a detailed syllabus, including a timed outline;
 - (2) Demonstration that the program meets the criteria for approval set forth in subsection 4;
 - (3) The names and qualifications of the instructors;

- (4) The fee required by Chapter 10, Section 34 of the rules of the Office of Licensing and Registration, entitled “Establishment of License Fees;” and
 - (5) Such other information as the board may require.
 - D. The board shall review program applications under the criteria set forth in subsection 4 (“Criteria for Program Approval by the Board of Real Estate Appraisers”); for sufficiency of the application under this subsection 5 (“Approval of Continuing Education Programs by the Board of Real Estate Appraisers”); for program quality; and for instructor qualifications.
 - E. Program approval is valid for both in-person and synchronous delivery for a period of one year from the date of approval and includes any repeat presentations of the approved program during the 1-year approval period. Any proposed change to the course content, instructor, or other information submitted in or with the application must be reported to the board for review and approval in advance of the change;
 - F. Any deviation from the application that has not been approved as described in paragraph E, any failure to comply with any conditions included in the board’s approval, or poor program quality may result in suspension of the sponsor’s approved program offerings, denial of future approval requests by the sponsor, or both.
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STATUTORY AUTHORITY:

32 M.R.S. §§ 14012, 14027

EFFECTIVE DATE:

September 18, 1999 – filing 99-373

REPEALED AND REPLACED:

January 1, 2008 – filing 2007-465

AMENDED:

February 20, 2012 – filing 2012-39

August 29, 2018 – filing 2018-169

September 18, 2022 – filing 2022-178