

Notice of Agency Rulemaking Proposal

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

CHAPTER NUMBER AND TITLE:

Chapter 220: Educational Course Requirements (repeal and replace)

TYPE OF RULE (*check one*): ☒ Routine Technical ☐ Major Substantive

PROPOSED RULE NUMBER (*leave blank; to be assigned by Secretary of State*):

BRIEF SUMMARY:

The proposed rulemaking reflects the Appraisal Qualifications Board's (AQB) adoption of changes to continuing education requirements contained in the 2026 Real Property Appraiser Qualification Criteria (Criteria). Licensed appraisers completing continuing education for the renewal of their license will be subject to these changes effective January 1, 2026.

The Maine Board of Real Estate Appraisers proposes to adopt the following changes made by the AQB to continuing education requirements:

1. Appraisers must successfully complete a course which meets the content of the requirements of the Valuation Bias and Fair Housing Laws and Regulations Outline, every two calendar years. The first time an appraiser completes the CE requirement for this course, the course length must be seven (7) hours. If an appraiser successfully completed a seven (7) hour (plus 1 hour exam) course as part of their qualifying education, they have met this requirement. Every two years thereafter, the course length must be four (4) hours.
2. The name of the 7-Hour National USPAP Update Course was changed to the 7-Hour National USPAP Continuing Education Course to better reflect the purpose and content of the course.

Copies of the rulemaking packet may be found on the Board's website, <https://www.maine.gov/pfr/professionallicensing/professions/board-real-estate-appraisers>, scroll down to What's New and Rulemaking Changes.

Date, time and location of PUBLIC HEARING: N/A. Pursuant to 5 M.R.S. § 8052(1) and § 8053(3)(B), a hearing may be requested by five (5) interested persons by submitting a request in writing to the contact person for this filing.

COMMENT DEADLINE: Friday, June 20, 2025 at 5:00 p.m. EST. Comments may be submitted to Catherine Pendergast by mail to 35 State House Station, Augusta, ME, 04333-0035, or by e-mail to Catherine.Pendergast@maine.gov.

CONTACT PERSON FOR THIS FILING: Catherine E. Pendergast, 35 State House Station, Augusta, ME 04333-0035, 207-624-8518, TTY: Maine relay 711, Catherine.Pendergast@maine.gov

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT (*if different*): N/A

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES (if any): N/A

STATUTORY AUTHORITY FOR THIS RULE: 32 M.R.S. §§ 14012, 14027

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (if different): Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA)

AGENCY WEBSITE: <https://www.maine.gov/pfr/professionallicensing/professions/board-real-estate-appraisers>

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: kristin.racine@maine.gov

* Check one of the following two boxes.

☒ The summary provided above is for publication in both the newspaper and website notices.

☐ The summary provided above is for the newspaper notice only. Title 5 §8053, sub-§5 & sub-§7, ¶D. A more detailed summary is attached for inclusion in the rulemaking notice posted on the Secretary of State's website. Title 5 §8053, sub-§3, ¶D & sub-§6.

Please approve bottom portion of this form and assign appropriate AdvantageME number.

APPROVED FOR PAYMENT _____ DATE: _____
(authorized signature)

FUND	AGENCY	ORG	APP	OBJ	PROGRAM	FUNDING Profile JVC	FUND Pri JVC	FUND Line JVC
014	02A	4695	01	4946				

Notice of Agency Rulemaking Proposal

Additional Information for the Web *(if any)*

DETAILED SUMMARY:

Rulemaking Fact Sheet

(5 MRS §8057-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, EMAIL 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 220: Educational Course Requirements (repeal and replace)

TYPE OF RULE (*check one*): ☒ Routine Technical ☐ Major Substantive

STATUTORY AUTHORITY: 32 M.R.S. §§ 14012, 14027

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COMMENT DEADLINE: Friday, June 20, 2025 at 5:00 p.m. EST. Comments may be submitted to Catherine Pendergast by mail to 35 State House Station, Augusta, ME, 04333-0035, or by e-mail to Catherine.Pendergast@maine.gov.

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE:

Under the provisions of Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), the Appraisal Qualifications Board (AQB) establishes the minimum education, experience and examination requirements for real property appraisers to obtain a state license. States are required to implement appraiser licensing requirements that are no less stringent than those issued by the AQB in the Real Property Appraiser Qualification Criteria (Criteria). As the AQB modified continuing education requirements in the 2026 Criteria, set to be effective January 1, 2026, the Maine Board of Real Estate Appraisers is required to adopt these changes.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? ☒ YES ☐ NO

ANALYSIS AND EXPECTED OPERATION OF THE RULE:

The proposed rulemaking reflects the Appraisal Qualifications Board's (AQB) adoption of changes to continuing education requirements contained in the 2026 Real Property Appraiser Qualification Criteria (Criteria). Licensed appraisers completing continuing education for the renewal of their license will be subject to these changes effective January 1, 2026.

The Maine Board of Real Estate Appraisers proposes to adopt the following changes made by the AQB to continuing education requirements:

1. Appraisers must successfully complete a course which meets the content of the requirements of the Valuation Bias and Fair Housing Laws and Regulations Outline, every two calendar years. The first time an appraiser completes the CE requirement for this course, the course length must be seven (7) hours. If an appraiser successfully completed a seven (7) hour (plus 1 hour exam) course

as part of their qualifying education, they have met this requirement. Every two years thereafter, the course length must be four (4) hours.

2. The name of the 7-Hour National USPAP Update Course was changed to the 7-Hour National USPAP Continuing Education Course to better reflect the purpose and content of the course.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE: Board staff and input from the Appraiser Qualifications Board.

ESTIMATED FISCAL IMPACT OF THE RULE: None anticipated. The rule does not alter the overall number of continuing education hours a licensee is required to complete to renew a license.

FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:
[see §8057-A(2)(A)]

INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED
AND HOW THEY WILL BE AFFECTED: [see §8057-A(2)(B)]

BENEFITS OF THE RULE: [see §8057-A(2)(C)]

Note: If necessary, additional pages may be used.

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

298 BOARD OF REAL ESTATE APPRAISERS

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.

SECTION 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.

SECTION 2. Continuing Education

1. General Continuing Education Requirement

At time of renewal, each licensee shall certify to completion of fourteen (14) hours of continuing education during the preceding license term. Up to seven (7) hours may be granted for participation as an instructor 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. Continuing Education Requirements in Even-Numbered Years

A. 7-Hour National USPAP Continuing Education Course.

As part of the fourteen (14) required hours of continuing education described in subsection 1, each licensee shall, during even-numbered years, successfully complete the 7-Hour National USPAP Continuing Education Course, as required by The Real Property Appraiser Qualification Criteria, published by the Appraiser Qualifications Board of The Appraisal Foundation, © 2024 The Appraisal Foundation (effective January 1, 2026, available at <https://www.appraisalfoundation.org>).

B. Valuation Bias and Fair Housing Laws and Regulations Course.

As part of the fourteen (14) required hours of continuing education described in subsection 1, each licensee shall, during even-numbered years, successfully complete a course which meets the content requirements of the Valuation Bias and Fair Housing Laws and Regulations Course, as required by The Real Property Appraiser Qualification Criteria, published by the Appraiser Qualifications Board of The Appraisal Foundation, © 2024 The Appraisal

Foundation (effective January 1, 2026, available at <https://www.appraisalfoundation.org>).

- (i) The first time a licensee completes the Valuation Bias and Fair Housing Laws and Regulations Course, the course length must be seven (7) hours. If a licensee successfully completes a seven (7) hour (plus a one (1) hour exam) course as part of their continuing education, they have met this requirement.
- (ii) Every two calendar years thereafter, the course length must be at least four (4) hours.

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 two (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 (1) 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 (2) 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 of the rules of the Office of Professional and Occupational Regulation; 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 (1) 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.

SECTION 3. Effective Date.

This chapter is effective January 1, 2026.

STATUTORY AUTHORITY:

32 M.R.S. §§ 14012, 14027

EFFECTIVE DATE:

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

Chapter 220: EDUCATIONAL COURSE REQUIREMENTS

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SECTION 2. Continuing Education**1. General Continuing Education Requirement ~~Generally~~**

At time of renewal, each licensee ~~of the board~~ shall certify to completion of fourteen (14) hours of continuing education during the preceding license term. Up to seven (7) hours may be granted for participation, ~~other than as a student, an instructor~~ 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 Continuing Education Requirements in Even-Numbered Years**A. 7-Hour National ~~Uniform Standards of Professional Appraisal Practice~~ USPAP Continuing Education Course.**

As part of the fourteen (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.~~ successfully complete the 7-Hour National USPAP Continuing Education Course, as required by The Real Property Appraiser Qualification Criteria, published by the Appraiser Qualifications Board of The Appraisal Foundation, © 2024 The Appraisal Foundation (effective January 1, 2026, available at <https://www.appraisalfoundation.org>).

B. Valuation Bias and Fair Housing Laws and Regulations Course.

As part of the fourteen (14) required hours of continuing education described in subsection 1, each licensee shall, during even-numbered years, successfully

complete a course which meets the content requirements of the Valuation Bias and Fair Housing Laws and Regulations Course, as required by The Real Property Appraiser Qualification Criteria, published by the Appraiser Qualifications Board of The Appraisal Foundation, © 2024 The Appraisal Foundation (effective January 1, 2026, available at <https://www.appraisalfoundation.org>).

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(ii) Every two calendar years thereafter, the course length must be at least four (4) hours.

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- 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 Professional~~ and ~~Registration, entitled "Establishment of License Fees;"~~ Occupational Regulation; 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.
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- 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.

SECTION 3. Effective Date.

This chapter is effective January 1, 2026.

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