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**IDAPA 24
TITLE 18
Chapter 01**

24.18.01 - RULES OF THE REAL ESTATE APPRAISER BOARD

000. LEGAL AUTHORITY (Rule 0).

These rules are hereby prescribed and established pursuant to the authority vested in the Real Estate Appraiser Board by the provisions of Section 54-4106, Idaho Code. (7-1-93)

001. TITLE AND SCOPE (Rule 1).

These rules shall be cited as IDAPA 24.18.01, " Rules of the Real Estate Appraiser Board". (7-1-97)

002. (RESERVED).

003. WRITTEN INTERPRETATIONS (Rule 3).

The board may have written statements which pertain to the interpretation of the rules of this chapter. Such interpretations, if any, are available for public inspection and copying at cost in the main office of the Bureau of Occupational Licenses. (7-1-93)

004. -- 009. (RESERVED).

010. DEFINITIONS (Rule 10).

The definitions numbered one through twelve (1-12), appearing at Section 54-4104 of the Idaho Code are incorporated herein by reference as if set forth in full. (7-1-93)

01. Advisory Committee. A committee of state certified or licensed real estate appraisers appointed by the board to provide technical assistance relating to real estate appraisal standards and real estate appraiser experience, education and examination requirements that are appropriate for each classification of state certified or licensed real estate appraiser. (7-1-93)

02. Appraisal Foundation. The Appraisal Foundation means the Appraisal Foundation established on November 30, 1987, as a not-for-profit corporation under the laws of Illinois. (7-1-97)

03. Appraiser Qualifications Board. Appraiser Qualifications Board of the Appraisal Foundation establishes the qualifications criteria for licensing, certification and recertification of appraisers. (7-1-97)

04. Appraisal Standards Board. The Appraisal Standards Board of the Appraisal Foundation develops, publishes, interprets and amends the Uniform Standards of Professional Appraisal Practice (USPAP) on behalf of appraisers and users of appraisal services. (7-1-97)

05. Bureau. The Bureau of Occupational Licenses, Department of Self-Governing Agencies as established by Section 67-2601, Idaho Code. (7-1-93)

06. Chief. The Bureau Chief of the Bureau of Occupational Licenses as established by Section 67-2602, Idaho Code. (7-1-93)

07. Classroom Hour. Fifty (50) minutes out of each sixty (60) minute hour. (7-1-93)

08. Field Real Estate Appraisal Experience. Personal inspections of real property, assembly and analysis of relevant facts, and, by the use of reason and the exercise of judgement, formation of objective opinions as to the market or other value of such properties or interests therein and preparation of written appraisal reports or other memoranda showing data, reasoning, and conclusion. Professional responsibility for the valuation function is essential. (7-1-93)

09. FIRREA. Title XI, Financial Institutions Reform, Recovery and Enforcement Act of 1989 was designed to ensure that more reliable appraisals are rendered in connection with federally related transactions. (7-1-93)

10. Nationally Recognized Appraisal Organization. An appraisal organization which is a member of The Appraisal Foundation. (7-1-93)

11. Real Estate. In addition to the previous definition in Section 54-4104(7), Idaho Code will also mean an identified parcel or tract of land, including improvements, if any. (7-1-93)

12. Real Property. In addition to the previous definition in Section 54-4104(8), Idaho Code will also mean one or more defined interests, benefits, or rights inherent in the ownership of real estate. (7-1-93)

13. Residential Unit. Real estate with a current highest and best use of a residential nature. (7-1-93)

14. Specialized Appraisal Services. Services which include situations in which an appraiser is employed or retained to provide appraisal services that do not fall within the defined term "appraisal assignments". Specialized appraisal services relate to the employer's or client's individual needs or investment objectives and commonly include specialized marketing and financing studies as well as analysis, opinions, and conclusions rendered in connection with activities such as real estate brokerage, mortgage banking, and real estate counseling, including real estate tax counseling. (7-1-97)

15. Uniform Standards of Professional Appraisal Practice. Those uniform standards adopted by the Appraisal Foundation's Appraisal Standards Board. These standards may be altered, amended, interpreted, supplemented, or repealed by the Appraisal Standards Board (ASB) from time to time. (7-1-97)

011. -- 099. (RESERVED).

100. ORGANIZATION (Rule 100).

01. Board Name. In accordance with Idaho Statutes, the name of this Board shall be the Idaho Real Estate Appraiser Board, hereafter called the Board. Whenever reference is made to "Law", the same shall refer to the Laws of the state of Idaho. (7-1-93)

02. Organization Of Board. At the first meeting of each year, the Board shall organize and elect from its members a Chairman, Vice Chairman, and Secretary who shall assume the duties of their respective offices immediately upon such selection. (7-1-93)

03. Board Members And Duties. (7-1-93)

a. Chairman - The Chairman shall be a voting member of the Board, and when present preside at all meetings, appoint with the consent of the Board all committees, and shall otherwise perform all duties pertaining to the office of Chairman. The Chairman shall be an ex-officio member of all committees. (7-1-93)

b. Vice-Chairman - The Vice Chairman shall, in the absence or incapacity of the Chairman, exercise the duties and possess all the powers of the Chairman. (7-1-93)

c. Secretary - The Secretary of the Board shall keep an accurate record of the proceedings at the meetings of the Board, he/she shall cause a copy of the minutes of the previous meeting to be sent to all members of the Board at least fifteen (15) days prior to the next regular meeting of the Board, he/she shall receive correspondence directed to the Board, and he/she shall cause answers to be written in behalf of the Board. (7-1-93)

d. Executive Secretary - The Chief of the Bureau of Occupational Licenses shall be the acting Executive Secretary of the Board and all records of the Board shall be in the charge of the Executive Secretary. The office of the Executive Secretary shall provide such clerical assistance as may be required by the Board. He shall be an advisor to the Board, without membership status. (7-1-97)

101. -- 149. (RESERVED).

150. PROCEDURES AND DUTIES (Rule 150).

01. Meetings. The Board shall meet at least four (4) times annually and at such other times as requested by the Board or its chairman. (7-1-93)
02. Voting - A Quorum Shall Be Three (3) Board Members. A majority vote of the quorum present shall be considered the action of the Board as a whole. (7-1-97)

151. -- 199. (RESERVED).

200. FEES (Rule 200).

Fees are established in accord with Section 54-4113, Idaho Code as follows: (7-1-93)

01. Application. Application for qualification - two hundred dollars (\$200). (7-1-93)
02. Original Certification/License. Original Certification/License - one hundred dollars (\$100*). (7-1-93)
03. Certification/License Renewal. Certification/License renewal - two hundred dollars (\$200). (7-1-97)
04. Reinstatement. Reinstatement fees are as provided in Section 67-2614, Idaho Code - twenty-five dollars (\$25). (7-1-93)
05. Duplicate Certificate/License. Duplicate Certificate/License - twenty-five dollars (\$25). (7-1-93)
06. History Record. History record - twenty-five dollars (\$25). (7-1-93)
07. Application For Reciprocity. Application for reciprocity - two hundred dollars (\$200). (7-1-93)
08. Original Certification/License Via Reciprocity. Original Certification/License via reciprocity - one hundred dollars (\$100). (7-1-93)
09. Temporary Permit. Temporary permit - one hundred dollars (\$100). (7-1-93)
10. Examination And Reexamination Fees. Examination and Reexamination fees will be calculated based on the actual cost of the examination. Successful applicants will be notified of the fees at the time they are scheduled for examination. (7-1-97)
11. Fees Are Non-Refundable. Fees are non-refundable. (7-1-93)
12. Fees Followed By * Means. Proposed fees for these categories marked with an asterisk include an estimated twenty five dollars (\$25) to be submitted by the state to federal government. Title XI, Section 1109 requires each state to submit a roster listing of state certified/licensed appraisers to the Appraiser Subcommittee "no less than annually". The state is also required to collect from such individuals who perform appraisals in federally related transactions an annual registry fee of "not more than twenty five dollars (\$25)", such fees to be transmitted by the state to the federal government on an annual basis. (7-1-93)

201. -- 249. (RESERVED).

250. APPLICATION (Rule 250).

01. Filing Application With Supporting Documents And Fees. Any person desiring to apply for certification/licensure must submit a completed application with required supporting documents and appropriate fees to the Bureau of Occupational Licenses at its official address. After the qualifications have been reviewed/verified and approved by the Board, the applicant will receive the pre-approved examination application and must submit the appropriate fees to the examining entity. (7-1-97)

02. Application Deadline Date. Completed applications must be received by the Executive Secretary at least thirty (30) days prior to the next scheduled board meeting in order to be reviewed by the Board. Applications received less than thirty (30) days in advance will be held until a subsequent meeting. (7-1-97)

03. Eligibility For Examination. The qualified applicant will be assigned to the first available examination subsequent to determination of eligibility. (7-1-97)

251. -- 298. (RESERVED).

299. REQUIREMENTS FOR LICENSURE/CERTIFICATION (Rule 299).

All applicants for licensure/certification in any real estate appraiser classification must meet the following requirements in addition to those requirements set forth in Sections 300, 350, and 400 below. (7-1-97)

01. Examination. Successful completion of an examination approved by the Board pursuant to the guidelines of the Appraisal Foundation. (7-1-97)

02. Education. (7-1-97)

a. Credit toward the classroom hour requirement may only be granted where the length of the educational offering is at least fifteen (15) hours, and the individual successfully completes an examination pertinent to the educational offering. (7-1-97)

b. Credit for the classroom hour requirement may be obtained from the following: (7-1-97)

i. Colleges or Universities. (7-1-97)

ii. Community or Junior Colleges. (7-1-97)

iii. Any member of the Appraisal Foundation. (7-1-97)

iv. State or Federal Agencies or Commissions. (7-1-97)

v. Other providers approved by the Board. (7-1-97)

c. Only those courses completed preceding the date of application will be accepted for meeting educational requirements. (3-18-99)

d. Course credits which are obtained from the course provider by challenge examination without attending the course will not be accepted. (3-18-99)

e. Various appraisal courses may be credited toward the classroom hour education requirement. Applicants must demonstrate that their education involved coverage of all topics listed below. Licensed Residential and Certified Residential must include emphasis in one (1) to four (4) unit residential properties; Certified General must include emphasis in nonresidential properties. (7-1-97)

i. Influences on Real Estate Value. (7-1-97)

ii. Legal Considerations in Appraisal. (7-1-97)

iii. Types of Value. (7-1-97)

iv. Economic Principles. (7-1-97)

v. Real Estate Markets and Analysis. (7-1-97)

vi. Valuation Process. (7-1-97)

- vii. Property Description. (7-1-97)
- vii. Highest and Best Use Analysis. (7-1-97)
- ix. Appraisal Statistical Concepts. (7-1-97)
- x. Sales Comparison Approach. (7-1-97)
- xii. Site Value. (7-1-97)
- xiii. Cost Approach. (7-1-97)
- xiv. Income Approach. (7-1-97)
- xv. Valuation of Partial Interests. (7-1-97)
- xvi. Appraisal Standards and Ethics. (7-1-97)
- f. Advanced courses will be those courses for which an introductory or basic course is required. Typically classes titled "Introductory," "Basic," or "Principles" will not be accepted for advanced requirements. (7-1-97)
- 03. Experience. (7-1-97)
 - a. The work product claimed for experience credit must be in conformity with the Uniform Standards of Professional Appraisal Practice or shall be in compliance with generally accepted standards which were in effect at the time those appraisals were prepared. (7-1-97)
 - b. A year of experience is equal to a minimum of one thousand (1,000) hours worked during a consecutive twelve (12) month period. Regardless of the number of experience hours submitted or obtained during any twelve (12) month period, no more than one thousand (1,000) of those hours may be credited to meet this requirement. Hours obtained in excess of one thousand (1,000) hours during any consecutive twelve (12) month period may not be credited or carried over into the next twelve (12) month period. (7-1-97)
 - c. Only experience gained during the five (5) years preceding application will be considered for evaluation. (7-1-97)
 - d. Acceptable non field appraisal experience includes, but is not limited to the following: Fee and Staff appraisal analysis, tax appraisal, appraisal analysis, review appraisal, real estate counseling, highest and best use analysis, and feasibility analysis/study. (3-18-99)
 - e. An appraiser applying for certification/licensure must verify his completion of the required experience via affidavit, under oath subject to penalty of perjury, and notarized on a form provided by the Board. (7-1-97)
 - i. To demonstrate experience the Board requires submission of a log which details hours claimed for experience credit. (7-1-97)
 - ii. The Board reserves the right to contact an employer for confirmation of length and extent of experience claimed. This may require an employer to submit appraisal reports and/or an affidavit. (7-1-97)
 - iii. The Board may request submission of written reports or file memoranda which substantiate an applicant's claim for experience credit. (7-1-97)
 - f. Ad valorem tax appraisers who demonstrate that they use techniques to value properties similar to those used by appraisers and effectively use the process as defined in Subsection 010.10, Field Real Estate Appraisal

Experience will receive experience credit.

(7-1-97)

300. LICENSED RESIDENTIAL REAL ESTATE APPRAISER CLASSIFICATION APPRAISER QUALIFICATION CRITERIA (Rule 300).

The state licensed residential real estate appraiser classification applies to the appraisal of residential real property consisting of one (1) to four (4) noncomplex residential units having a transaction value less than one million dollars (\$1,000,000) and complex one (1) to four (4) residential units having a transaction value less than two hundred fifty thousand dollars (\$250,000). Applicants must meet the following examination, education, and experience requirements in addition to complying with Section 299. Subsequent to being licensed, an individual must meet the continuing education requirement. (7-1-97)

01. Education. As a prerequisite to taking the examination for licensure as an Idaho Licensed Real Estate Appraiser, an applicant shall present evidence satisfactory to the board that he has successfully completed not less than ninety (90) classroom hours of courses in subjects related specifically to real estate appraisal approved by the board. Each applicant must have successfully completed not less than seventy (70) classroom hours of study related to those topics outlined under Subsection 299.02.e., the basic principles of real estate appraising. Not less than fifteen (15) and no more than twenty (20) classroom hours of studies within the last five (5) years specifically relating to the Uniform Standards of Professional Appraisal Practice, and Code of Ethics will be credited to the classroom hour requirement. (7-1-97)

02. Experience. Prerequisite to sit for the examination: Equivalent of two (2) years appraisal experience (see Subsection 299.03.b.). Experience documentation in the form of reports or file memoranda should be available to support the claim for experience. (7-1-97)

a. Of the required two thousand (2,000) hours, the applicant must accumulate a minimum of one thousand five hundred (1,500) hours from field real estate appraisal experience. The balance of five hundred (500) hours may include non field experience, refer to Subsection 299.03.c. (7-1-97)

301. -- 349. (RESERVED).

350. CERTIFIED RESIDENTIAL REAL ESTATE APPRAISER CLASSIFICATION APPRAISER QUALIFICATION CRITERIA (Rule 350).

The State Certified Residential Real Estate Appraiser classification applies to the appraisal of residential properties of four (4) or less units without regard to transaction value or complexity. Applicants must meet the following examination, education, and experience requirements in addition to complying with Section 299. Subsequent to being certified an individual must meet the continuing education requirement. (7-1-97)

01. Education. As a prerequisite to taking the examination for certification as an Idaho Certified Residential Real Estate Appraiser, an applicant shall present evidence satisfactory to the board that he has successfully completed not less than one hundred twenty (120) classroom hours of courses in subjects related to real estate appraisal approved by the board. Each applicant must have successfully completed not less than ninety (90) classroom hours of study related to those topics outlined under Subsection 299.02.e., the basic principles of real estate appraising and thirty (30) classroom hours of advanced residential or non-residential specialized courses relating to the topics specified at Subsection 299.02.e. Not less than fifteen (15) and no more than twenty (20) classroom hours of studies within the last five (5) years specifically relating to the Uniform Standards of Professional Appraisal Practice, and Code of Ethics; will be credited to the classroom hour requirement. (7-1-97)

02. Experience. (3-18-99)

a. Prerequisite to sit for the examination: Equivalent of three (3) years appraisal experience (see Subsection 299.03.b.). Experience documentation in the form of reports or file memoranda should be available to support the claim for experience. (3-18-99)

b. The applicant must accumulate a minimum of two thousand five hundred (2,500) hours of real estate appraisal experience in not less than twenty-five (25) months. Two thousand (2,000) hours of the experience shall be from residential field appraisal experience. The balance of five hundred (500) hours may include non field experience, refer to Subsection 299.03.c. (3-18-99)

351. -- 399. (RESERVED).

400. CERTIFIED GENERAL REAL ESTATE APPRAISER CLASSIFICATION APPRAISER QUALIFICATION CRITERIA (RULE 400).

The State Certified General Real Estate Appraiser classification applies to the appraisal of all types of real property. Applicants must meet the following examination, education, and experience requirements in addition to complying with Section 299. Subsequent to being certified, an individual must meet the continuing education requirement.

(7-1-97)

01. Education. As a prerequisite to taking the examination for certification as an Idaho State Certified General Real Estate Appraiser, an applicant shall present evidence satisfactory to the board that he/she has successfully completed not less than one hundred eighty (180) classroom hours of courses in subjects related specifically to real estate appraisal approved by the board. Each applicant must have successfully completed not less than one hundred sixty (160) classroom hours of study related to those topics outlined under Subsection 299.02.e. Not less than fifteen (15) and no more than twenty (20) classroom hours of studies within the last five (5) years specifically relating to the Uniform Standards of Professional Appraisal Practice, and Code of Ethics; and one hundred (100) classroom hours of advanced non residential specialized courses relating to the topics specified at Subsection 299.02.e.

(7-1-97)

02. Experience. (3-18-99)

a. Prerequisite to sit for the examination. Equivalent of three (3) years appraisal experience (See Subsection 299.03.b.). Experience documentation in the form of reports or file memoranda should be available to support the claim for experience. (3-18-99)

b. The applicant must accumulate a minimum of three thousand (3,000) hours of appraisal experience in not less than thirty (30) months. Two thousand (2,000) hours of the experience must be nonresidential field appraisal experience. The balance of one thousand (1,000) hours may be solely residential experience or can include up to five hundred (500) hours of nonfield experience as outlined in Subsection 299.03.c. (3-18-99)

401. CONTINUING EDUCATION (Rule 401).

All certified/licensed appraisers must comply with the following continuing education requirements: (7-1-97)

01. Purpose Of Continuing Education. The purpose of continuing education is to ensure that the appraiser participates in a program that maintains and increases his skill, knowledge and competency in real estate appraising. (7-1-97)

02. Hours Required. The equivalent of fifteen (15) classroom hours of instruction in courses or seminars for each year during the three (3) years during the period preceding the renewal is required. (For example, a three (3) year certification term would require forty-five (45) hours. These hours may be obtained any time during the three (3) year term. (7-1-97)

a. A classroom hour is defined as fifty (50) minutes out of each sixty (60) minute segment. (7-1-93)

b. Credit toward the classroom hour requirement may be granted only where the length of the educational offering is at least two (2) hours. (7-1-97)

c. Credit for the classroom hour requirement may be obtained by accredited courses which have been approved by the appraisal members of The Appraisal Foundation. All other courses must have approval of the Board. (7-1-93)

d. Once every five (5) years an Idaho State Certified/Licensed Real Estate Appraiser will be required to attend fifteen (15) hours of a Uniform Standards of Professional Appraisal Practice course and receive a passing grade on a course examination. (7-1-97)

03. Credit For Appraisal Educational Processes And Programs. Continuing education credit may also

be granted for participation, other than as a student, in appraisal educational processes and programs. Examples of activities for which credit may be granted are teaching, program development, authorship of textbooks, or similar activities which are determined to be equivalent to obtaining continuing education. (7-1-97)

04. Requirement When A Certificate/license Is Cancelled. For each year (less than five (5)) in which a license is lapsed, cancelled, or otherwise non-renewed, fifteen (15) hours of continuing education must be obtained prior to reinstatement. (3-18-99)

402. -- 449. (RESERVED).

450. RECIPROCITY (Rule 450).

Applicant must comply with Section 54-4115, Idaho Code. (7-1-93)

01. File Application. File applications on forms provided by the Board. (7-1-93)

02. Submit Statement Verifying Certification/Licensure. Submit current notarized statement verifying certification/licensure in good standing in another state. (7-1-93)

03. Reciprocal License Issued. No reciprocal license will be issued where the applicant was originally licensed in a state other than that upon which the reciprocity application is based. (7-1-97)

451. -- 499. (RESERVED).

500. TEMPORARY PRACTICE (Rule 500).

01. Requirements For Issuance. A permit to temporarily practice may be issued to individuals coming to Idaho who are certified/licensed in another state and are either transferring to Idaho or have a temporary assignment in Idaho. (7-1-93)

02. Provide Proof Of Current Certification Or Licensure. Must provide proof of current certification or licensure in good standing in another state or meet the requirements as set forth in these rules, and comply with Section 54-4115(3), Idaho Code, regarding irrevocable consent. (7-1-93)

03. Assignments And Length Of Time Permit Will Be Issued. Permit to temporarily practice will be issued on a per appraisal assignment basis for a period not to exceed six (6) months. A temporary permit may be extended one (1) time only. (3-18-99)

501. -- 524. (RESERVED).

525. DISCIPLINE (Rule 525).

01. Civil Fine. The Board may impose a civil fine not to exceed one thousand dollars (\$1,000) upon a licensed or certified real estate appraiser for each violation of Section 54-4107(1), Idaho Code. (3-18-99)

02. Costs And Fees. The Board may order a licensed or certified real estate appraiser to pay the costs and fees incurred by the Board in the investigation or prosecution of the licensee for violation of Section 54-4107(1), Idaho Code. (3-18-99)

526. -- 549. (RESERVED).

550. LEGAL ADVICE (Rule 550).

All legal advice shall be furnished the Board by the Office of the Attorney General of the state of Idaho or such legal advice may be furnished by private legal counsel with the approval of the Board and where the budget permits. (7-1-93)

551. -- 599. (RESERVED).

600. AMENDMENTS (Rule 600).

The Board may propose to amend these Rules at any meeting of the Board by a favorable vote of three (3) members present, providing a copy of the proposed amendment shall have been mailed to each member of the Board at least fifteen (15) days prior to the meeting at which the amendment is to be considered and that such amendment is made in accordance with the requirements of the law. (7-1-93)

601. -- 649. (RESERVED).

650. RULES OF PROCEDURE UNDER THE ADMINISTRATIVE PROCEDURE ACT (Rule 650).

All procedures available under the Board of Real Estate Appraisers shall be those adopted by the Bureau of Occupational Licenses. (7-1-93)

651. -- 699. (RESERVED).

700. UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE/CODE OF ETHICS (Rule 700).

Rules of conduct of the Appraisal Foundation which includes the Uniform Standards of Professional Practice and Code of Ethics, are hereby adopted as the rules of conduct and code of ethics for all Idaho State Certified/Licensed Real Estate Appraisers. (7-1-93)

701. -- 799. (RESERVED).

800. RULE MAKING HISTORY PRIOR TO JULY, 1993 (Rule 800).

Adopted by Emergency January 7, 1992, Effective April 15, 1991, Adopted December 16, 1992, Effective January 5, 1993. (7-1-93)

801. -- 999. (RESERVED).