

# EMERGENCY RULES

Emergency Rules include new rules, amendments to existing rules, and the repeals of existing rules. A state agency may adopt an emergency rule without prior notice or hearing if the agency finds that an imminent peril to the public health, safety, or welfare, or a requirement of state or federal law, requires adoption of a rule on fewer than 30 days' notice. An emergency rule may be effective for not longer than 120 days and may be renewed once for not longer than 60 days (Government Code, §2001.034).

## TITLE 22. EXAMINING BOARDS

### PART 8. TEXAS APPRAISER LICENSING AND CERTIFICATION BOARD

#### CHAPTER 153. RULES RELATING TO PROVISIONS OF THE TEXAS APPRAISER LICENSING AND CERTIFICATION ACT

##### 22 TAC §§153.10, 153.15 - 153.17, 153.21, 153.22

The Texas Appraiser Licensing and Certification Board (TALCB) adopts on an emergency basis amendments to 22 TAC §153.10, Issuance of Certification, License, or Trainee Approval; §153.15, Experience Required for Licensing; §153.16, License Reinstatement; §153.21, Appraiser Trainees and Supervisory Appraisers; §153.22, Voluntary Appraiser Trainee Experience Reviews to implement changes to the education and experience criteria for obtaining an appraiser license adopted by the Appraiser Qualifications Board (AQB) to be effective on May 1, 2018. TALCB also adopts on an emergency basis amendments to 22 TAC §153.17, Renewal or Extension of License to implement reporting changes to the National Registry for Appraisers as required by the AQB and the Appraisal Subcommittee under Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), as amended by the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank), to accurately reflect the status of an appraiser's license when the appraiser requests an extension of time to complete required continuing education. TALCB discovered the immediate need for these reporting changes as a result of the 2018 Program Compliance Review conducted in February by the Appraisal Subcommittee.

These amendments are adopted on an emergency basis under Texas Occupations Code §1103.151, which authorizes the TALCB to adopt rules relating to certificates and licenses.

The statute affected by these emergency amendments is Chapter 1103, Texas Occupations Code. No other statute, code or article is affected.

##### §153.10. *Issuance of Certification, License, or Trainee Approval.*

(a) A license is issued when all requirements have been met and it is entered into the Board's database and a license number has been assigned.

(b) An applicant is not licensed and may not represent himself or herself as a certified or licensed appraiser, appraiser trainee, or registered temporary out-of-state appraiser until the license has been issued by the Board.

(c) A license issued by the Board is valid for two years from the date of issuance.

(d) A license issued to a temporary out-of-state appraiser is valid for six months from the date of issuance, unless otherwise [the period] determined by the Board; ~~not to exceed six months~~].

(e) A license is not renewed until the renewal has been issued by the Board.

##### §153.15. *Experience Required for Licensing.*

(a) Applicants for a license must meet all experience requirements established by the AQB. [An applicant for a certified general real estate appraiser license must provide evidence satisfactory to the Board that the applicant possesses the equivalent of 3,000 hours of real estate appraisal experience over a minimum of 30 months. At least 1,500 hours of experience must be in non-residential real estate appraisal work].

[(b) An applicant for a certified residential real estate appraiser license must provide evidence satisfactory to the Board that the applicant possesses the equivalent of 2,500 hours of real estate appraisal experience over a minimum of 24 months.]

[(e) An applicant for a state real estate appraiser license must provide evidence satisfactory to the Board that the applicant possesses at least 2,000 hours of real estate appraisal experience over a minimum of twelve months.]

[(d) Experience by endorsement: An applicant who is currently licensed and in good standing in a state that has not been disapproved by the ASC is deemed to satisfy the experience requirements for the same level of license in Texas. The applicant must provide appropriate documentation as required by the Board.]

(b) [(e)] The Board awards experience credit in accordance with current criteria established by the AQB and in accordance with the provisions of the Act specifically relating to experience requirements. An hour of experience means 60 minutes expended in one or more of the acceptable appraisal experience areas. Calculation of the hours of experience is based solely on actual hours of experience. Hours may be treated as cumulative in order to achieve the necessary hours of appraisal experience. Any one or any combination of the following categories may be acceptable for satisfying the applicable experience requirement. Experience credit may be awarded for:

(1) An appraisal or appraisal analysis when performed in accordance with Standards 1 and 2 and other provisions of the USPAP edition in effect at the time of the appraisal or appraisal analysis.

(2) Mass appraisal, including ad valorem tax appraisal that:

(A) conforms to USPAP Standards 5 and [Standard] 6;

and

(B) demonstrates proficiency in appraisal principles, techniques, or skills used by appraisers practicing under USPAP Standard 1.

(3) Appraisal review that:

(A) conforms to USPAP Standards 3 and 4 [Standard 3]; and

(B) demonstrates proficiency in appraisal principles, techniques, or skills used by appraisers practicing under USPAP Standard 1.

(4) Appraisal consulting services, including market analysis, cash flow and/or investment analysis, highest and best use analysis, and feasibility analysis when it demonstrates proficiency in appraisal principles, techniques, or skills used by appraisers practicing under USPAP Standards 1 and 2 and using appropriate methods and techniques applicable to appraisal consulting [Standard 4 and performed in accordance with USPAP Standards 4 and 5].

(c) [(f)] Experience credit may not be awarded for teaching appraisal courses.

(d) [(g)] Recency of Experience.

(1) The Appraisal Experience Log submitted by an applicant must include a minimum of 10 appraisal reports representing at least 10 percent of the hours and property type of experience required for each license category and for which an applicant seeks experience credit that have been performed within 5 years before the date an application is accepted for filing by the Board.

(2) This requirement does not eliminate an applicant's responsibility to comply with the 5-year records retention requirement in USPAP.

(e) [(h)] Experience credit for first-time applicants. Each applicant must submit a Board-approved Appraisal Experience Log and Appraisal Experience Affidavit listing each appraisal assignment or other work for which the applicant is seeking experience credit. The Board may grant experience credit for work listed on an applicant's Appraisal Experience Log that:

(1) complies with the USPAP edition in effect at the time of the appraisal;

(2) is verifiable and supported by:

(A) work files in which the applicant is identified as participating in the appraisal process; or

(B) appraisal reports that:

(i) name the applicant in the certification as providing significant real property appraisal assistance; or

(ii) the applicant has signed;

(3) was performed when the applicant had legal authority to do so; and

(4) complies with the acceptable categories of experience established by the AQB and stated in subsection (b) [(e)] of this section.

(f) [(i)] Experience credit for current licensed residential or certified residential license holders who seek to upgrade their license.

(1) Applicants who currently hold a licensed residential or certified residential appraiser license issued by the Board and want to upgrade this license must:

(A) submit an application on a Board-approved form;

(B) submit a Board-approved Appraisal Experience Log and Appraisal Experience Affidavit listing each appraisal assignment or other work for which the applicant is seeking experience credit for the full amount of experience hours required for the license sought;

(C) pay the required [appropriate] application fee; and

(D) satisfy any other requirement for the license sought, including but not limited to:

(i) the incremental number of experience hours required;

(ii) the hours of experience required for each property type;

(iii) the minimum length of time over which the experience is claimed; and

(iv) the recency requirement in this section.

(2) Review of experience logs.

(A) An applicant who seeks to upgrade a current license issued by the Board must produce experience logs to document 100 percent of the experience hours required for the license sought.

(B) Upon review of an applicant's experience logs, the Board may, at its sole discretion, grant experience credit for the hours shown on the applicant's logs even if some work files have been destroyed because the 5-year records retention period in USPAP has passed.

(g) [(j)] The Board may, at its sole discretion, accept evidence other than an applicant's Appraisal Experience Log and Appraisal Experience Affidavit to demonstrate experience claimed by an applicant.

(h) [(k)] The Board must verify the experience claimed by each applicant generally complies with USPAP.

(1) Verification may be obtained by:

(A) requesting copies of appraisals and all supporting documentation, including the work files; and

(B) engaging in other investigative research determined to be appropriate by the Board.

(2) If the Board requests documentation from an applicant to verify experience claimed by an applicant, the applicant has 60 days to provide the requested documentation to the Board.

(3) Failure to comply with a request for documentation to verify experience, or submission of experience that is found not to comply with the requirements for experience credit, is a violation of these rules and may result in denial of a license application, and any disciplinary action up to and including revocation.

#### §153.16. License Reinstatement.

(a) This section applies only to a person who:

(1) previously held an appraiser license issued by the Board that has expired; and

(2) seeks to obtain the same level of appraiser license previously held by the person before its expiration.

(b) A person described in subsection (a) may apply to reinstate the person's former license by:

(1) submitting an application for reinstatement on a form approved by the Board;

(2) paying the required [applicable] fee;

(3) satisfying the Board as to the person's honesty, trustworthiness and integrity;

(4) satisfying the experience requirements in this section; and

(5) satisfying the fingerprint and criminal history check requirements in §153.12 of this title.

(c) Applicants for reinstatement under this section must demonstrate completion of 14 hours of appraiser continuing education for each year since the last renewal of the person's previous license.

(d) Applicants for reinstatement must demonstrate that their appraisal experience complies with USPAP as follows:

(1) Persons who have work files and license [~~files/license~~] expired less than 5 years. A person described in subsection (a) who has appraisal work files and whose previous license has been expired less than five years may apply to reinstate the person's previous license by submitting an experience log as follows:

(A) For reinstatement as a licensed residential appraiser or a certified residential appraiser, a minimum of 10 residential appraisal reports representing at least 10 percent of the hours and property type of experience required by the AQB for the applicable license category [~~200 hours of residential real estate appraisal experience~~].

~~[(B) For reinstatement as a certified residential real estate appraiser, a minimum of 10 residential appraisal reports representing at least 250 hours of residential real estate appraisal experience.]~~

(B) ~~[(C)]~~ For reinstatement as a certified general appraiser, a minimum of 10 non-residential appraisal reports representing at least 10 percent of the total hours of experience required by the AQB for this license category [~~300 hours of non-residential real estate appraisal experience~~].

(2) Persons who do not have work files or license [~~files/license~~] expired more than 5 years.

(A) A person described in subsection (a) who does not have appraisal work files or whose previous license has been expired for more than five years may apply for a license as an appraiser trainee for the purpose of acquiring the appraisal experience required under this subsection.

(B) An appraiser trainee licensed under this section may apply for reinstatement at the same level of appraiser license that the applicant previously held, after the applicant completes the required number of appraisal reports or hours of real estate appraisal experience as follows:

(i) For reinstatement as a licensed residential appraiser or certified residential appraiser, the applicant must complete a minimum of 10 residential appraisal reports representing at least 10 percent of the experience hours required by the AQB for the applicable license category [~~or 200 hours of residential real estate appraisal experience, whichever is more~~].

~~[(ii) For reinstatement as a certified residential appraiser, the applicant must complete a minimum of 10 residential appraisal reports or 250 hours of residential real estate appraisal experience, whichever is more.]~~

(ii) ~~[(iii)]~~ For reinstatement as a certified general appraiser, the applicant must complete a minimum of 10 non-residential appraisal reports representing at least 10 percent of the total hours of experience required by the AQB for this license category [~~or 300 hours of non-residential real estate appraisal experience, whichever is more~~].

(C) Upon completion of the required number of appraisal reports or hours of real estate appraisal experience, the applicant must submit an experience log.

(D) If an appraiser trainee seeking reinstatement under this section is supervised by a supervisory appraiser with more than three appraiser trainees, those trainees seeking reinstatement under this section satisfy the required progress monitoring through completion of the experience audit under subsection (e) of this section and need

not complete the voluntary appraiser trainee experience reviews under §153.22 of this title.

(e) Consistent with §153.15, the Board will evaluate each applicant's real estate appraisal experience for compliance with USPAP based on the submitted experience log.

(f) For those persons described in subsection (a) the Board has discretion to waive the following requirements:

(1) Proof of qualifying education;

(2) College education or degree requirement; or

(3) Examination for persons whose appraiser license has been expired for less than five years.

(g) Consistent with this chapter, upon review of the applicant's real estate appraisal experience, the Board may:

(1) Reinstatement of the applicant's previous appraiser license;

(2) Reinstatement of the applicant's previous appraiser license, contingent upon completion of additional education, experience or mentorship; or

(3) Deny the application.

§153.17. License Renewal [or Extension of License].

(a) General Provisions.

(1) The Board will send a renewal notice to the license holder at least 90 days prior to the expiration of the license. It is the responsibility of the license holder to apply for renewal in accordance with this chapter, and failure to receive a renewal notice from the Board does not relieve the license holder of the responsibility to timely apply for renewal.

(2) A license holder renews the license by timely filing an application for renewal, paying the appropriate fees to the Board, and satisfying all applicable education, experience, fingerprint and criminal history check requirements.

(3) To renew a license on active status, a license holder must complete the ACE report form approved by the Board and, within 20 days of filing the renewal application, submit course completion certificates for each course that was not already submitted by the education provider and reflected in the license holder's electronic license record.

(A) The Board may request additional verification of ACE submitted in connection with a renewal. If requested, such documentation must be provided within 20 days after the date of request.

(B) Knowingly or intentionally furnishing false or misleading ACE information in connection with a renewal is grounds for disciplinary action up to and including license revocation.

(4) ~~[(3)]~~ An application for renewal [~~or extension~~] received by the Board is timely and acceptable for processing if it is:

(A) complete;

(B) accompanied with payment of the required [~~proper~~] fees; and

(C) postmarked by the U.S. Postal Service, accepted by an overnight delivery service, or accepted by the Board's online processing system on or before the date of expiration.

(b) ACE Extensions [~~Certified General, Certified Residential and Licensed Residential Appraisers~~].

~~[(1) In order to renew on active status, the license holder must complete the ACE report form approved by the Board and, within 20 days of filing the renewal, submit course completion certificates for~~

each course that was not already submitted by the provider and reflected in the license holder's electronic license record.]

~~[(A) The Board may request additional verification of ACE submitted in connection with a renewal. If requested, such documentation must be provided within 20 days after the date of request.]~~

~~[(B) Knowingly or intentionally furnishing false or misleading ACE information in connection with a renewal is grounds for disciplinary action up to and including license revocation.]~~

~~(1) [(2)] The Board may grant, at the time it issues a license renewal, an extension of time of up to 60 days after the expiration date of the previous license to complete ACE required to renew a license, subject to the following:~~

~~(A) The license holder must:~~

~~(i) timely submit the completed renewal form [with the appropriate renewal fees];~~

~~(ii) complete an extension request form; and~~

~~(iii) pay the required renewal and [an] extension fees [fee of \$200].~~

~~(B) ACE courses completed during the 60-day extension period apply only to the current renewal and may not be applied to any subsequent renewal of the license.~~

~~(C) A person whose license was renewed with a 60-day ACE extension:~~

~~(i) will be designated as non-AQB compliant on the National Registry and will not perform appraisals in a federally related transaction until verification is received by the Board that the ACE requirements have been met;~~

~~(ii) may continue to perform appraisals in non-federally related transactions under the renewed license;~~

~~(iii) must, within 60 days after the date of expiration of the previous license, complete the approved ACE report form and submit course completion certificates for each course that was not already submitted by the provider and reflected in the applicant's electronic license record; and~~

~~(iv) will have the renewed license placed in inactive status if, within 60 days of the previous expiration date, ACE is not completed and reported in the manner indicated in paragraph (2) of this subsection. The renewed license will remain on inactive status until satisfactory evidence of meeting the ACE requirements has been received by the Board and the fee to return to active status required by §153.5 of this title (relating to Fees) has been paid.~~

~~[(e)] [Appraiser Trainees.]~~

~~[(1) Appraiser trainees must maintain an appraisal log and appraisal experience affidavits on forms approved by the Board, for the license period being renewed. It is the responsibility of both the appraiser trainee and the supervisory appraiser to ensure the appraisal log is accurate, complete and signed by both parties at least quarterly or upon change in supervisory appraiser. The appraiser trainee will promptly provide copies of the experience logs and affidavits to the Board upon request.]~~

~~(2) Appraiser trainees may not obtain an extension of time to complete required continuing education.~~

~~(c) [(d)] Renewal of Licenses for Persons on Active Duty. A person who is on active duty in the United States armed forces may renew an expired license without being subject to any increase in fee~~

imposed in his or her absence, or any additional education or experience requirements if the person:

(1) did not provide appraisal services while on active duty;

(2) provides a copy of official orders or other documentation acceptable to the Board showing the person was on active duty during the last renewal period;

(3) applies for the renewal within two years after the person's active duty ends;

(4) pays the renewal application fees in effect when the previous license expired; and

(5) completes ACE requirements that would have been imposed for a timely renewal.

~~(d) [(e)] Late Renewal. If an application is filed within six months of the expiration of a previous license, the applicant shall also provide satisfactory evidence of completion of any continuing education that would have been required for a timely renewal of the previous license.~~

~~§153.21. Appraiser Trainees and Supervisory Appraisers.~~

~~(a) Supervision of appraiser trainees required.~~

~~(1) An appraiser trainee may perform appraisals or appraiser services only under the active, personal and diligent direction and supervision of a supervisory appraiser.~~

~~(2) An appraiser trainee may be supervised by more than one supervisory appraiser.~~

~~(3) Number of Appraiser Trainees Supervised.~~

~~(A) Supervisory appraisers may supervise no more than three appraiser trainees at one time unless the requirements in subsection (a)(3)(B) are met;~~

~~(B) Supervisory appraisers may supervise up to five appraiser trainees at one time if:~~

~~(i) the supervisory appraiser has been licensed as a certified appraiser for more than five years; and~~

~~(ii) all of the supervisory appraiser's appraiser trainees must submit requests for the Board to review the appraiser trainee's work product as specified in §153.22 of this title or satisfy the required progress monitoring as permitted in §153.16 of this title [participate in the voluntary trainee experience reviews established in §153.22 of this chapter].~~

~~(4) A supervisory appraiser may be added during the term of an appraiser trainee's license if:~~

~~(A) The supervisory appraiser and appraiser trainee have provided proof to the Board of completion of an approved Appraiser Trainee/Supervisory Appraiser course;~~

~~(B) an application to supervise has been received and approved by the Board; and~~

~~(C) the applicable fee has been paid.~~

~~(5) A licensed appraiser trainee who signs an appraisal report must include his or her license number and the word "Trainee" as part of the appraiser trainee's signature in the report.~~

~~(b) Eligibility requirements for appraiser trainee supervision.~~

~~(1) To be eligible to supervise an appraiser trainee, a certified appraiser must:~~

(A) be in good standing and not subject to any disciplinary action within the last three years that affected the certified appraiser's eligibility to engage in appraisal practice;

(B) complete an approved Appraiser Trainee/Supervisory Appraiser course; and

(C) submit proof of course completion to the Board.

(2) Before supervising an appraiser trainee, the supervisory appraiser must notify the appraiser trainee in writing of any disciplinary action taken against the supervisory appraiser within the last three years that did not affect the supervisory appraiser's eligibility to engage in appraisal practice.

(3) An application to supervise must be received and approved by the Board before supervision begins.

(c) Maintaining eligibility to supervise appraiser trainees.

(1) A supervisory appraiser who wishes to continue to supervise appraiser trainees upon renewal of his/her license must complete an approved Appraiser Trainee/Supervisory Appraiser course within four years before the expiration date of the supervisory appraiser's current license and provide proof of completion to the Board.

(2) If a supervisory appraiser has not provided proof of course completion at the time of renewal, but has met all other requirements for renewing the license the supervisory appraiser will no longer be eligible to supervise appraiser trainees; and the Board will take the following actions:

(A) the supervisory appraiser's license will be renewed on active status; and

(B) the license of any appraiser trainees supervised solely by that supervisory appraiser will be placed on inactive status.

(3) A certified appraiser may restore eligibility to supervise appraiser trainees by:

(A) completing the course required by this section; and

(B) submitting proof of course completion to the Board.

(4) The supervisory appraiser's supervision of previously supervised appraiser trainees may be reinstated by:

(A) submitting the required form to the Board; and

(B) payment of any applicable fees.

(d) Maintaining eligibility to act as an appraiser trainee.

(1) Appraiser trainees must maintain an appraisal log and appraisal experience affidavits on forms approved by the Board, for the license period being renewed. It is the responsibility of both the appraiser trainee and the supervisory appraiser to ensure the appraisal log is accurate, complete and signed by both parties at least quarterly or upon change in supervisory appraiser. The appraiser trainee will promptly provide copies of the experience logs and affidavits to the Board upon request.

(2) [(4)] An appraiser trainee must complete an approved Appraiser Trainee/Supervisory Appraiser course within four years before the expiration date of the appraiser trainee's current license and provide proof of completion to the Board.

(3) [(2)] If an appraiser trainee has not provided proof of course completion at the time of renewal, but has met all other requirements for renewing the license:

(A) the Board will renew the appraiser trainee's license on inactive status;

(B) the appraiser trainee will no longer be eligible to perform appraisals or appraisal services; and

(C) the appraiser trainee's relationship with any supervisory appraiser will be terminated.

(4) [(3)] An appraiser trainee may return the appraiser trainee's license to active status by:

(A) completing the course required by this section;

(B) submitting proof of course completion to the Board;

(C) submitting an application to return to active status, including an application to add a supervisory appraiser; and

(D) paying any required [applicable] fees.

(e) Duties of the supervisory appraiser.

(1) Supervisory appraisers are responsible to the public and to the Board for the conduct of the appraiser trainee under the Act.

(2) The supervisory appraiser assumes all the duties, responsibilities, and obligations of a supervisory appraiser as specified in these rules and must diligently supervise the appraiser trainee. Diligent supervision includes, but is not limited to, the following:

(A) direct supervision and training as necessary;

(B) ongoing training and supervision as necessary after the supervisory appraiser determines that the appraiser trainee no longer requires direct supervision;

(C) communication with and accessibility to the appraiser trainee; and

(D) review and quality control of the appraiser trainee's work.

(3) Supervisory appraisers must approve and sign the appraiser trainee's appraisal log and experience affidavit at least quarterly and provide appraiser trainees with access to any appraisals and work files completed under the supervisory appraiser.

(4) After notice and hearing, the Board may reprimand a supervisory appraiser or may suspend or revoke a supervisory appraiser's license based on conduct by the appraiser trainee constituting a violation of the Act or Board rules.

(f) Termination of supervision.

(1) Supervision may be terminated by the supervisory appraiser or the appraiser trainee.

(2) If supervision is terminated, the terminating party must:

(A) immediately notify the Board on a form approved by the Board; and

(B) notify the non-terminating party in writing no later than the 10th day after the date of termination; and

(C) pay any applicable fees no later than the 10th day after the date of termination.

(3) If an appraiser trainee is no longer under the supervision of a supervisory appraiser:

(A) the appraiser trainee may no longer perform the duties of an appraiser trainee; and

(B) is not eligible to perform those duties until:

- filed;
- (i) an application to supervise the trainee has been filed;
  - (ii) any required [~~applicable~~] fees have been paid; and
  - (iii) the Board has approved the application.
- (g) Course approval.

(1) To obtain Board approval of an Appraiser Trainee/Supervisory Appraiser course, a course provider must:

(A) submit form ATS-0, Appraiser Trainee/Supervisory Appraiser Course Approval, adopted herein by reference; and

(B) satisfy the Board that all required content set out in form ATS-0 is adequately covered.

(2) Approval of an Appraiser Trainee/Supervisory Appraiser course shall expire two years from the date of Board approval.

(3) An Appraiser Trainee/Supervisory Appraiser course may be delivered through:

(A) classroom delivery method; or

(B) distance education delivery method. The delivery mechanism for distance education courses offered by a non-academic provider must be approved by an AQB-approved organization providing approval of course design and delivery.

(h) ACE credit.

(1) Supervisory appraisers who complete the Appraiser Trainee/Supervisory Appraiser course may receive ACE credit for the course.

(2) Appraiser Trainees may not receive qualifying or ACE credit for completing the Appraiser Trainee/Supervisory Appraiser course.

§153.22. *Voluntary Appraiser Trainee Experience Reviews.*

(a) Before applying for a license, an appraiser trainee may submit up to two requests for [~~request~~] the Board to review the appraiser trainee's work product.

(b) An appraiser trainee may submit an application to the Board for review of the appraiser trainee's work product after:

(1) accumulating between thirty to fifty percent of the [500] hours of appraisal experience required by the AQB for category of appraiser license the appraiser trainee will be applying for;

(2) accumulating between sixty to eighty percent of the [1,000] hours of appraisal experience required by the AQB for category of appraiser license the appraiser trainee will be applying for; or

(3) both.

(c) Work product submitted for review must fall within one of the approved categories of experience credit described in §153.15(e) and meet the definition of real estate appraisal experience in §153.1.

(d) To begin the review process, an appraiser trainee must [~~submit~~]:

(1) submit an application for work product review on a form approved by the Board [~~a completed, Board-approved application requesting the Board to review the appraiser trainee's work product~~];

(2) pay the required [~~payment of the \$75~~] fee; and

(3) submit a completed appraisal report and corresponding work file from a time period during which the appraiser trainee had legal authority to perform the work.

(e) The application for review of an appraiser trainee's work product is not complete until the appraiser trainee submits all required documentation and pays the required [~~applicable~~] fee.

(f) If an appraiser trainee provides inadequate documentation, the Board will contact the appraiser trainee in writing, identify any deficiencies and provide the appraiser trainee twenty days to cure the noted deficiencies. If the appraiser trainee fails to cure the deficiencies timely, the Board will terminate the appraiser trainee's application for work product review.

(g) The Board will provide the appraiser trainee with a written report identifying deficiencies in the appraiser trainee's work product after the application for review is complete.

(h) A review conducted under this provision:

(1) is for educational purposes only;

(2) does not constitute Board approval of the appraiser trainee's experience;

(3) does not preclude the Board from denying a license application submitted by the appraiser trainee in the future; and

(4) will not result in a complaint against the appraiser trainee unless review of the appraiser trainee's work product reveals:

(A) knowing or intentional misrepresentation, fraud or criminal conduct; or

(B) serious deficiencies that constitute grossly negligent acts or omissions.

The agency certifies that legal counsel has reviewed the emergency adoption and found it to be within the state agency's legal authority to adopt.

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