

Report From Agency

STATE OF WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF RULE-MAKING : ORDER OF THE
PROCEEDINGS BEFORE THE : DEPARTMENT OF REGULATION
DEPARTMENT OF REGULATION :AND LICENSING ADOPTING RULES
AND LICENSING : (CLEARINGHOUSE RULE 06-033)

ORDER

An order of the Department of Regulation and Licensing to repeal RL 80.03 (1a), (1b), (7g) (a) and (b), 81.02 (6), 83.01 (4) (a), 84.01 (2), (5), (6) (a) (intro.), 1., 2., 3., (b) (intro.), 1., 2., 3., the Note following RL 84.01 (6) (b) 3., (c) (intro.), 1. and 2. and (13), 85.02 (7) (a) (intro.), 1., 2., (b) (intro.), 1., 2., 3., (c) (intro.), 1., 2., 3., the Note following RL 85.02 (7) (c) 3., (d) (intro.), 1. and 2. and (11); to renumber and amend RL 80.03 (7g) (intro.), 84.01 (6) (intro.), 84.02, 84.03, 84.04, 85.02 (2) and (7) (intro.); to amend RL 80.03 (3), (9) and (13), 81.01, 81.02 (intro.), (3), (7), the Note following RL 81.02 (8), 81.03 (1) (title), (intro.), (c), (2) (intro.), (a), the Note following RL 81.03 (2) (d), the Note following RL 81.04 (1) (a), 81.04 (1) (c) (intro.) and 1., 81.05 (1) (title) and (2) (title), 82.01 (6), 83.01 (3) (intro.), (a) and (b), (4) (b), the Note following RL 83.01 (4) (c), 83.02 (2), 84.01 (1), (7) (b) and (c), (9) (d) and (e), (12) and the Note following RL 84.01 (12), 85.01 (1), (1m), (2), (3) and (5), 85.02 (1), (6), (8) (b) and (c), the Note following RL 85.02 (8) (d), (10), the Note following RL 85.02 (10), 86.01 (1), (2), (4) and (10), 87.01 (1), (2) and (3) and 87.02 (1), (2) (intro.) and (b); to repeal and recreate RL 80.03 (10), 84.01 (7) (e) and 85.02 (8) (e); and to create RL 80.03 (4m), a Note following RL 81.02 (5), 83.01 (3) (f) and (3m), a Note following RL 84.01 (6), 85.02 (2) (a) to (m), a Note following RL 85.02 (7), 86.01 (11) and 87.02 (2) (c), relating to definitions, experience, educational courses, continuing education, conduct and renewal for real estate appraisers.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes interpreted:

Sections 458.06, 458.08 and 458.13, Stats.

Statutory authority:

Sections 227.11 (2), 458.03 (1) (b) and 458.085, Stats.

Explanation of agency authority:

The Department of Regulation and Licensing is authorized under ss. 458.03 (1) (b) and 458.085, Stats., to promulgate rules establishing the criteria for the approval of educational programs and experience requirements for licensed and certified appraisers.

Related statute or rule:

The Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), 12 USC 3331 et seq.

Plain language analysis:

SECTION 1. In s. RL 80.03 (1a), the department repeals the definition of “ad valorem tax appraisal” and replaces it with the definition of “mass appraisal.” The definition of “mass appraisal,” which is created in SECTION 7, is more commonly used in the profession. Section RL 80.03 (1b), which contains the definition of “affidavit,” is being repealed because the department no longer requires applicants to submit affidavits verifying appraisal experience.

SECTION 2. In s. RL 80.03 (3), the department amends the definition of “appraiser experience,” to include the types of experience that it will accept for purposes of granting appraiser credentials. This change reflects the revisions made by the Appraiser Qualifications Board (“AQB”) of the Appraisal Foundation to the *Real Property Appraiser Qualification Criteria and Interpretations of the Criteria*.

SECTION 3. Section RL 80.03 (4m) is being created to define “class hour” to mean 60 minutes, of which at least 50 minutes are instruction attended by the student. This definition replaces the definition of “hour of instruction” found in s. RL 80.03 (10), which is being repealed and recreated in SECTION 7.

SECTION 4. Section RL 80.03 (7g) (intro.) is renumbered s. RL 80.03 (7g) and is being amended to define distance education to mean any education process based on the geographical separation of student and instructor. This change reflects the revisions made by the Appraiser Qualifications Board (“AQB”) of the Appraisal Foundation to the *Real Property Appraiser Qualification Criteria and Interpretations of the Criteria*.

SECTION 5. Refer to comments under SECTION 4 above.

SECTION 6. Section RL 80.03 (9) is being amended to make a minor correction.

SECTION 7. Refer to comments under SECTION 1 above.

SECTION 8. In s. RL 80.03 (13), the definition of “real estate consulting” is being revised to make a minor change to the rule.

SECTION 9. Section RL 81.01 is being amended to omit the references to sub. (1), because starting January 1, 2008, applicants may be required to satisfy additional educational requirements that are set forth in other subsections of the rules. Refer to SECTIONS 37, 38 and 39.

SECTION 10. Section RL 81.02 (intro.) is being amended to reduce the amount of time that applicants will be required to comply with a request for information related to an application from one year to 120 calendar days. At the expiration of the 120 day period, applicants will be required to file a new application and fee if certification or licensure is sought at a later date.

SECTION 11. A note following s. RL 81.02 (5) is being created to set forth the amount of time that applicants will be allowed to take and pass the state and national examinations and to complete all other requirements for licensure or certification. This change reflects the revisions made by the Appraiser Qualifications Board (“AQB”) of the Appraisal Foundation to the *Real Property Appraiser Qualification Criteria and Interpretations of the Criteria*.

SECTION 12. Section RL 81.02 (6) is being repealed because the department will no longer require an applicant to submit an affidavit verifying appraisal experience.

SECTION 13. Section RL 81.02 (7) is being amended to make a minor change.

SECTION 14. The Note following s. RL 81.02 (8) is being amended to state that applications are available on the department’s website.

SECTION 15. Section RL 81.03 (1) (intro.) is being amended to clarify that an appraiser who applies for a temporary registration must hold a credential in another state that is not currently limited, suspended or revoked. Section RL 81.03 (1) (c) is being amended to correct the statute citation.

SECTION 16. Refer to SECTION 10 above.

SECTION 17. Refer to SECTION 14 above.

SECTION 18. Refer to SECTION 14 above.

SECTION 19. Section RL 81.04 (1) (c) 1. is being amended to clarify that an appraiser who applies for a reciprocal credential must hold a credential in another state that is not currently limited, suspended or revoked.

SECTION 20. Section RL 81.05 (1) (title) and (2) (title) are being amended to make minor changes.

SECTION 21. Section RL 82.01 (6) is being amended to omit the references to sub. (1), because starting January 1, 2008, applicants may be required to satisfy additional

educational requirements that are set forth in other sections of the rules. Refer to SECTIONS 37, 38 and 39.

SECTION 22. Section RL 83.01 (3) is being amended to make minor and technical changes to the rules. See, also, SECTION 2 above.

SECTION 23. Section RL 83.01 (3) (f) is being created to clarify that an applicant may claim no more than 50% of appraisal experience gained without a client. Section RL 83.01 (3m) is being created to state that an applicant who fails to complete the experience hours required for licensure or certification prior to January 1, 2008, may claim only those hours acquired after January 30, 1989. These changes reflect revisions made by the Appraiser Qualifications Board (“AQB”) of the Appraisal Foundation to the *Real Property Appraiser Qualification Criteria and Interpretations of the Criteria*.

SECTION 24. Section RL 83.01 (4) (a) is being repealed because the department will no longer require an applicant to submit an affidavit verifying appraisal experience. See, also, SECTION 12 above.

SECTION 25. Section RL 83.01 (4) (b) is being amended to make a minor change.

SECTION 26. The Note following s. RL 83.01 (4) (c) is being amended to state that applications are available on the department’s website.

SECTION 27. Section RL 83.02 (2) is being amended because the department no longer requires applicants to submit affidavits verifying appraisal experience. See, also, SECTIONS 12 and 24 above.

SECTION 28. Section RL 84.01 (1) is being amended to reflect that the department no longer accepts courses approved for college credit by the American Council on Education. See, also, SECTION 36.

SECTION 29. Section RL 84.01 (5) is being repealed to reflect that the department no longer accepts courses obtained through challenge examinations.

SECTION 30. Section RL 84.01 (6) (intro.) is being renumbered s. RL 84.01 (6) and is being amended to reflect that the criteria for granting credit for distance education will be based upon the requirements for continuing education courses established by the AQB that are in effect at the time a course is completed.

SECTION 31. Section RL 84.01 (6) (a) (intro.), 1., 2., 3., and the other related provisions are being repealed for the reason stated in SECTION 30 above.

SECTION 32. The Note following s. RL 84.01 (6) is being created to include the website address for the AQB.

SECTION 33. Section RL 84.01 (7) (b) is being amended to include the types of experience that the department will accept for purposes of granting appraiser credentials. See, also, SECTION 2 above. Section RL 84.01 (7) (c) is being amended to clarify that assessor educational programs must be pertinent to appraisal practice in order for the programs to receive approval.

SECTION 34. Section RL 84.01 (7) (e) is being repealed to reflect that the department no longer accepts courses approved for college credit by the American Council on Education. See, also, SECTION 28 above. Section RL 84.01 (7) (e) is being recreated to state that in order for an individual to be approved as an instructor to teach the 15-hour National USPAP Course or its equivalent, the individual must be a certified residential or general appraiser, and be certified by the AQB as an instructor to teach that course. This revision reflects changes made by the Appraiser Qualifications Board (“AQB”) of the Appraisal Foundation to the *Real Property Appraiser Qualification Criteria and Interpretations of the Criteria*.

SECTION 35. Section RL 84.01 (9) and (12) are being amended to make minor changes to the rules.

SECTION 36. Section RL 84.01 (13) is being repealed to reflect that the department no longer accepts courses approved for college credit by the American Council on Education. See, also, SECTION 28 above.

SECTION 37. Section RL 84.02 is renumbered s. RL 84.03 and is being amended to state that an applicant who fails to complete the 120 class hours before January 1, 2008, will be required to complete the educational requirements set forth in s. RL 84.03 (4). Section RL 84.03 (4) requires an individual who applies for a certified residential appraiser credential after January 1, 2008, to submit evidence of completion of 200 class hours and an associate degree or equivalent education. This amendment reflects revisions made by the Appraiser Qualifications Board (“AQB”) of the Appraisal Foundation to the *Real Property Appraiser Qualification Criteria and Interpretations of the Criteria*.

SECTION 38. Section RL 84.03 is renumbered s. RL 84.04 and is being amended to state that an applicant who fails to complete the 180 class hours before January 1, 2008, will be required to complete the educational requirements set forth in s. RL 84.04 (4). Section RL 84.04 (4) requires an individual who applies for a certified general appraiser credential after January 1, 2008, to submit evidence of completion of 300 class hours and a bachelor’s degree or equivalent education. This amendment reflects revisions made by the Appraiser Qualifications Board (“AQB”) of the Appraisal Foundation to the *Real Property Appraiser Qualification Criteria and Interpretations of the Criteria*.

SECTION 39. Section RL 84.04 is renumbered s. RL 84.02 and is being amended to state that an applicant who fails to complete the 90 class hours before January 1, 2008, will be required to complete the educational requirements set forth in s. RL 84.02 (4). Section RL 84.02 (4) requires an individual who applies for a licensed appraiser

credential after January 1, 2008, to submit evidence of completion of 150 class hours of education. This amendment reflects revisions made by the Appraiser Qualifications Board (“AQB”) of the Appraisal Foundation to the *Real Property Appraiser Qualification Criteria and Interpretations of the Criteria*.

SECTION 40. Section RL 85.01 (1), (1m), (2), (3) and (5) are being amended to make minor changes to the rules.

SECTION 41. Section RL 85.02 (1) is being amended to delete the reference to sub. (11). The amendment reflects that the department no longer accepts courses approved for college credit by the American Council on Education. See, also, SECTIONS 28 and 34 above.

SECTION 42. Section RL 85.02 (2) is renumbered s. RL 85.02 (2) (intro.) and is being amended to reflect that the department will approve only continuing education courses that relate to specific topics or subject areas.

SECTION 43. Section RL 85.02 (2) (a) to (m) are being created to identify the continuing education topics or subject areas that the department will approve. Refer, also, to SECTION 42 above.

SECTION 44. Section RL 85.02 (6) is being amended to make a minor change to the rules.

SECTION 45. Section RL 85.02 (7) (intro.) is renumbered s. RL 85.02 (7) and is being amended to reflect that the criteria for granting credit for distance education will be based upon the requirements for continuing education courses established by the AQB that are in effect at the time a course is completed. See, also, SECTION 30 above.

SECTION 46. Section RL 85.02 (7) (a) (intro.), 1., 2., and the other related provisions are being repealed for the reason stated in SECTION 45 above.

SECTION 47. A Note following s. RL 85.02 (7) is being created to make a minor change to the rules.

SECTION 48. Section RL 85.02 (8) (b) and (c) are being amended to make minor changes to the rules.

SECTION 49. The Note following s. RL 85.02 (8) (d) is being amended to make a minor change to the rules.

SECTION 50. Section RL 85.02 (8) (e) is being repealed to reflect that the department no longer accepts courses approved for college credit by the American Council on education. See, also, SECTIONS 28 and 36 above. Section RL 85.02 (8) (e) is being recreated to state that in order for an individual to be approved as an instructor to teach the 7-hour National USPAP Update Course or its equivalent, the individual must be a

certified residential or general appraiser, and be certified by the AQB as an instructor to teach that course. This revision reflects changes made by the Appraiser Qualifications Board (“AQB”) of the Appraisal Foundation to the *Real Property Appraiser Qualification Criteria and Interpretations of the Criteria*.

SECTION 51. Section RL 85.02 (10) and the Note following s. RL 85.02 (10) are being amended to make minor changes to the rules.

SECTION 52. Section RL 85.02 (11) is being repealed to reflect that the department no longer accepts courses approved for college credit by the American Council on Education. See, also, SECTIONS 28, 36 and 50 above.

SECTION 53. Section RL 86.01 (1), (2), (4) and (10) are being amended to make minor and technical changes to the rules.

SECTION 54. Section RL 86.01 (11) is being created to state that all certified and licensed appraisers shall comply with state and federal laws that substantially relate to the practice of real estate appraising. In reference to federal laws, this provision would require appraisers to comply with FIRREA as well as federal regulations promulgated by the federal financial institutions regulatory agencies (the Board of Governors of the Federal Reserve System, Federal Deposit Insurance Corporation, Office of the Comptroller of the Currency, Office of Thrift Supervision and the National Credit Union Administration).

SECTION 55. Section RL 87.01 (1) to (3) are being amended to make minor and technical changes to the rules.

SECTION 56. Section RL 87.02 (1), (2) (intro.) and (b) are being amended to make minor and technical changes to the rules.

SECTION 57. Section RL 87.02 (2) (c) is being created to make a minor change to the rules.

Summary of, and comparison with, existing or proposed federal regulation:

A. Federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (“FIRREA”).

(1) In general:

The FIRREA, 12 U.S.C. 3331 et seq. (Title XI) was enacted in 1989. Under FIRREA, insured financial institutions and insured credit unions are required to obtain the services of a state certified or licensed appraiser for appraisals conducted in connection with “federally related transactions.”

Under FIRREA, the Appraisal Subcommittee of the Federal Financial Institutions Examination Council is required to monitor state appraiser certifying and licensing agencies for the purpose of determining whether a state agency's policies, practices, and procedures are consistent with the federal law. The Appraisal Subcommittee may not recognize appraiser certifications and licenses from states whose appraisal policies, practices, or procedures are found to be inconsistent with FIRREA. Before refusing to recognize a state's appraiser certifications or licenses, the Appraisal Subcommittee must provide that state's certifying and licensing agency with a written notice of its intentions not to recognize the state's certified or licensed appraisers and ample opportunity to provide rebuttal information or to correct the conditions causing the refusal. A decision of the Subcommittee to refuse to recognize a state's appraiser certifications or licenses is subject to judicial review. 12 U.S.C. 3331 et seq.

In 1997, the Appraisal Subcommittee adopted the *Policy Statements Regarding State Certification and Licensing of Real Estate Appraisers*, which all states comply with. [The Appraisal Subcommittee's Policy Statements are available at <http://www.asc.gov>.]

(2) Appraisal Qualifications:

Under FIRREA, the state criteria for the qualifications of certified real estate appraisers must meet the minimum qualifications criteria for certification established by the Appraiser Qualifications Board (AQB) of the Appraisal Foundation. The minimum qualifications criteria established by the AQB are set forth in the *Real Property Appraiser Qualification Criteria and Interpretations of the Criteria* ("Criteria"). The AQB Criteria includes the minimum experience, examination, qualifying education and continuing education requirements that must be satisfied by an individual in order to obtain and maintain a certified appraisal credential. [The AQB Criteria is available on the Internet at <http://www.appraisalfoundation.org>.]

Under FIRREA, the states may establish their own qualifications and requirements for licensed appraiser credentials. The states are not obligated to adopt the minimum experience, examination, education and continuing education requirements recommended by AQB for the licensure of real estate appraisers. However, the Appraisal Subcommittee recommends that all states adopt the AQB Criteria established for licensed appraisers. The Department of Regulation and Licensing has adopted substantially all of the requirements set forth in the AQB Criteria established for the licensure of real estate appraisers.

Comparison with rules in adjacent states:

Under FIRREA (Federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989), all states, including Illinois, Iowa, Indiana, Michigan and Minnesota, that certify real estate appraisers for purposes of conducting appraisals in federally related transactions must assure compliance with the AQB (Appraiser Qualifications Board) Criteria for the licensure of real estate appraisers.

Summary of factual data and analytical methodologies:

No study resulting in the collection of factual data was used relating to this rule. The primary methodology for revising the rule is the department's analysis and determination that a rule change is necessary.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact report:

The proposed rule-making would change rules related to education and experience requirements for real estate appraisers. Included among these rules are the amount of time applicants will be allowed to complete all requirements for licensure, the types of experience the department will accept for granting appraiser credentials, and the types of continuing education the department will approve. There are 1940 licensed appraisers, 1454 certified residential appraisers, and 1375 certified general appraisers who are licensed in Wisconsin and would have to comply with the standards, in addition to applicants. Of the appraisers who are licensed in Wisconsin, a majority of them probably work in small businesses.

For applicants who do not complete their education before 2008 there will be an increase in education to be paid for. Licensed appraisers will be required to obtain 150 hours instead of the previous requirement of 90 hours of education. This is a 66% increase in appraisal education to be paid for.

Certified residential appraisers will be required to obtain 200 hours instead of the previous requirement of 120 hours of education. This is a 66% increase in appraisal education to be paid for. Also, there will be an additional requirement of an associate degree or 21 semester credit hours in specific content areas. It is not likely that those without the degree will obtain the degree merely for this credential, but it is possible.

Certified general appraisers will be required to obtain 300 hours instead of the previous requirement of 180 hours of education. This is a 66% increase in appraisal education to be paid for. Also, there will be an additional requirement of a bachelor's degree or 30 semester credit hours in specific content areas. It is not likely that those without the degree will obtain the degree merely for this credential, but it is possible.

There will be no additional reporting requirements or bookkeeping requirements. Starting January 1, 2008, new educational requirements will need to be satisfied as stated in the rules. This will be an additional compliance cost for applicants. The additional cost amount is difficult to determine, but should not result in a significant cost impact on small business.

Section 227.137, Stats., requires an "agency" to prepare an economic impact report before submitting the proposed rule-making order to the Wisconsin Legislative Council. The Department of Regulation and Licensing is not included as an "agency" in this section.

Anticipated costs incurred by private sector:

The department finds that this rule has no significant fiscal effect on the private sector.

Fiscal estimate:

The change in requirements will result in minimal costs to the department.

Effect on small business:

These proposed rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at larry.martin@drl.state.wi.us, or by calling (608) 266-8608.

Agency contact person:

Pamela Haack, Paralegal, Department of Regulation and Licensing, Office of Legal Counsel, 1400 East Washington Avenue, Room 152, P.O. Box 8935, Madison, Wisconsin 53708-8935. Telephone: (608) 266-0495. Email: pamela.haack@drl.state.wi.us.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Pamela Haack, Paralegal, Department of Regulation and Licensing, Office of Legal Counsel, 1400 East Washington Avenue, Room 152, P.O. Box 8935, Madison, Wisconsin 53708-8935; email pamela.haack@drl.state.wi.us. Comments must be received on or before May 22, 2006 to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. RL 80.03 (1a) and (1b) are repealed.

SECTION 2. RL 80.03 (3) is amended to read:

RL 80.03 (3) "Appraiser experience" means experience obtained by the performance of ~~fee and staff appraisals, ad valorem tax appraisals, technical review appraisals, condemnation appraisals,~~ appraisal analyses ~~reviews, highest and best use studies, real estate appraisal consulting assignments or real estate broker's market analyses~~ mass appraisals in accordance with the uniform standards of professional appraisal practice.

SECTION 3. RL 80.03 (4m) is created to read:

RL 80.03 (4m) "Class hour" means 60 minutes, of which at least 50 minutes are instruction attended by the student.

SECTION 4. RL 80.03 (7g) (intro.) is renumbered RL 80.03 (7g) and is amended to read:

RL 80.03 (7g) “Distance education” means: any education process based on the geographical separation of student and instructor.

SECTION 5. RL 80.03 (7g) (a) and (b) are repealed.

SECTION 6. RL 80.03 (9) is amended to read:

RL 80.03 (9) “Hour of appraisal experience” means 60 minutes of verifiable time spent in performing tasks as identified in s. RL 83.01 (3) (b) in accordance with the uniform standards of professional appraisal practice, as in effect at the time the tasks were performed.

SECTION 7. RL 80.03 (10) is repealed and recreated to read:

RL 80.03 (10) “Mass appraisal” means an appraisal performed by an assessor, as defined in s. 458.09 (1), Stats., in accordance with Standard 6 of the uniform standards of professional appraisal practice.

SECTION 8. RL 80.03 (13) is amended to read:

RL 80.03 (13) “Real estate consulting” means the performance of consulting services in accordance with Standards 4 and 5 of the uniform standards of professional appraisal practice.

SECTION 9. RL 81.01 is amended to read:

RL 81.01 Prerequisite to submitting credential application. Prior to submitting an application for a licensed or certified real estate appraiser credential, an individual shall successfully complete the education hours required under s. RL 84.02 (~~4~~), 84.03 (~~4~~) or 84.04 (~~4~~), as appropriate.

SECTION 10. RL 81.02 (intro.) and (3) are amended to read:

RL 81.02 Applications for certified and licensed appraisers. (intro.) An applicant for certification or licensure shall apply on a form provided by the department. Any applicant who files an application for certification or licensure, but does not comply with a request for information related to the application ~~or meet all requirements within one year~~ 120 calendar days from the date of filing the request, shall file, ~~subsequent to the denial of the application,~~ a new application and fee if certification or licensure is sought at a later date. A qualified applicant with a disability shall be provided with reasonable accommodations. The application shall include:

(3) ~~A transcript or proof~~ Evidence of successful completion of 90, 120 or 180 hours of instruction as the educational course work required in ss. RL 84.02, 84.03 and 84.04 ch. RL 84 for licensure or certification.

SECTION 11. A Note following RL 81.02 (5) is created to read:

Note: Applicants have up to 24 months, after receiving authorization from the department to sit for the examinations, to take and pass the state and national examinations required under s. RL 82.01. After passing the examinations, applicants have up to 24 months to complete all other requirements for a credential.

SECTION 12. RL 81.02 (6) is repealed.

SECTION 13. RL 81.02 (7) is amended to read:

RL 81.02 (7) A ~~log~~ roster of appraisal experience as required in s. RL 83.01 (4) (b).

SECTION 14. The Note following RL 81.02 (8) is amended to read:

Note: Applications for certification or licensure are available from the Department of Regulation and Licensing, Bureau of Business and Design Professions, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708 or from the department's website at: <http://drl.wi.gov>.

SECTION 15. RL 81.03 (1) (title), (intro.) and (c) are amended to read:

RL 81.03 Temporary registration. (1) (title) REQUIREMENTS.: (intro.) An appraiser who holds a current appraiser certificate in another state, which is not currently limited, suspended or revoked, may use the titles described under s. 458.055, Stats, when performing an appraisal in this state, if all of the following apply:

(c) The appraiser completes an application and pays the fee specified in s. 440.05 ~~(2)~~ (1) and (6), Stats.

SECTION 16. RL 81.03 (2) (intro.) and (a) are amended to read:

RL 81.03 (2) APPLICATION. (intro.) An appraiser seeking a temporary registration shall apply on a form provided by the department. An applicant who fails to comply with a request for information related to the application ~~or to meet all requirements~~ for registration within ~~one year~~ 120 calendar days from the date of ~~filing the request~~, shall submit a new application and fee if registration is sought at a later date. The application shall include all of the following:

(a) The fee specified in s. 440.05 ~~(2)~~ (1) and (6), Stats.

SECTION 17. The Note following RL 81.03 (2) (d) is amended to read:

Note: Applications for temporary registration are available from the Department of Regulation and Licensing, Bureau of Business and Design Professions, 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708 or from the department's website at: <http://drl.wi.gov>.

SECTION 18. The Note following RL 81.04 (1) (a) is amended to read:

Note: Application forms are available on request to the ~~department at~~ Department of Regulation and Licensing, Bureau of Business and Design Professions, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708-8935 or from the department's website at: <http://drl.wi.gov>.

SECTION 19. RL 81.04 (1) (c) (intro.) and 1. are amended to read:

RL 81.04 (1) (c) (intro.) Submit evidence satisfactory to the department that he or she has ~~done~~ satisfied all of the following:

1. Holds a current appraiser license or certification in another state or territory of the United States, which is not currently limited, suspended or revoked and which was granted in accordance with the requirements set forth under the financial institutions reform, recovery, and enforcement act of 1989, 12 USC 3331 et seq.

SECTION 20. RL 81.05 (1) (title) and (2) (title) are amended to read:

RL 81.05 (1) (title) CERTIFIED GENERAL APPRAISER.-

(2) (title) CERTIFIED RESIDENTIAL APPRAISER.-

SECTION 21. RL 82.01 (6) is amended to read:

RL 82.01 (6) The only prerequisite to take the state and national examinations required under sub. (1) is the successful completion of the education class hours required under s. RL 84.02 ~~(4)~~, 84.03 ~~(4)~~ or 84.04 ~~(4)~~, as appropriate.

SECTION 22. RL 83.01 (3) (intro.), (a) and (b) are amended to read:

RL 83.01 (3) (intro.) The work claimed under subs. (1), (1a) and (2) for appraisal experience credit shall be approved by the department and shall accomplish all of the following:

(a) Be in compliance with the uniform standards of professional appraisal practice, ~~as~~ in effect at the time the appraisals were prepared.

(b) Include one or more of the following types of appraisal experience: ~~fee and staff appraisal, ad valorem tax appraisal, technical review appraisal, condemnation appraisal, appraisal analysis, highest and best use study, feasibility analysis, real estate appraisal review, appraisal consulting or real estate broker's market analysis~~ mass appraisal.

SECTION 23. RL 83.01 (3) (f) and (3m) are created to read:

RL 83.01 (3) (f) If obtained prior to January 1, 2008, include no more than one-third of appraisal experience gained for appraisal work performed without a client. If obtained after January 1, 2008, include no more than 50% of appraisal experience gained for appraisal work performed without a client. Case studies or practicum courses that are approved by the appraiser qualifications board of the appraisal foundation may be claimed to satisfy non-client experience.

(3m) An applicant who fails to complete the appropriate hours of experience required under sub. (1), (1a) or (2), as appropriate, before January 1, 2008, may claim only those experience hours acquired after January 30, 1989.

SECTION 24. RL 83.01 (4) (a) is repealed.

SECTION 25. RL 83.01 (4) (b) is amended to read:

RL 83.01 (4) (b) A ~~log~~ roster of appraisal experience.

SECTION 26. The Note following RL 83.01 (4) (c) is amended to read:

Note: Application forms required for certification or licensure may be obtained from the Department of Regulation and Licensing, Bureau of Business and Design Professions, 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53808 or from the department's website at: <http://drl.wi.gov>.

SECTION 27. RL 83.02 (2) is amended to read:

RL 83.02 (2) Employment records provided by an employer which verify the applicant's experience as an appraiser or assessor. Employment records shall ~~include an affidavit which verifies~~ verify the number of hours employed, the type of experience, and a description of the applicant's duties.

SECTION 28. RL 84.01 (1) is amended to read:

RL 84.01 Course approval. (1) Except as provided in ~~subs~~ sub. (12) ~~and (13)~~, all educational courses designed to meet the requirements in s. 458.06 (2) (d), (3) (b) or (4) (b), Stats., s. 458.08 (3) (c), Stats., and this chapter, shall be submitted to the department for approval.

SECTION 29. RL 84.01 (2) and (5) are repealed.

SECTION 30. RL 84.01 (6) (intro.) is renumbered RL 84.01 (6) and is amended to read:

RL 84.01 (6) Credit may be granted for a distance education course that satisfies ~~one of the following:~~ all requirements for a continuing education course established by the appraiser qualifications board of the appraisal foundation that are in effect at the time the course is completed.

SECTION 31. RL 84.01 (6) (a) (intro.), 1., 2., 3., (b) (intro.), 1., 2., 3., the Note following RL 84.01 (6) (b) 3., (c) (intro.), 1. and 2. are repealed.

SECTION 32. A Note following RL 84.01 (6) is created to read:

Note: The Appraiser Qualifications Board of the Appraisal Foundation may be contacted at 1155 15th Street, NW, Suite 1111, Washington, D.C. 20005, (202) 347-7722, www.appraisalfoundation.org.

SECTION 33. RL 84.01 (7) (b) and (c) are amended to read:

RL 84.01 (7) (b) Be a licensed or certified appraiser who practices in the aspects of appraising being taught such as, appraisal, appraisal review, appraisal consulting or mass appraisal, and who has engaged in ~~such~~ the practice for at least 5 years.

(c) Be an instructor of assessor education courses who is approved by the department of revenue to teach assessor education programs that are relevant to appraisal practice.

SECTION 34. RL 84.01 (7) (e) is repealed and recreated to read:

RL 84.01 (7) (e) If applying to teach the 15-hour national USPAP course, or its equivalent, be a certified residential or general appraiser, and be certified by the appraiser qualifications board of the appraisal foundation as an instructor to teach that course.

SECTION 35. RL 84.01 (9) (d) and (e), (12) and the Note following RL 84.01 (12) are amended to read:

RL 84.01 (9) (d) The number of hours of instruction in each required subject area.

(e) ~~If administered, the~~ The examination results for each individual.

(12) An appraisal course approved by the appraiser qualifications board of the appraisal foundation ~~may~~ shall be approved by the department without receipt of an application for course approval from the course provider.

Note: To obtain information about courses approved by the Appraiser Qualifications Board of the Appraisal Foundation write to: ~~1029 Vermont Avenue~~ 1155 15th Street, NW, Suite 900 1111, Washington, D.C. 20005-3517 20005.

SECTION 36. RL 84.01 (13) is repealed.

SECTION 37. RL 84.02 is renumbered RL 84.03 and is amended to read:

RL 84.03 Certified residential appraiser course requirements. (1) An ~~applicant seeking~~ individual who applies for certification as a certified residential appraiser shall submit evidence satisfactory to the department that the applicant has completed an approved program of study for certified residential appraisers that consists of at least 120 class hours of instruction. An applicant who fails to complete the 120 class hours before January 1, 2008, shall satisfy the requirements under sub. (4) instead.

(2) Any approved program of study for certified residential appraisers shall include all of the following:

(a) The 15-hour ~~uniform standards of professional appraisal practice~~ national USPAP course and examination, or its equivalent, that is approved by the appraiser qualifications board (AQB) of the appraisal foundation. Course equivalency shall be determined through the AQB course approval program or by an alternate method established by the AQB.

(b) Not less than 20 hours of instruction in commercial income approach as described in sub. (3) (r).

(3) (intro.) Any approved program of study for certified residential appraisers shall include ~~one or more~~ all of the following subject areas:

- (a) Appraisal standards and ethics.
- (b) Appraisal statistical concepts.
- (c) Cost approach.
- (d) Economic principles.
- (e) Highest and best use analysis.
- (f) Influences on real estate value.

- (g) Legal considerations in appraisal.
- (h) Property description.
- (i) Real estate financing.
- (j) Real estate markets and analysis.
- (k) Reconciliation of values.
- (L) Residential income approach.
- (m) Sales comparison approach.
- (n) Site value.
- (o) Types of value.
- (p) Valuation of partial interests.
- (q) Valuation process.
- (r) Commercial income approach:

1. Mathematics of finance, including compounding, discounting, and mortgage loans.

2. Property income and expense estimating, including lease analysis and analysis of operating statements.

3. Methods of calculating property reversions.

4. Methods of converting income to value:

- a. Direct capitalization.

- b. Residential methods, such as land, building, property, and equity.

- c. Mortgage equity methods, such as simple mortgage equity and Ellwood/Akerson method.

- d. Discounted cash flow methods and internal rate of return.

(4) An individual who fails to complete the 120 class hours required under sub. (1) before January 1, 2008, shall submit evidence satisfactory to the department that the individual has successfully completed all of the following:

(a) The required 200 class hour core curriculum established by the appraiser qualifications board of the appraisal foundation that consists of the following subject areas and corresponding class hours:

1. Basic appraisal principles – 30 hours.
2. Basic appraisal procedures – 30 hours.
3. The 15-hour national USPAP course or its equivalent – 15 hours.
4. Residential market analysis and highest and best use – 15 hours.
5. Residential appraiser site valuation and cost approach – 15 hours.
6. Residential sales comparison and income approaches – 30 hours.
7. Residential report writing and case studies – 15 hours.
8. Statistics, modeling and finance – 15 hours.
9. Advanced residential applications and case studies – 15 hours.
10. Appraisal subject matter electives that may include hours over the minimum required in the subject areas described in subds. 1. to 9. - 20 hours.

(b) An associate degree, in any field of study, or equivalent education from an accredited college or university. Equivalent education shall consist of at least 21 semester credit hours successfully completed at an accredited college or university, or completed through the College Level Examination Program (CLEP), that covers all of the following subject matter courses:

1. English composition.
2. Principles of micro or macro economics.
3. Finance.

4. Algebra, geometry, or higher mathematics.

5. Statistics.

6. Introduction to computers including word processing and spreadsheets.

7. Business or real estate law.

SECTION 38. RL 84.03 is renumbered RL 84.04 and is amended to read:

RL 84.04 Certified general appraiser course requirements. (1) An ~~applicant seeking~~ individual who applies for certification as a certified general appraiser shall submit evidence satisfactory to the department that the applicant has completed an approved program of study for certified general appraisers that consists of at least 180 hours of instruction. An applicant who fails to complete the 180 class hours before January 1, 2008, shall satisfy the requirements under sub. (4) instead.

(2) Any approved program of study for certified general appraisers shall include all of the following:

(a) The 15-hour ~~uniform standards of professional appraisal practice~~ national USPAP course and examination, or its equivalent, that is approved by the appraiser qualifications board (AQB) of the appraisal foundation. Course equivalency shall be determined through the AQB course approval program or by an alternate method established by the AQB.

(b) Not less than 40 hours in commercial income approach as described in sub. (3) (c).

(3) (intro.) Any approved program of study for certified general appraisers shall include ~~one or more~~ all of the following subject areas:

(a) Appraisal standards and ethics.

(b) Appraisal statistical concepts.

(c) (intro.) Commercial income approach; including all of the following:

1. Mathematics of finance, including compounding, discounting, and mortgage loans.

2. Property income and expense estimating, including lease analysis and analysis of operating statements.

3. Methods of calculating property reversions.

4. Methods of converting income to value including all of
the following:

a. Direct capitalization.

b. Residual methods, such as land, building,
property, and equity.

c. Mortgage equity methods, such as simple
mortgage equity and Ellwood/Akerson method.

d. Discounted cash flow methods and internal rate
of return.

(d) Cost approach.

(e) Economic principles.

(f) Highest and best use analysis.

(g) Influences on real estate value.

(h) Legal considerations in appraisal.

(i) Property description.

(j) Real estate financing.

(k) Real estate markets and analysis.

(L) Reconciliation of values.

(m) Residential income approach.

(n) Sales comparison approach.

(o) Site value.

(p) Types of value.

(q) Valuation of partial interests, including leasehold and leased
fee valuation.

(4) An individual who fails to complete the 180 class hours required under sub. (1) before January 1, 2008, shall submit evidence satisfactory to the department that the individual has successfully completed all of the following:

(a) The required 300 class hour core curriculum established by the appraiser qualifications board of the appraisal foundation that consists of all of the following subject areas and corresponding class hours:

1. Basic appraisal principles – 30 hours.
2. Basic appraisal procedures – 30 hours.
3. The 15-hour national USPAP course or its equivalent – 15 hours.
4. General appraiser market analysis and highest and best use – 30 hours.
5. Statistics, modeling and finance – 15 hours.
6. General appraiser sales comparison approach – 30 hours.
7. General appraiser site valuation and cost approach – 30 hours.
8. General appraiser income approach – 60 hours.
9. General appraiser report writing and case studies – 30 hours.
10. Appraisal subject matter electives that may include over the minimum required in the subject areas described in subds. 1. to 9. – 30 hours.

(b) A bachelor's degree, in any field of study, or equivalent education from an accredited college or university. Equivalent education shall consist of at least 30 semester credit hours successfully completed at an accredited college or university, or completed through the College Level Examination Program (CLEP), that covers all of the following subject matter courses:

1. English composition.
2. Micro economics.
3. Macro economics.

4. Finance.
5. Algebra, geometry, or higher mathematics.
6. Statistics.
7. Introduction to computers including word processing and spreadsheets.
8. Business or real estate law.
9. Two elective courses in accounting, geography, agricultural economics, business management or real estate.

SECTION 39. RL 84.04 is renumbered RL 84.02 and is amended to read:

RL 84.02 Licensed appraiser course requirements. (1) ~~An applicant seeking licensure~~ individual who applies for a license as an appraiser shall submit evidence satisfactory to the department that the applicant has completed an approved program of study for licensed appraisers that consists of at least 90 hours of instruction. An applicant who fails to complete the 90 class hours before January 1, 2008, shall satisfy the requirements under sub. (4) instead.

(2) Any approved program of study for licensed appraisers shall include all of the following:

(a) ~~The 15-hour uniform standards of professional appraisal practice~~ national USPAP course and examination, or its equivalent, that is approved by the appraiser qualifications board (AQB) of the appraisal foundation. Course equivalency shall be determined through the AQB course approval program or by an alternate method established by the AQB.

(b) Not less than 20 hours of instruction in commercial income approach as described in sub. (3) (r).

(3) (intro.) Any approved program of study for licensed appraisers shall include ~~one or more~~ all of the following subject areas:

- (a) Appraisal standards and ethics.
- (b) Appraisal statistical concepts.
- (c) Cost approach.
- (d) Economic principles.

- (e) Highest and best use analysis.
- (f) Influences on real estate value.
- (g) Legal considerations in appraisal.
- (h) Property description.
- (i) Real estate financing.
- (j) Real estate markets and analysis.
- (k) Reconciliation of values.
- (L) Residential income approach.
- (m) Sales comparison approach.
- (n) Site value.
- (o) Types of value.
- (p) Valuation of partial interests.
- (q) Valuation process.
- (r) Commercial income approach:

1. Mathematics of finance, including compounding, discounting, and mortgage loans.

2. Property income and expense estimating, including lease analysis and analysis of operating statements.

3. Methods of calculating property reversions.

4. Methods of converting income to value:

- a. Direct capitalization.

- b. Residual methods, such as land, building, property, and equity.

- c. Mortgage equity methods, such as simple mortgage equity and Ellwood/Akerson method.

d. Discounted cash flow methods and internal rate of return.

(4) An individual who fails to complete the 90 class hours required under sub. (1) before January 1, 2008, shall submit evidence satisfactory to the department that he or she has successfully completed the required 150 class hour core curriculum established by the appraiser qualifications board of the appraisal foundation that consists of the following subject areas and corresponding class hours:

(a) Basic appraisal principles – 30 hours.

(b) Basic appraisal procedures – 30 hours.

(c) The 15-hour national USPAP course or its equivalent – 15 hours.

(d) Residential market analysis and highest and best use – 15 hours.

(e) Residential appraiser site valuation and cost approach – 15 hours.

(f) Residential sales comparison and income approaches – 30 hours.

(g) Residential report writing and case studies – 15 hours.

SECTION 40. RL 85.01 (1), (1m), (2), (3) and (5) are amended to read:

RL 85.01 Continuing education. (1) Every certified and licensed appraiser shall complete at least 28 class hours of continuing education in each biennial period which shall include successful completion of the 7-hour ~~uniform standards of professional appraisal practice~~ national USPAP update course or its equivalent that is approved by the appraiser qualifications board (AQB) of the appraisal foundation. Course equivalency shall be determined through the AQB course approval program or by an alternate method established by the AQB.

(1m) Appraisers initially licensed or certified within a biennium shall complete 14 class hours of continuing education for each year or part year of licensure or certification, which shall include, of the total number of hours completed within the biennium, the 7-hour ~~uniform standards of professional appraisal practice course and examination~~ national USPAP update course or its equivalent that is approved by the appraiser qualifications board (AQB) of the appraisal foundation. Course equivalency shall be determined through the AQB course approval program or by an alternate method established by the AQB.

(2) Continuing education class hours may be applied only to satisfy the continuing education requirements for the biennial renewal period in which the hours were acquired and may not be carried over to the next biennial renewal period.

(3) To obtain credit for continuing education class hours, a licensed or certified appraiser shall sign a statement on the renewal application certifying that he or she has completed, within the 2 years immediately preceding the date on which the application is submitted, 28 hours of continuing education approved by the department.

(5) ~~Credit~~ Up to 14 class hours may be ~~granted~~ claimed for teaching ~~an~~ approved appraisal ~~course~~ courses. Credit for instructing any given course or seminar may be claimed once during a continuing education renewal period.

SECTION 41. RL 85.02 (1) is amended to read:

RL 85.02 Approval of continuing education courses. (1) Except as provided in ~~subs. sub. (10) and (11)~~, to obtain approval of a continuing education course, the course provider shall submit an application on forms provided by the department at least 45 days prior to the first date the course is offered. The course provider shall include a general description of the subject, name, and outline, name and qualifications of the instructor, date, time segments, and location. The department shall notify the provider whether the course has been approved or denied within 20 business days from the date the application is received.

SECTION 42. RL 85.02 (2) is renumbered RL 85.02 (2) (intro.) and is amended to read:

RL 85.02 (2) (intro.) ~~The~~ A continuing education course shall relate to one or more ~~of the subject areas described in s. RL 84.02 (3), 84.03 (3) or 84.04 (3) or other subject areas relevant to competent practice. If the subject area is not described in s. RL 84.02 (3), 84.03 (3) or 84.04 (3), the applicant shall include with the application a statement explaining how the subject area is relevant to competent practice and is consistent with the course content and criteria established by the appraiser qualifications board of the appraisal foundation.~~ real property related appraisal topics that include the following:

SECTION 43. RL 85.02 (2) (a) to (m) are created to read:

RL 85.02 (2) (a) Ad valorem taxation.

(b) Arbitration, dispute resolution.

(c) Courses related to the practice of real estate appraisal or consulting.

(d) Development cost estimating.

- (e) Ethics and standards of professional practice, USPAP.
- (f) Land use planning, zoning.
- (g) Real estate management, leasing, timesharing.
- (h) Property development, partial interests.
- (i) Real estate law, easements, and legal interests.
- (j) Real estate litigation, damages, condemnation.
- (k) Real estate financing and investment.
- (L) Real estate appraisal related computer applications.
- (m) Real estate securities and syndication.

SECTION 44. RL 85.02 (6) is amended to read:

RL 85.02 (6) Course providers may repeat a previously approved course without reapplication, provided that the subject matter and instructor ~~has~~ have not changed.

SECTION 45. RL 85.02 (7) (intro.) is renumbered RL 85.02 (7) and is amended to read:

RL 85.02 (7) Credit may be granted for a distance education course that ~~meets any of the following:~~ satisfies all requirements for a continuing education course established by the appraiser qualifications board of the appraisal foundation that are in effect at the time the course is offered.

SECTION 46. RL 85.02 (7) (a) (intro.), 1., 2., (b) (intro.), 1., 2., 3., (c) (intro.), 1., 2., 3., the Note following RL 85.02 (7) (c) 3., (d) (intro.), 1. and 2. are repealed.

SECTION 47. A Note following RL 85.02 (7) is created to read:

Note: To obtain information about the course approval process established by the Appraiser Qualifications Board of the Appraisal Foundation write to: 1155 15th Street, NW, Suite 1111, Washington, D.C. 20005, (202) 347-7722, www.appraisalfoundation.org.

SECTION 48. RL 85.02 (8) (b) and (c) are amended to read:

RL 85.02 (8) (b) Be a licensed or certified appraiser who practices in the aspects of appraising being taught such as, appraisal, appraisal review, appraisal consulting or mass appraisal, and who has engaged in such the practice for at least 5 years.

(c) Be an instructor of assessor education courses who is approved by the department of revenue to teach continuing assessor education programs that are relevant to appraisal practice.

SECTION 49. The Note following RL 85.02 (8) (d) is amended to read:

Note: To obtain information about courses approved by the Appraiser Qualifications Board of the Appraisal Foundation write to: ~~1029 Vermont Avenue~~ 1155 15th Street, NW, Suite 900 1111, Washington, D.C. ~~20005-3517~~ 20005, (202) 347-7722, www.appraisalfoundation.org.

SECTION 50. RL 85.02 (8) (e) is repealed and recreated to read:

RL 85.02 (8) (e) If applying to teach the 7-hour national USPAP update course or its equivalent, be a certified residential or general appraiser, and be certified by the appraiser qualifications board of the appraisal foundation as an instructor to teach that course.

SECTION 51. RL 85.02 (10) and the Note following RL 85.02 (10) are amended to read:

RL 85.02 (10) An appraisal course approved by the appraiser qualifications board of the appraisal foundation ~~may~~ shall be approved by the department, without receipt of an application for course approval from the course provider.

Note: To obtain information about courses approved by the Appraiser Qualifications Board of the Appraisal Foundation write to: ~~1029 Vermont Avenue~~ 1155 15th Street, NW, Suite 900 1111, Washington, D.C. ~~20005-3517~~ 20005, (202) 347-7722, www.appraisalfoundation.org.

SECTION 52. RL 85.02 (11) is repealed.

SECTION 53. RL 86.01 (1), (2), (4) and (10) are amended to read:

RL 86.01 Standards. (1) Certified and licensed appraisers shall comply with the standards of practice established by ch. 458, Stats., ~~and~~ chs. RL 80 to 86 and the uniform standards set forth in Appendix I of professional appraisal practice (USPAP). A violation of any provision in this chapter may result in disciplinary action under s. 458.26, Stats.

(2) All appraisals performed in conjunction with federally related transactions and non-federally related transactions shall conform to the uniform standards of professional appraisal practice ~~set forth in Appendix I~~ (USPAP) in effect at the time the appraisals are performed.

(4) A licensed appraiser who is not certified under s. 458.06, Stats., shall not use the title “Wisconsin licensed appraiser” on any appraisal report or written agreement, except in conjunction with an appraisal performed within the scope of appraisal practice of a licensed appraiser as specified in s. RL 81.05.

(10) After a request for information made by the board, ~~failing to a~~ certified or licensed appraiser shall cooperate in a timely manner with the board’s investigation of ~~complaints~~ a complaint filed against the licensed or certified appraiser or of a complaint filed against an individual who practiced real estate appraising under the supervision of the licensed or certified appraiser. There is a rebuttable presumption that a licensed or certified appraiser who takes longer than 30 calendar days to respond to a request for information by the board has not acted in a timely manner under this subsection.

SECTION 54. RL 86.01 (11) is created to read:

RL 86.01 (11) All certified and licensed appraisers shall comply with state and federal laws that substantially relate to the practice of real estate appraising including, but not limited to, the financial institutions reform, recovery, and enforcement act of 1989, and all appraisal related federal regulations promulgated by the federal financial institutions regulatory agencies, as defined in s. RL 80.03 (8ag).

SECTION 55. RL 87.01 (1), (2) and (3) are amended to read:

RL 87.01 Renewal of certificate. (1) Applications for renewal shall be submitted prior to the applicable renewal date specified under s. 440.08 (2) (a), Stats., on a form provided by the department, along with the renewal fee specified under s. 440.08 (2) (a) 11., 11m. and 12., Stats., as appropriate, and proof of completion of 28 hours of continuing education course work as required under s. ~~RL 85.01~~ 458.13, Stats.

(2) An appraiser granted a certificate of certification under s. 458.06 (3) or (4), 1989 Stats., may renew the certificate by satisfying the requirements in sub. (1) and by submitting evidence of completion of the educational course work required under ss. ~~RL 84.02 and 84.03 and 84.04,~~ as appropriate.

(3) An appraiser granted a certificate of licensure under s. 458.08 (3), 1991 Stats., may renew the certificate by satisfying the requirements in sub. (1), and submitting evidence of completion of the experience or educational course work required under ss. RL 83.01 (2) and ~~84.04~~ 84.02, as appropriate.

SECTION 56. RL 87.02 (1), (2) (intro.) and (b) are amended to read:

RL 87.02 (1) If applying less than 5 years after the renewal date, submitting proof of completion ~~of 28 hours~~ of the continuing education as course work required in each biennial period under s. RL 85.01 and paying the renewal fees specified in s. 440.08 (2) (a) 11., 11m. and 12. and (3), Stats.

(2) (intro.) If applying 5 years or more after the renewal date, submitting proof of completion ~~of 28 hours~~ of the continuing education as course work required in each biennial period under s. RL 85.01; paying the renewal fees specified in s. 440.08 (2) (a) 11., 11m. and 12. and (3), Stats., and submitting proof of one or more of the following, as determined by the department to ensure protection of the public health, safety and welfare:

(b) Successful completion of the examination on Wisconsin statutes and rules ~~or the national appraiser certification or licensure examination~~ required under s. RL 82.01 for appraiser licensure or certification.

SECTION 57. RL 87.02 (2) (c) is created to read:

RL 87.02 (2) (c) Successful completion of the national appraiser examination required under s. RL 82.01 for appraiser licensure or certification.

(END OF TEXT OF RULE)

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register pursuant to s. 227.22 (2) (intro.), Stats.

Dated _____

Agency _____

Celia M. Jackson, Secretary
Department of Regulation and Licensing