

LCB FILE NO. R064-07

**PROPOSED REGULATION OF THE
COMMISSION OF APPRAISERS OF REAL ESTATE**

EXPLANATION – Matter in *italics* is new; matter in ~~brackets~~ is material to be omitted.

Amend NAC 645C.065 to read:

Requirement of Experience; burden of proof. (NRS 645C.210)

1. For the purpose of subsection 1 of NRS 645C.330, “at least two years of experience working full time” means experience gained while in the employment of a certified appraiser as an intern for at least 2,400 hours during a period not less than 2 years before applying for a license. An applicant may not apply for a license until at least 2 years after he commenced working as an appraiser or intern. *Experience must be obtained after January 30, 1989 and must be USPAP compliant.* The applicant need not have worked exclusively as an appraiser or intern during the period of employment and need not have worked a specific minimum number of hours in the workday.
2. For the purpose of subsection 1 of NRS 645C.330, “at least two years of experience working full time” means experience gained while in the employment of a certified appraiser as an intern for at least 2,500 hours during a period not less than 2 years before applying for a certificate. An applicant may not apply for a certificate until at least 2 years after he commenced working as an appraiser or intern. *Experience must be obtained after January 30, 1989 and must be USPAP compliant.* The applicant need not have worked exclusively as an appraiser or intern during the period of employment and need not have worked a specific minimum number of hours in the workday. Not less than 500 hours of those 2,500 hours must relate to the appraisal of complex property as defined in NRS 645C.055.
3. For the purpose of subsection 1 of NRS 645C.330, “at least three years of experience working full time” means experience gained while in the employment of a certified appraiser as an intern for at least 3,600 hours during a period not less than 3 years before applying for a certificate. An applicant may not apply for a certificate until at least 3 years after he commenced working as an appraiser or intern. *Experience must be obtained after January 30, 1989 and must be USPAP compliant.* The applicant need not have worked exclusively as an appraiser or intern during the period of employment and need not have worked a specific minimum number of hours in the workday. Not less than ~~[1,000]~~ *1,500* hours of those 3,600 hours must relate to the appraisal of commercial real estate or real estate suitable for or consisting of more than four residential units in any one transaction.
4. Experience as an appraiser must demonstrate the applicant’s ability to employ recognized methods and techniques that are necessary to produce a credible appraisal.
5. The burden of proof is on the applicant to establish to the satisfaction of the Division that he has completed the number of hours of experience required by this section. To meet his burden of proof, an applicant may submit:

- (a) For work accomplished in Nevada after January 1, 1990, the form required by NAC 645C.120;
- (b) A log similar to the form required by NAC 645C.120; or
- (c) A list of appraisal to which he made a significant professional contribution.

Amend NAC 645C.260 to read:

NAC 645C.260 Notice of changes in school; annual renewal of approval. (NRS 645C.210)

1. Within 15 calendar days after the occurrence of any material change in the school which would affect its approval by the Commission, the school shall give the Division written notice of the change.
2. To qualify for annual renewal of approval by the Commission, a school must submit to the ~~[Commission before July 1]~~ *Division 30 days prior to the course expiration:*
 - (a) A written certification, in a form prescribed by the Division, declaring that the school has met all applicable requirements of this chapter; and
 - (b) A sworn statement in a form prescribed by the Division declaring that all information contained in the original application is current or if it is not current, a list of all material changes.
3. *The Division may approve a course for renewal if no changes in the course have occurred since the course was approved by the Commission.*
4. The Commission may deny renewal of approval to any school that does not meet the standards required by this chapter.
5. Within 60 calendar days after the decision is made to deny renewal of approval, the ~~[Commission]~~ *Division* will send written notice of the decision and the basis for that decision by certified mail to the last known address of the school.

Amend NAC 645C.620 to read:

NAC 645C.620 Informal conference: Notification; procedures; report to Administrator. (NRS 645C.210)

1. If an advisory committee is established to assist the Administrator with the review of an investigation conducted pursuant to NAC 645C.480, the Administrator shall schedule an informal conference between the advisory committee and the appraiser who is the subject of the investigation. The Administrator shall provide written notice of the time and place of the conference to:
 - (a) Each member of the advisory committee;
 - (b) The appraiser who is the subject of the investigation; and
 - (c) Each witness who has been requested to appear at the informal conference.
2. The advisory committee may request the attendance at an informal conference of any person whom the advisory committee believes to have information that is relevant to the matter.
3. When conducting an informal conference, an advisory committee:
 - (a) May consider all evidence that it deems relevant to the investigation;
 - (b) Shall rule on the admissibility of the evidence;
 - (c) Is the controlling authority with regard to the admissibility of evidence; and
 - (d) Need not follow the rules of admissibility of evidence that a court must follow.

4. The chairman of an advisory committee shall file a written report with the Administrator that explains the results of the informal conference within 30 days after the conclusion of the informal conference.
5. ~~[A report filed pursuant to subsection 3 of NAC 645C.610, a]~~ A report filed pursuant to subsection 4 and all proceedings before an advisory committee are and must remain confidential.