

**RULES
OF
TENNESSEE REAL ESTATE APPRAISER COMMISSION**

**CHAPTER 1255-01
GENERAL PROVISIONS**

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1255-01-.01 PURPOSE. The Tennessee Estate Appraiser Commission's purpose in promulgating these rules is to implement the provisions of the State Licensing and Certified Real Estate Appraisers Law (the "Act"), T.C.A., Title 62, Chapter 39, as amended by 1991 Public Acts, Chapter 366, in a manner consistent with Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA), Title 12 *United States Code*, §§ 93, *et seq.* The Commission is authorized by T.C.A. § 62-39-333(a), to promulgate such rules as may be necessary to ensure compliance with FIRREA and other applicable law.

Authority: T.C.A. §§ 62-39-203 and 62-39-333. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991.

1255-01-.02 DEFINITIONS.

- (1) "Act" means the State Licensing and Certified Real Estate Appraisers Law, *Tennessee Code Annotated*, Title 62, Chapter 39.
- (2) "Commission" means the Tennessee Real Estate Appraiser Commission.
- (3) "FIRREA" means Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, Title 12, *United States Code* §§93, *et seq.*
- (4) "Rules" means the rules promulgated by the Commission.
- (5) "State Certified General Appraiser" means a person who has been issued a general real estate appraiser certificate by the Commission.
- (6) "State Certified Residential Appraiser" means a person who has been issued a residential real estate appraiser certificate by the Commission.
- (7) "State Licensed Appraiser" means a person who has been issued a real estate appraiser license by the Commission.
- (8) "Registered Trainee" means a person who has been issued a registration number as a registered real estate appraiser trainee in the State of Tennessee.
- (9) "Good Standing" means a person has not been subject to any disciplinary action within any jurisdiction within the last three (3) years that affects the appraiser's legal eligibility to engage in appraisal practice. An appraiser subject to a disciplinary action would be considered to be

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in "good standing" three (3) years after the successful completion/termination of the sanction imposed against the appraiser.

Authority: T.C.A. §§ 62-39-203 and 62-39-333. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991. Amendment filed December 16, 1997; effective March 1, 1998. Emergency rule filed December 30, 2015; effective through June 28, 2015. The emergency rule expired on June 29, 2015 and reverted to its previous status. Amendment filed July 20, 2015; effective October 18, 2015.

1255-01-.03 RESTRICTIONS ON APPRAISER PRACTICE.

- (1) An appraiser shall be required to comply with the transaction limits set forth in Tennessee Code Annotated, Title 62, Chapter 39. Violation of these limits shall be grounds for disciplinary action.
- (2) For the purposes of this rule, "transaction value" means:
 - (a) For loans or other extensions of credit, the amount of the loan or extension of credit;
 - (b) For sales, leases, purchases, and investments in or exchanges of real property, the market value of the real property interest involved; and
 - (c) For the pooling of loans or interests in real property for resale or purchase, the amount of the loan or market value of the real property calculated with respect to each such loan or interest in real property.
 - (d) For condemnation appraisals the value will be the total market value of the property before any acquisition of property occurs.
 - (e) For non-federally related transaction appraisals, transaction value shall mean market value.
 1. The classification includes the appraisal of vacant or unimproved land that is utilized for one-to-four residential units, or for which the highest and best use is for one-to-four residential units.
 2. The classification does not include the appraisal of subdivisions for which a development analysis/appraisal is necessary.
- (3) No language in any Commission rule shall authorize an appraiser to appraise any property that would cause the appraiser to violate the competency provision of the edition of the Uniform Standards of Professional Appraisal Practice effective when the work was performed.

Authority: T.C.A. §§ 62-39-203, 62-39-302 and 62-39-333, as amended by 1991 Public Acts, Chapter 366. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991. Amendment filed October 26, 1993; effective January 11, 1994. Amendment filed December 16, 1997; effective March 1, 1998. Amendment filed July 20, 2015; effective October 18, 2015.

1255-01-.04 APPLICATION FOR APPRAISER LICENSE OR CERTIFICATE.

- (1) All new applicants for a real property appraiser credential who are not currently licensed or certified and in good standing in another jurisdiction must undergo a State and national background check. Applicants shall submit fingerprints of the individual applying for the credential, in digital form if practicable, and any appropriate identifying information for

(Rule 1255-01-.05, continued)

(1) An applicant for a state licensed real estate appraiser license who has satisfied the prerequisites for certification provided in rule 1255-01-.07 or rule 1255-01-.08 will also satisfy the requirements of this rule. All other applicants for a state licensed real estate appraiser license shall first register as a registered trainee with the Commission and complete the training requirements established in rule 1255-01-.12. An applicant shall then satisfy all of the following education, experience, and examination requirements:

(a) General Education. An applicant shall satisfy the following general education requirements as a prerequisite for licensure as a state licensed real estate appraiser:

1. Applicants for the licensed residential credential shall successfully complete thirty (30) semester hours of college-level education from an accredited college, junior college, community college, or university. The college or university must be a degree-granting institution accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education. If an accredited college or university accepts the College-level Examination Program® (CIEP) and examination(s) and issues a transcript for the exam showing its approval, it will be considered as credit for the college course.
2. Applicants holding an Associate degree, or higher, from an accredited college, junior college, community college, or university satisfy the thirty (30) hour college-level education requirement.
3. Applicants with a college degree from a foreign country may have their education evaluated for "equivalency" by one of the following:
 - (i) An accredited, degree-granting domestic college or university;
 - (ii) The American Association of Collegiate Registrars and Admissions Officers (AACRAO);
 - (iii) A foreign degree credential evaluation service company that is a member of the National Association of Credential Evaluation Services (NACES); or
 - (iv) A foreign degree credential evaluation service company that provides equivalency evaluation reports accepted by an accredited degree-granting domestic college or university or by a state licensing board that issues credentials in another discipline.

(b) Appraisal Education. An applicant shall satisfy the following appraisal education requirements as a prerequisite to sit for the state licensed appraiser examination:

1. One hundred fifty (150) classroom hours of courses in subjects related to real estate appraisal (hereinafter, "qualifying education requirement") which shall include:
 - (i) Successful completion of fifteen (15) hours of the National Uniform Standards of Professional Appraisal Practice Course or its equivalent. Equivalency shall be determined by the Appraiser Qualifications Board Course Approval Program or by an alternate method established by the Appraiser Qualifications Board;
 - (I) The Commission shall grant an applicant credit toward the qualifying education requirement for the National Uniform Standards of Professional Appraisal Practice Course only when at least one of the

(Rule 1255-01-.05, continued)

course instructors is an AQB Certified USPAP Instructor who is also a state certified residential real estate appraiser or state certified general real estate appraiser.

- (ii) Successful completion of a thirty (30) hour course in Appraisal Principles;
 - (iii) Successful completion of a thirty (30) hour course in Appraisal Practice or Procedures;
 - (iv) Successful completion of a fifteen (15) hour course in Residential Market Analysis and Highest and Best Use;
 - (v) Successful completion of a fifteen (15) hour course in Residential Appraiser Site Valuation and Cost Approach;
 - (vi) Successful completion of a thirty (30) hour course in Sales Comparison and Income Approaches; and
 - (vii) Successful completion of a fifteen (15) hour course in Residential Report Writing and Case Studies.
2. A course hour is defined as fifty (50) minutes of teaching out of each sixty (60) minute segment.
 3. The Commission may grant credit toward the qualifying education requirement only where the length of the educational offering is at least fifteen (15) hours and the individual successfully completes an examination pertinent to that educational offering.
 4. An applicant may obtain credit for the qualifying education requirement from any of the following educational providers:
 - (i) colleges or universities;
 - (ii) community or junior colleges;
 - (iii) real estate appraisal or real estate related organizations;
 - (iv) state or federal agencies or commissions;
 - (v) proprietary schools;
 - (vi) other providers approved by the Commission; and
 - (vii) The Appraisal Foundation or its Boards.
 5. An applicant may refer to Chapter 1255-02 Evaluation of Education for further delineation of qualifying educational requirements.
 6. In the event of a denial, an applicant for licensure may file a written request for reconsideration with the Commission, appealing the Commission's evaluation of the applicant's education. The Commission shall consider the filed written request for reconsideration and reevaluate the applicant's education. In the event that the applicant's application for licensure is denied after the education reevaluation, then the denial shall not create a contested case proceeding (as

(Rule 1255-01-.05, continued)

defined by the Tennessee Administrative Procedures Act, T.C.A., Title 4, Chapter 5), and the applicant may then reapply for licensure.

- (c) Experience. An applicant shall satisfy the following experience requirements as a prerequisite for licensure as a state licensed real estate appraiser:
1. An applicant shall complete a minimum of two thousand (2,000) hours of appraisal experience over a period of at least twenty-four (24) months preceding the date of the application to the Commission. The Commission shall treat the hours accumulated over the twenty-four (24) months as cumulative. An applicant shall complete the minimum of twenty-four (24) months of appraisal experience under the direct supervision of an appraiser certified by a real estate appraiser commission or board in any state. The experience must be sufficient to indicate to the Commission that the applicant is competent in the Uniform Standards of Professional Appraisal Practice.
 2. The applicant may also obtain equivalent experience. The Commission shall determine what is considered equivalent experience, which demonstrates the applicant's competence in the Uniform Standards of Professional Appraisal Practice. Equivalent experience shall be limited to the following:
 - (i) A minimum of twenty-four (24) months of experience as a licensed or certified real estate appraiser in another state, territory, or possession of the United States, or in any country; provided, that the applicant has otherwise met all other requirements of Title 62, Chapter 39, and the rules established by the Commission.
 3. An applicant shall provide to the Commission a detailed listing of the types of real estate appraisal reports or file memoranda completed by the applicant for each twelve (12)-month period that the applicant claims that he or she has gained experience. Separate appraisal logs shall be maintained for each supervisory appraiser, if applicable. The applicant shall provide verification for experience credit claimed on forms prescribed by the Commission, which shall include the following information:
 - (i) type of property;
 - (ii) date of report;
 - (iii) address of appraised property;
 - (iv) description of work performed by the trainee/applicant and scope of the review and supervision of the supervising appraiser;
 - (v) number of actual work hours by the trainee/applicant on the assignment, up to the maximum allotted by property type;
 - (vi) client name and address; and
 - (vii) signature and State certification number of the supervising appraiser, if applicable.
 4. No experience credit will be granted that was obtained prior to January 30, 1989. An applicant shall submit sufficient recent experience to demonstrate the ability to apply the current Uniform Standards of Professional Appraisal Practice provisions.

(Rule 1255-01-.05, continued)

5. There is no minimum number of hours that must be obtained in any one (1) twelve (12)-month period.
- (d) Examination. An applicant shall successfully complete the Appraiser Qualifications Board endorsed Uniform State Licensed Real Property Appraiser Examination. An applicant must obtain licensure or certification designation within twenty-four (24) months from the date of obtaining a passing score on the exam.
- (e) Once the applicant has completed all of the required qualifying education and experience, then the applicant may submit his or her application for licensure. The Commission office shall not process an applicant's application if the required qualifying education and experience have not been satisfied or if the application is incomplete. The Commission office shall keep an incomplete application active for six (6) months, unless the applicant requests an extension in writing to the Commission.

Authority: T.C.A. §§ 62-39-203, 62-39-204, 62-39-303, 62-39-329, 62-39-333, and 62-39-337. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991. Amendment filed December 16, 1997; effective March 1, 1998. Repeal and new rule filed December 13, 2004; effective February 26, 2005. Repeal and new rule filed December 6, 2007; effective February 19, 2008. Emergency rule filed December 30, 2015; effective through June 28, 2015. The emergency rule expired on June 29, 2015 and reverted to its previous status. Amendment filed July 20, 2015; effective October 18, 2015.

1255-01-.06 REPEALED.

Authority: T.C.A. §§ 62-39-203 and 62-39-333. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991. Repeal filed December 16, 1997; effective March 1, 1998.

1255-01-.07 QUALIFICATIONS FOR STATE CERTIFIED RESIDENTIAL APPRAISER.

- (1) An applicant applying for a state certified residential real estate appraiser certification shall first register as a real estate appraiser trainee, or be a licensed or certified general real estate appraiser. The applicant shall then satisfy all of the following education, experience, and examination requirements:
 - (a) General Education. An applicant shall satisfy the following general education requirements as a prerequisite for certification as a state certified residential real estate appraiser:
 1. Bachelor's degree or higher.
 - (b) Appraisal Education. An applicant shall satisfy the following appraisal education requirements as a prerequisite to sit for the state certified residential appraiser examination:
 1. Two hundred (200) classroom hours of courses in subjects related to real estate appraisal (hereinafter "qualifying education requirement"). These modules shall include:
 - (i) Successful completion of fifteen (15) hours of the National Uniform Standards of Professional Appraisal Practice Course or its equivalent. Equivalency shall be determined through the Appraiser Qualifications

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Board Course Approval Program or by an alternate method established by the Appraiser Qualifications Board;

- (l) The Commission shall grant an applicant credit toward the qualifying education requirement for the National Uniform Standards of Professional Appraisal Practice Course only when at least one of the course instructors is an AQB Certified USPAP Instructor who is also a state certified residential real estate appraiser or state certified general real estate appraiser.
 - (ii) Successful completion of a thirty (30) hour course in Appraisal Principles;
 - (iii) Successful completion of a thirty (30) hour course in Appraisal Practice or Procedures;
 - (iv) Successful completion of a fifteen (15) hour course in Residential Market Analysis and Highest and Best Use;
 - (v) Successful completion of a fifteen (15) hour course in Residential Appraiser Site Valuation and Cost Approach;
 - (vi) Successful completion of a thirty (30) hour course in Sales Comparison and Income Approaches;
 - (vii) Successful completion of a fifteen (15) hour course in Residential Report Writing and Case Studies;
 - (viii) Successful completion of a fifteen (15) hour course in Statistics, Modeling and Finance;
 - (ix) Successful completion of a fifteen (15) hour course in Advanced Residential Applications and Case Studies; and
 - (x) Successful completion of twenty (20) hours of appraisal subject matter electives. These may include hours over minimum shown above in other modules.
2. A course hour is defined as fifty (50) minutes of teaching out of each sixty (60) minute segment.
 3. The Commission may grant credit toward the qualifying education requirement only where the length of the educational offering is at least fifteen (15) hours and an applicant successfully completes an examination pertinent to that educational offering.
 4. An applicant may obtain credit for the qualifying education requirement from any of the following:
 - (i) colleges or universities;
 - (ii) community or junior colleges;
 - (iii) real estate appraisal or real estate related organizations;
 - (iv) state or federal agencies or commissions;

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- (v) proprietary schools;
 - (vi) other providers approved by the Commission; and
 - (vii) The Appraisal Foundation or its Boards.
5. The qualifying education requirement may include the one hundred fifty (150) hour qualifying education requirement for the state licensed real estate appraiser classification.
 6. An applicant may refer to Chapter 1255-02 Evaluation of Education for further delineation of the qualifying education requirements.
 7. In the event of a denial, an applicant for certification may file a written request for reconsideration with the Commission, appealing the Commission's evaluation of the applicant's education. The Commission shall consider the filed written request for reconsideration and reevaluate the applicant's education. In the event that the applicant's application for certification is denied after the education reevaluation, then the denial shall not create a contested case proceeding (as defined by the Tennessee Administrative Procedures Act, T.C.A., Title 4, Chapter 5) and the applicant may then reapply for certification.
- (c) Foreign Education. An applicant seeking to satisfy the general education requirements for a state certified residential appraiser credential with college level education from a foreign institution shall have their education evaluated for equivalency by an accredited, degree-granting domestic college or university, The American Association of Collegiate Registrars and Admissions Officers (AACRAO), a foreign degree credential evaluation service company that is a member of the National Association of Credential Evaluation Services (NACES), or a foreign degree credential evaluation service company that provides equivalency evaluation reports accepted by an accredited degree-granting domestic college or university or by a state licensing board that issues credentials in another discipline.
- (d) Experience. An applicant shall satisfy the following experience requirements as a prerequisite for certification as a state certified residential real estate appraiser:
1. An applicant shall complete a minimum of two thousand five hundred (2,500) hours of appraisal experience over a period of at least twenty-four (24) months. The Commission shall treat the hours accumulated over the twenty-four (24) months as cumulative. A registered trainee applicant shall complete the minimum of twenty-four (24) months of appraisal experience under the direct supervision of an appraiser certified by a real estate appraiser commission or board in any state. The experience must be sufficient to indicate to the Commission that the applicant is competent in the Uniform Standards of Professional Appraisal Practice.
 2. The applicant may also obtain equivalent experience. The Commission shall determine what is considered equivalent experience, which demonstrates the applicant's competence in the Uniform Standards of Professional Appraisal Practice. Equivalent experience shall be limited to the following:
 - (i) A minimum of twenty-four (24) months of experience as a licensed or certified real estate appraiser in another state, territory or possession of the United States, or in any country; provided, that the applicant has otherwise met all other requirements of Title 62, Chapter 39, and the rules promulgated by the Commission.

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3. An applicant shall provide to the Commission a detailed listing of the types of real estate appraisal reports or file memoranda completed by the applicant for each twelve (12)-month period during which the applicant claims that he or she has gained experience. Separate appraisal logs shall be maintained for each supervisory appraiser, if applicable. The applicant shall provide verification for experience credit claimed on forms prescribed by the Commission which shall include the following information:
 - (i) type of property;
 - (ii) date of report;
 - (iii) address of appraised property;
 - (iv) description of work performed by the trainee/applicant and scope of the review and supervision of the supervising appraiser;
 - (v) number of actual work hours by the trainee/applicant on the assignment;
 - (vi) client name and address; and,
 - (vii) signature and State certification number of the supervising appraiser, if applicable.
 4. No experience credit will be granted that was obtained prior to January 30, 1989. An applicant shall submit sufficient recent experience to demonstrate the ability to apply the current Uniform Standards of Professional Appraisal Practice provisions.
 5. There is no minimum number of hours that must have been obtained in any one (1) twelve (12)-month period.
- (e) Examination. An applicant shall successfully complete the Appraiser Qualifications Board endorsed Uniform State Certified Residential Real Property Appraiser Examination. An applicant must obtain certification designation within twenty-four (24) months from the date of obtaining a passing score on the exam.
- (f) Once the applicant has completed all of the required qualifying education and experience, then the applicant may submit his or her application for certification. The Commission office shall not process an applicant's application if the required qualifying education and experience have not been satisfied or if the application is incomplete. The Commission office shall keep an incomplete application active for six (6) months, unless the applicant requests an extension in writing to the Commission.
- (g) An applicant applying for a State Certified Residential Appraiser certification who holds a current State Licensed Appraiser credential may satisfy the educational requirements for the State Certified Residential Real Estate Appraiser credential by completing the following additional educational hours:
1. Successful completion of a fifteen (15) hour course in Statistics, Modeling and Finance;
 2. Successful completion of a fifteen (15) hour course in Advanced Residential Applications and Case Studies; and

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3. Successful completion of twenty (20) hours of appraisal subject matter electives. These may include hours over the minimum shown above in other modules.
- (h) An applicant applying for a State Certified Residential Appraiser certification pursuant to subparagraph (g) must also satisfy the college-level educational requirements as specified in 1255-01-.07(1)(a).

Authority: T.C.A. §§ 62-39-203, 62-39-204, 62-39-311, 62-39-312, 62-39-313, 62-39-329, 62-39-333, and 62-39-337. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991. Amendment filed December 16, 1997; effective March 1, 1998. Repeal and new rule filed December 13, 2004; effective February 26, 2005. Repeal and new rule filed December 6, 2007; effective February 19, 2008. Emergency rule filed December 30, 2015; effective through June 28, 2015. The emergency rule expired on June 29, 2015 and reverted to its previous status. Amendment filed July 20, 2015; effective October 18, 2015.

1255-01-.08 QUALIFICATIONS FOR GENERAL CERTIFICATION.

- (1) An applicant applying for a state certified general real estate appraiser license shall first register as a real estate appraiser trainee, or be a licensed or certified residential real estate appraiser, and complete the experience requirements established in rule 1255-01-.12 and shall then satisfy the following education, experience, and examination requirements as a prerequisite for certification:
 - (a) General Education. An applicant shall satisfy the following general education requirements as a prerequisite for certification as a state certified general real estate appraiser:
 1. Bachelor's degree or higher.
 - (b) Appraisal Education. An applicant shall satisfy the following appraisal education requirements as a prerequisite to sit for the state certified general appraiser examination:
 1. Three hundred (300) classroom hours of courses in subjects related to real estate appraisal. These modules shall include (hereinafter "qualifying education requirement"):
 - (i) Fifteen (15) hours of the three hundred (300) hours must include the successful completion of the National Uniform Standards of Professional Appraisal Practice Course or its equivalent. Equivalency shall be determined through the Appraiser Qualifications Board Course Approval Program or by an alternate method established by the Appraiser Qualifications Board;
 - (l) The Commission shall grant an applicant credit toward the qualifying education requirement for the National Uniform Standards of Professional Appraisal Practice Course only when at least one of the course instructors is an AQB Certified USPAP Instructor who is also a state certified residential real estate appraiser or state certified general real estate appraiser.
 - (ii) Successful completion of a thirty (30) hour course in Appraisal Principles;
 - (iii) Successful completion of a thirty (30) hour course in Appraisal Practice or Procedures;

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- (iv) Successful completion of a thirty (30) hour course in General Appraiser Market Analysis and Highest and Best Use;
 - (v) Successful completion of a fifteen (15) hour course in Statistics, Modeling and Finance;
 - (vi) Successful completion of a thirty (30) hour course in General Appraiser Sales Comparison Approach;
 - (vii) Successful completion of a thirty (30) hour course in General Appraiser Site Valuation and Cost Approach;
 - (viii) Successful completion of a sixty (60) hour course in General Appraiser Income Approach;
 - (ix) Successful completion of a thirty (30) hour course in General Appraiser Report Writing and Case Studies; and
 - (x) Successful completion of thirty (30) hours of appraisal subject matter electives. These may include hours over minimum shown above in other modules.
2. A course hour is defined as fifty (50) minutes of teaching out of each sixty (60) minute segment.
 3. An applicant's qualifying education requirement may include the one hundred fifty (150) classroom hour requirement for the licensed real estate appraiser classification or the two hundred (200) hour requirement for the certified residential real estate appraiser classification.
 4. The Commission may grant an applicant credit toward the qualifying education requirement only where the length of the educational offering is at least fifteen (15) hours and the applicant successfully completes an examination pertinent to that educational offering.
 5. An applicant may obtain credit for the qualifying education requirement from the following:
 - (i) colleges or universities;
 - (ii) community or junior colleges;
 - (iii) real estate appraisal or real estate related organizations;
 - (iv) state or federal agencies or commissions;
 - (v) proprietary schools;
 - (vi) other providers approved by the Commission; and
 - (vii) The Appraisal Foundation or its Boards.
 6. An applicant should refer to Chapter 1255-02 Evaluation of Education for further delineation of educational requirements.

(Rule 1255-01-.08, continued)

7. In the event that an applicant is denied, then an applicant for certification may file a written request for reconsideration with the Commission, appealing the Commission's evaluation of his or her education. The Commission shall consider the filed written request for reconsideration and reevaluate the applicant's education. In the event that the applicant's application for certification is denied after the education reevaluation, then the denial shall not create a contested case proceeding (as defined by the Tennessee Administrative Procedures Act, T.C.A., Title 4, Chapter 5) and the applicant may then reapply for certification.
- (c) Foreign Education. An applicant seeking to satisfy the general education requirements for a state certified general appraiser credential with college level education from a foreign institution shall have their education evaluated for equivalency by an accredited, degree-granting domestic college or university, The American Association of Collegiate Registrars and Admissions Officers (AACRAO), a foreign degree credential evaluation service company that is a member of the National Association of Credential Evaluation Services (NACES) or a foreign degree credential evaluation service company that provides equivalency evaluation reports accepted by an accredited degree-granting domestic college or university or by a state licensing board that issues credentials in another discipline.
- (d) Experience. An applicant must satisfy the following experience requirements as a prerequisite for certification as a state certified general real estate appraiser:
1. An applicant shall complete three thousand (3,000) hours of appraisal experience over a period of at least thirty (30) months preceding the date of the applicant's application to the Commission and the Commission shall treat the hours as cumulative. A registered trainee applicant shall complete the minimum of thirty (30) months of appraisal experience under the direct supervision of an appraiser certified by a real estate appraiser commission or board in any state. The experience must be sufficient to indicate to the Commission that the applicant is competent in the Uniform Standards of Professional Appraisal Practice.
 2. An applicant may obtain equivalent experience. The Commission shall determine what is considered equivalent experience, which demonstrates the applicant's competence in the Uniform Standards of Professional Appraisal Practice. Equivalent experience shall be limited to the following:
 - (i) A minimum of thirty (30) months of experience as a licensed or certified real estate appraiser in another state, territory or possession of the United States, or in any country; provided, that the applicant has otherwise met all requirements of Title 62, Chapter 39, and the rules promulgated by the Commission.
 3. An applicant shall complete at least one thousand five hundred (1,500) hours of the total three thousand (3,000) hours in non-residential appraisal work. Residential means one (1) to four (4) residential units. An applicant shall ensure that his or her experience shall satisfactorily demonstrate competence in the cost, income capitalization and direct sales comparison approaches to value.
 4. An applicant shall provide to the Commission a detailed listing of the types of real estate appraisal reports or file memoranda completed by the applicant for each twelve (12)-month period during which the applicant claims that he or she has gained experience. Separate appraisal logs shall be maintained for each supervisory appraiser, if applicable. The applicant shall provide verification for

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experience credit claimed on forms prescribed by the Commission, which shall include the following information:

- (i) type of property;
 - (ii) date of report;
 - (iii) address of appraised property;
 - (iv) description of work performed by the trainee/applicant and scope of the review and supervision of the supervising appraiser;
 - (v) number of actual work hours by the trainee/applicant on the assignment, up to the maximum allotted by property type;
 - (vi) client name and address; and
 - (vii) signature and State certification number of the supervising appraiser, if applicable.
5. No experience credit will be granted that was obtained prior to January 30, 1989. An applicant shall submit sufficient recent experience to demonstrate the ability to apply the current Uniform Standards of Professional Appraisal Practice provisions.
6. There is no minimum number of hours that must have been obtained in any one (1) twelve (12)-month period.
- (e) Examination. An applicant shall successfully complete the Appraiser Qualifications Board endorsed Uniform State Certified General Real Property Appraiser Examination. An applicant must obtain licensure or certification designation within twenty-four (24) months from the date of obtaining a passing score on the exam.
- (f) Once the applicant has completed all of the required qualifying education and experience, then the applicant may submit his or her application for certification. The Commission office shall not process an applicant's application if the required qualifying education and experience have not been satisfied or if the application is incomplete. The Commission office shall keep an incomplete application active for six (6) months, unless the applicant requests an extension in writing to the Commission.
- (g) An applicant applying for a State Certified General Appraiser certification who holds a current State Licensed Appraiser credential may satisfy the educational requirements for the State Certified General Appraiser credential by completing the following additional educational hours:
1. Successful completion of a thirty (30) hour General Appraiser Market Analysis and Highest and Best Use course;
 2. Successful completion of a thirty (30) hour General Appraiser Site Valuation and Cost Approach course;
 3. Successful completion of a thirty (30) hour General Appraiser Sales Comparison Approach course;
 4. Successful completion of a thirty (30) hour General Report Writing and Case Studies course;

(Rule 1255-01-.08, continued)

5. Successful completion of a fifteen (15) hour Statistics, Modeling and Finance course; and
 6. Successful completion of a sixty (60) hour General Appraiser Income Approach course.
- (h) An applicant applying for a State Certified General Appraiser certification who holds a current State Certified Residential Appraiser credential may satisfy the educational requirements for the State Certified General Appraiser credential by completing the following additional educational hours:
1. Successful completion of a thirty (30) hour General Appraiser Market Analysis and Highest and Best Use course;
 2. Successful completion of a thirty (30) hour General Appraiser Sales Comparison Approach course;
 3. Successful completion of a thirty (30) hour Site Valuation and Cost Approach course;
 4. Successful completion of a sixty (60) hour General Appraiser Income Approach course; and
 5. Successful completion of a thirty (30) hour General Appraiser Report Writing and Case Studies course.
- (i) An applicant applying for a State Certified General Appraiser certification pursuant to subparagraph (g) must also satisfy the college-level educational requirements as specified in 1255-01-.08(1)(a).

Authority: T.C.A. §§62-39-203, 62-39-204, 62-39-305 and 62-39-314. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991. Amendment filed December 6, 2007; effective February 19, 2008. . Amendment filed July 20, 2015; effective October 18, 2015.

1255-01-.09 DENIAL OF LICENSE OR CERTIFICATE.

- (1) An applicant for registration as a trainee, licensure or certification shall not possess a background that could call into question public trust. Applicants shall not be eligible for a real estate appraiser registration, license, or certification if:
 - (a) The applicant has had an appraiser license or certification revoked in any governmental jurisdiction within the five (5) year period immediately preceding the date of application.
 - (b) The applicant has been convicted of, or pled guilty or nolo contendere to, a felony in a domestic, or foreign court:
 1. during the five (5) year period immediately preceding the date of the application for licensing or certification; or
 2. at any time preceding the date of application, if such felony involved an act of fraud, dishonesty, or a breach of trust, or money laundering.
 - (c) The applicant has failed to demonstrate character and general fitness such as to command the confidence of the community and to warrant a determination that the

(Rule 1255-01-.09, continued)

appraiser will operate honestly, fairly, and ethically within the purposes of the Real Property Appraiser Qualification Criteria issued by the AQB.

- (2) The Commission may deny an application for registration, license, or certification if the background information for the applicant includes:
- (a) Conviction of any felony;
 - (b) Convictions of any criminal offense involving dishonesty, breach of trust, or money laundering against the individual or organizations controlled by the individual, or agreements to enter into a pretrial diversion or similar program in connection with the prosecution for such offense(s);
 - (c) Civil judicial actions against the individual in connection with financial services-related activities, dismissals with settlements, or judicial findings that the individual violated financial services-related statutes or regulations, except for actions dismissed without a settlement agreement;
 - (d) Actions or orders by a State or Federal regulatory agency or foreign financial regulatory authority that:
 - 1. Found the individual to have made a false statement or omission or been dishonest, unfair, or unethical; to have been involved in a violation of a financial services-related regulation or statute; or to have been a cause of a financial services-related business having its authorization to do business denied, suspended, revoked, or restricted;
 - 2. Are entered against the individual in connection with a financial services-related activity;
 - 3. Denied, suspended, or revoked the individual's registration or license to engage in a financial services-related activity; disciplined the individual or otherwise by order prevented the individual from associating with a financial services-related business or restricted the individual activities; or
 - 4. Barred the individual from association with an entity or its officers regulated by the agency or authority or from engaging in a financial services-related business;
 - (e) Final orders issued by a State or Federal regulatory agency or foreign financial regulatory authority based on violations of any law or regulation that prohibits fraudulent, manipulative, or deceptive conduct;
 - (f) Revocation or suspension of the individual's authorization to act as an attorney, accountant, or State or Federal contractor.
 - (g) Customer-initiated financial services-related arbitration or civil action against the individual that required action, including settlements, or which resulted in a judgment; or
 - (h) Any false or misleading information is reported on an application submitted to the board.
- (3) An applicant denied a license or certificate shall be notified in writing by the Commission of such denial and the reasons therefor. Such applicant may request an informal

(Rule 1255-01-.09, continued)

conference with the Commission to reconsider such denial at its next scheduled meeting. Such request must be sent to the Commission office within thirty (30) days of the date of the notice of denial.

- (4) Nothing in this rule shall be construed as creating the right to a contested case proceeding (as defined by the Tennessee Administrative Procedures Act, T.C.A. Title 4, Chapter 5) if a license or certificate is denied an applicant.

Authority: T.C.A. §§62-39-203, 62-39-204 and 62-39-333. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991. Amendment filed December 6, 2007; effective February 19, 2008. Amendment filed July 20, 2015; effective October 18, 2015.

1255-01-.10 LICENSE OR CERTIFICATE EXPIRATION.

- (1) A license shall expire two (2) years following the date of issuance.
- (2) The term of a certificate shall be two (2) years from the date of issuance.
- (3) The expiration date of a license or certificate shall appear on the face of the document and no other notice of its expiration need be given to its holder.

Authority: T.C.A. §§62-39-203, 62-39-204, 62-39-305 and 62-39-314. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991. Amendment filed December 6, 2007; effective February 19, 2008.

1255-01-.11 LICENSE AND CERTIFICATE RENEWAL.

- (1) To obtain renewal of a license or certificate, the holder of a current, valid license or certificate must make application on a form available from the Commission not earlier than one hundred twenty (120) days prior to the expiration of the license or certificate then held.
- (2) An application for renewal must be accompanied by the following renewal fee, plus the applicable federal registry fee:
- | | |
|--|----------|
| (a) Renewal of real estate appraiser license | \$350.00 |
| (b) Renewal of real estate appraiser certificate | \$350.00 |
- (3) Each application for renewal of a license or certificate shall be accompanied by sufficient evidence of having completed the continuing education requirement for renewal specified in the Act and the rules and presented in the form prescribed in Chapter 1255-4 Continuing Education.
- (4) If a license or certificate holder fails to file his or her application to renew a license or certificate with the Commission prior to the expiration thereof, the license or certificate holder may, upon payment of a one hundred dollar (\$100.00) penalty, apply for renewal.
- (5) No late renewal will be granted if a completed application is not received by the Commission within twelve (12) months since the expiration of the license or certificate.

Authority: T.C.A. §§62-39-203, 62-39-204, 62-39-206 62-39-301, 62-39-307, 62-39-315 and 62-39-333. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991. Amendment filed October 26, 1993, effective January 11, 1994. Amendment filed December 16, 1997; effective March 1, 1998. Amendment filed January 19, 2001; effective April 5, 2001. Amendment filed December 6, 2007; effective February 19, 2008. Amendment filed July 20, 2015; effective October 18, 2015.

1255-01-.12 REGISTERED TRAINEE.

- (1) Application. An applicant for registration as a real estate appraiser trainee shall successfully complete the following requirements prior to obtaining registration:
 - (a) Obtain and complete the required application form from the Commission.
 - (b) Provide proof on the application form showing that he or she has obtained a high school diploma or its equivalent.
 - (c) Provide on the application form the name and certificate number of the certified real estate appraiser under whose direct supervision the applicant will serve.
 - (d) Provide the business address of his or her supervising appraiser and use that address as his or her business address. If an applicant has more than one (1) supervising appraiser, then the applicant shall use the business address of at least one (1) of his or her supervising appraisers.
 - (e) Complete an approved thirty (30)-hour course in Appraisal Principles, an approved thirty (30)-hour course in Practices and Procedures, and the fifteen (15)-hour National Uniform Standards of Professional Appraisal Practice Course.
 - (f) On or after January 1, 2015, registered trainees shall be required to complete a seven (7) hour course that, at a minimum, complies with the specifications for course content established by the AQB, which is specifically oriented to the requirements and responsibilities of Supervisory Appraisers and Trainee Appraisers. The course is to be completed by the registered trainee prior to application.
 - (g) Submit with the application a nonrefundable application and registration fee of one hundred twenty-five dollars (\$125.00).
- (2) Upon receipt of a properly completed application form with the required aforementioned documentation and the required fee, the Commission shall review the application to determine whether to issue the applicant a real estate appraiser trainee registration certificate and number.
- (3) Education. Before registration, an applicant for trainee registration shall complete seventy-five (75) hours of courses in subjects related to real estate appraisal, which shall include, but shall not be limited to coverage of the Uniform Standards of Professional Appraisal Practice (hereinafter, "course credit"). An applicant shall complete the required course credit as a prerequisite to applying for registration as a registered trainee. All applicants shall submit evidence of completion of a minimum of an approved thirty (30)-hour course in Appraisal Principles, an approved thirty (30)-hour course in Practices and Procedures, and the fifteen (15)-hour National Uniform Standards of Professional Appraisal Practice Course. An applicant shall also ensure that his or her course credit complies with the following:
 - (a) A course hour is defined as fifty (50) minutes of teaching out of each sixty (60) minute segment.
 - (b) An applicant may obtain course credit only where the minimum length of the education offering is fifteen (15) hours and the individual successfully completes the examination pertinent to that educational offering.
 - (c) An applicant may obtain course credit from the following:
 1. colleges or universities;

(Rule 1255-01-.12, continued)

2. community or junior colleges;
 3. real estate appraisal or real estate related organizations;
 4. proprietary schools; and
 5. other providers approved by the Commission.
- (d) An applicant shall obtain course credit within the five (5)-year period immediately preceding an applicant's submission of his or her application for registration as a registered trainee.
- (e) The content for courses shall include, but is not limited to, coverage of the following real estate appraisal related topics:
1. influences on real estate value;
 2. legal considerations in appraisals;
 3. types of value;
 4. economic principles;
 5. real estate markets and analysis;
 6. valuation process;
 7. property description;
 8. highest and best use analysis;
 9. appraisal statistical concepts;
 10. sales comparison approach;
 11. site value;
 12. cost approach;
 13. income approach;
 14. valuation of partial interests; and
 15. appraisal standards and ethics.
- (4) Experience.
- (a) There is no experience prerequisite for an applicant to become a registered trainee.
 - (b) A registered trainee may have more than one (1) supervising appraiser.
 - (c) A registered trainee shall be subject to direct supervision by a supervising appraiser who shall be a state certified residential real estate appraiser or a state certified general real estate appraiser in good standing.

(Rule 1255-01-.12, continued)

- (d) A registered trainee shall only appraise those properties which the supervising appraiser is permitted to appraise.
 - (e) If a trainee's registration has expired or the trainee is no longer under the supervision of a state certified residential or state certified general real estate appraiser, then the registered trainee shall not perform the duties as a registered trainee until he or she submits an affidavit on a form provided by the Commission which states that he or she has a supervising appraiser. The registered trainee's supervising appraiser shall sign the affidavit stating that he or she is the supervising appraiser responsible for the registered trainee.
 - (f) A registered trainee shall maintain an appraisal log of his or her experience, shall maintain a separate appraisal log for each supervising appraiser, and shall, at a minimum, include the following in the appraisal log:
 - 1. type of property;
 - 2. date of report;
 - 3. address of appraised property;
 - 4. description of work performed by the trainee/applicant and scope of the review and supervision of the supervising appraiser;
 - 5. number of actual work hours by the trainee/applicant on the assignment, up to the maximum allotted by property type;
 - 6. client name and address; and
 - 7. signature and State certification number of the supervising appraiser.
 - (g) A registered trainee may conduct property inspections alone (without being accompanied by the supervising appraiser) only after completing five hundred (500) hours of acceptable experience. In order to conduct property inspections pursuant to this paragraph, the registered trainee shall submit a form to the Commission on which both the registered trainee and the supervising appraiser shall certify the experience.
 - (h) A registered trainee shall comply with the Uniform Standards of Professional Appraisal Practice.
- (5) Examination.
- (a) There is no examination prerequisite for an applicant to become a registered trainee.
 - (b) Once the registered trainee has completed all of the required qualifying education and experience, then the trainee may submit his or her application for license or certificate. The Commission office shall not process an applicant's application if the required qualifying education and experience have not been satisfied or if the application is incomplete. The Commission office shall keep an incomplete application active for six (6) months, unless the applicant requests an extension in writing to the Commission.
- (6) Renewal.
- (a) A registered trainee's registration shall expire two (2) years after the date of issuance.

(Rule 1255-01-.12, continued)

- (b) A registered trainee must renew his or her registration, at least thirty (30) days prior to its expiration, by filing the prescribed form with the Commission and paying a renewal fee of one hundred twenty-five dollars (\$125.00).
 - (c) If a registered trainee fails to file the prescribed form and pay the renewal fee within thirty (30) days prior to its expiration, the registered trainee may, upon payment of a one hundred dollar (\$100.00) late renewal penalty in addition to the renewal fee, apply for renewal. No late renewal will be granted if more than six (6) months has passed since the expiration of the registered trainee's registration. The registered trainee may then reapply to be a registered trainee.
- (7) Continuing Education.
- (a) A registered trainee who remains in the classification of registered trainee in excess of two (2) years shall be required to obtain a minimum of twenty-eight (28) classroom hours of instruction in courses, seminars, workshops, or conferences approved by the Commission prior to the next renewal period (hereinafter, "continuing education").
 - (b) As part of a registered trainee's continuing education, a registered trainee shall complete the seven (7) hour National Uniform Standards of Professional Appraisal Practice Course at least once every two (2) years as defined and required by rule 1255-04-.01(2).
 - (c) A classroom hour is defined as fifty (50) minutes of actual instruction for each sixty (60) minute segment.
 - (d) The Commission may grant continuing education credit only where the length of the educational offering is at least two (2) hours.
 - (e) An applicant may obtain continuing education credit from the following:
 - 1. colleges or universities;
 - 2. community or junior colleges;
 - 3. real estate appraisal or real estate related organizations;
 - 4. state or federal agencies or commissions;
 - 5. proprietary schools; and
 - 6. other providers approved by the Commission.
 - (f) The Commission may grant continuing education credit for educational offerings which are consistent with the purpose of continuing education stated in subparagraph (g) below and cover real estate appraisal topics such as the following:
 - 1. ad valorem taxation;
 - 2. arbitration;
 - 3. business courses related to practice of real estate appraisal;
 - 4. construction estimating;
 - 5. ethics and standards of professional practice;

(Rule 1255-01-.12, continued)

6. land use planning, zoning and taxation;
 7. management, leasing, brokerage and timesharing;
 8. property development;
 9. real estate appraisal (valuations/evaluations);
 10. real estate law;
 11. real estate litigation;
 12. real estate financing and investment;
 13. real estate appraisal related computer applications;
 14. real estate securities and syndication; and
 15. real property exchange.
- (g) The purpose of continuing education is to ensure that a registered trainee participates in a program that maintains and increases his or her skill, knowledge, and competency in real estate appraisal.
- (8) Each registered trainee shall notify the Commission of such registered trainee's current residence and principal place of business, all mailing and other addresses at which the registered trainee is currently engaged in the business of assisting in the preparation of real estate appraisal reports, and the name of the registered trainee's supervising appraiser(s). When a registered trainee changes any of the above addresses or supervising appraiser(s), the registered trainee shall notify the Commission, in writing, of such change within thirty (30) days thereafter.
- (9) No registered trainee may represent him or herself as a licensed or certified appraiser or use the appellation "State Licensed Real Estate Appraiser," "State Certified Residential Real Estate Appraiser," "State Certified General Real Estate Appraiser," or any form thereof, or do any other act which gives or is designed to give the impression that the registered trainee is a licensed or certified real estate appraiser.
- (10) Supervising Appraisers for Registered Trainees.
- (a) Supervisory appraisers shall be state-certified and in "good standing" in the jurisdiction in which the trainee appraiser practices for a period of at least three (3) years. Supervisory appraisers shall not have been subject to any disciplinary action within any jurisdiction within the last three (3) years that affects the supervisory appraiser's legal eligibility to engage in appraisal practice. A supervisory appraiser subject to a disciplinary action would be considered to be in "good standing" three (3) years after the successful completion/termination of the sanction imposed against the appraiser.
 - (b) The supervising appraiser shall sign each written appraisal report, relating to real property in this state, which was prepared by a registered trainee under the supervising appraiser's direct supervision.
 - (c) A supervising appraiser shall ensure that the appraisal reports prepared by the registered trainee are prepared under the supervising appraiser's direct supervision. "Direct supervision" of a registered trainee means that a supervising appraiser shall:

(Rule 1255-01-.12, continued)

1. Accompany the registered trainee and personally inspect each subject property with the registered trainee on all assignments until the trainee has complete five hundred (500) hours of acceptable appraisal experience, and accompany the registered trainee and personally inspect each subject property with the registered trainee on all assignments that are over fifty (50) miles from the supervising appraiser's office, even after the registered trainee has accumulated over five hundred (500) hours of acceptable appraisal experience;
2. Review the registered trainee's appraisal report(s) to ensure the registered trainee's research of general and specific data has been adequately conducted and properly reported, that the registered trainee's application of appraisal principles and methodologies has been properly applied, that the registered trainee's analysis is sound and adequately reported, and that any analyses, opinions, or conclusions of the registered trainee are adequately developed and reported so that the appraisal report is not misleading;
3. Review the registered trainee's work product and discuss with the registered trainee any edits, corrections, or modifications that need to be made to such work product, and make such edits, corrections, or modifications as are required to such work product; and
4. Accept responsibility for the appraisal report by signing the appraisal report and certifying that the appraisal report has been prepared in compliance with the current edition of the Uniform Standards of Professional Appraisal Practice by:
 - (i) making a clear and prominent disclosure that the registered trainee has provided significant real property appraisal assistance in each appraisal report in accordance with Uniform Standards of Profession Appraisal Practice Standards Rule 2-2 and Standards Rule 2-3;
 - (ii) prohibiting the registered trainee from signing any appraisal report or other document involved in the appraisal which states or implies that said trainee is "licensed" or "certified" in any manner, and by prohibiting the registered trainee from engaging in any activity which is limited to licensed or certified appraisers, or which is designed to give third parties the impression that the registered trainee is a licensed or certified appraiser;
 - (iii) ensuring that the registered trainee gains sufficient knowledge, skills, and abilities that will enable such trainee to accomplish all of the following:
 - (I) Define the appraisal problem, which requires the trainee to:
 - I. Identify and locate the real estate;
 - II. Identify the property rights to be valued;
 - III. Identify the use of the appraisal;
 - IV. Define value(s) to be estimated;
 - V. Establish date(s) of value estimate(s);
 - VI. Identify and describe the scope of the appraisal; and

(Rule 1255-01-.12, continued)

- VII. Identify and describe limiting conditions.
- (II) Conduct preliminary analysis, and select and collect applicable data, which requires the trainee to:
- I. Identify general data (regional, city, and neighborhood)-social, economic, governmental and environmental factors;
 - II. Identify specific data (subject and comparables)-site and improvement, cost and depreciation, income/expense and capitalization rate, history of ownership and use of property; and
 - III. Identify competitive supply and demand in the subject market (inventory of competitive properties, sales and listings, vacancies and offerings, absorption rates, demand studies).
- (III) Conduct an analysis of the subject property, which requires a trainee to analyze:
- I. Site improvements;
 - II. Size;
 - III. Costs;
 - IV. Elements of comparison; and
 - V. Units of comparison;
- (IV) Conduct a highest and best use analysis (specified in terms of use, time, and market participants), which requires a trainee to analyze:
- I. Land as if vacant and available; and
 - II. Property as improved (existing or proposed).
- (V) Estimate land value, including on-site improvements.
- (VI) Estimate value of the property using each of the three approaches to value-cost, sales comparison and income capitalization.
- (VII) Reconcile each value indication and reconcile the final value estimate.
- (VIII) Report estimate(s) of value(s) as defined.
- (d) A supervising appraiser may supervise a maximum of three (3) registered trainees at one time.
- (e) A supervising appraiser shall keep copies of appraisal reports for a period of at least five (5) years or at least two (2) years after final disposition of any judicial proceeding in which testimony was given, whichever period expires last. The supervising appraiser

(Rule 1255-01-.12, continued)

shall allow the registered trainee to have reasonable access to his or her appraisal reports that he or she prepared upon the registered trainee's request for copies of the reports.

- (f) A supervising appraiser shall notify the board in writing if he or she is no longer the supervising appraiser for a registered trainee within thirty (30) days thereafter. If the disassociation is for cause, the cause shall be communicated to the Commission.
- (g) On or after January 1, 2015, supervisory appraisers shall be required to complete a seven (7) hour course that, at a minimum, complies with the specifications for course content established by the AQB, which is specifically oriented to the requirements and responsibilities of supervisory appraisers and trainee appraisers. The course is to be completed by the supervisory appraiser prior to supervising a trainee appraiser.
- (h) In any appraisal in which a registered trainee has inspected a subject property, the supervising appraiser is also required to disclose in the appraisal report whether the supervising appraiser has inspected the subject property both inside and out, and whether the supervising appraiser has made an exterior inspection of all comparable sales relied upon in the appraisal.

Authority: T.C.A. §§ 62-39-105, 62-39-203, 62-39-204, 62-39-303, 62-39-304, 62-39-317, 62-39-324, and 62-39-333. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991. Amendment filed October 26, 1993, effective January 11, 1994. Amendment filed December 16, 1997; effective March 1, 1998. Amendment filed January 19, 2001; effective April 5, 2001. Repeal and new rule filed December 13, 2004; effective February 26, 2005. Repeal and new rule filed December 6, 2007; effective February 19, 2008. Amendments filed August 27, 2009; effective November 25, 2009. Emergency rule filed December 30, 2015; effective through June 28, 2015. The emergency rule expired on June 29, 2015 and reverted to its previous status. Amendment files July 20, 2015; effective October 18, 2015..

1255-01-.13 REPLACEMENT LICENSE OR CERTIFICATE. A license or certificate holder may, by filing the prescribed form and paying a fee of twenty-five (\$25.00) to the Commission, obtain a duplicate license or certificate to replace an original license or certificate which has been lost, damaged or destroyed or if the name of the licensee or certificate holder has been lawfully changed.

Authority: T.C.A. §§ 62-39-203, 62-39-204, 62-39-206 and 62-39-333, as amended by 1991 Public Acts, Chapter 366. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991. Amendment filed December 6, 2007; effective February 19, 2008.

1255-01-.14 FEDERAL APPRAISER REGISTRY. Licensees and certificate holders who are qualified for enrollment in the federal roster or registry of state-licensed and state-certified real estate appraisers must apply for enrollment or reinstatement of such enrollment in same upon a form approved by the Commission accompanied by the fee established for that purpose by the appropriate federal agency or instrumentality.

Authority: T.C.A. §§ 62-39-203, 62-39-204 and 62-39-333, as amended by 1991 Public Acts, Chapter 366. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991. Amendment filed December 6, 2007; effective February 19, 2008.

1255-01-.15 NOTICE TO COMMISSION OF ADDRESSES AND CHANGES OF ADDRESS.

- (1) Each state licensed or certified real estate appraiser shall notify the Commission in writing of the address of such appraiser's principal place of business, such appraiser's current residential address, and all such other mailing addresses and addresses at which the appraiser is currently engaging in the business of preparing real property appraisal reports.

(Rule 1255-01-.15 continued)

Whenever a state licensed or certified appraiser changes a principal place of business, residence, mailing address, or other address at which the appraiser is engaged in the practice of real estate appraising, such appraiser shall, within thirty (30) days after such change, notify the Commission of such change in writing.

Authority: T.C.A. §§ 62-39-203, 62-39-204 and 62-39-317. **Administrative History:** Original rule filed August 27, 2009; effective November 25, 2009.

1255-01-.16 FINGERPRINTING.

- (1) Any applicant for initial registration, licensure, or certification who is required to submit a complete and legible set of fingerprints for the purpose of obtaining a criminal background check pursuant to T.C.A. § 62-39-301 shall submit said fingerprints in an electronic format.
 - (a) An applicant for initial registration, licensure, or certification shall be deemed to have supplied the required set of fingerprints if that applicant causes a private company contracted by the State to electronically transmit that applicant's classifiable prints directly to the TBI and FBI to forward an electronic report based on that applicant's fingerprints to the Commission.
 - (b) All sets of classifiable fingerprints required by this rule shall be furnished at the expense of the applicant for initial registration, licensure, or certification.
 - (c) The applicant for initial registration, licensure, or certification shall make the arrangements for the processing of his or her fingerprints with the company contracted by the State to provide electronic fingerprinting services directly and shall be responsible for the payment of any fees associated with processing of fingerprints to the respective agent authorized by the TBI and FBI.
 - (d) All applicants for initial registration, licensure, or certification shall in all cases be responsible for paying application fees for registration, licensure, or certification as established by the Commission in addition to any fees required to submit a complete and legible set of fingerprints pursuant to T.C.A. § 62-39-102.
- (2) In the event that an applicant for initial registration, licensure, or certification furnishes unclassifiable fingerprints or fingerprints which are unclassifiable in nature, the Commission shall refuse to issue the requested registration, license, or certification.
 - (a) For the purposes of this rule "unclassifiable fingerprints" means that the electronic scan or the print of the person's fingerprints cannot be read and, therefore, cannot be used to identify the person.
 - (b) Should an applicant for initial registration, licensure, or certification's fingerprints be rejected by the TBI or FBI, the applicant shall pay any fees assessed by the TBI or FBI for resubmission.
- (3) The provisions of this rule shall apply to any applicant applying for initial registration, licensure, or certification on or after January 1, 2015.

Authority: 2014 Pub. Chap. 621, T.C.A. §§ 62-39-102, 62-39-203, and 62-39-301. **Administrative History:** Emergency rule filed December 30, 2014; effective through June 28, 2015. The emergency rule expired on June 29, 2015 and reverted to its previous status. Amendment files July 20, 2015; effective October 18, 2015..