

PROSPECTIVE ANALYSIS
BOARD OF REAL ESTATE APPRAISERS

IDAPA 24.18.01

RULE 100.02 EXPERIENCE REQUIREMENTS

Proposed Rule:

There are three requirements for licensure: (1) education; (2) experience; and (3) examination. The most significant changes to these draft rules are to the type of acceptable work experience required for licensure. The proposed rule aligns with recent changes on a state and federal level to facilitate aspiring appraisers to fulfill their experience requirements.

The proposed rule broadens acceptable work experience for trainee appraisers to reduce barriers to state certification. The proposed rule allows work experience credit for experience gained under the Practical Applications of Real Estate Appraisal (PAREA) program.

PAREA provides an alternative pathway to licensure by allowing experience in a virtual environment, rather than strictly in a field environment. The Appraisal Qualifications Board (AQB) adopted PAREA in October of 2020 as an alternative to the traditional supervisor/trainee model. The Appraisal Foundation estimates that around 42 states have adopted PAREA currently, with additional states in various states of the rulemaking/legislative process.

The proposed rule states that acceptable experience may be as a (1) registered trainee; (2) a licensed appraiser; (3) or as a participant in an AQB accredited PAREA program.

Current Rule:

The current rule allows for experience requirements to be gained through experience as a licensed appraiser or registered trainee appraiser. Presently, only field real estate appraisal experience is accepted. Field real estate appraisal experience requires personal inspection of real property.

Legal Authority:

Idaho Code Section 54-4106. Discretionary as to rulemaking but regulations must be in compliance with Federal standards. The Federal standards for state certification are set by the Appraisal Qualifications Board (AQB). The Federal standards provide a floor for what is permitted but states may adopt more stringent standards.

Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?

Federal law imposes strict standards on both Trainee Appraisers and Supervisory Appraisers. Under the current standards, all Trainee Appraisers must have field experience which requires a personal inspection of the real property. In lieu of a personal inspection, PAREA allows for experience in a virtual environment using multiple types of technologies. It also allows program "mentors" rather than Supervisory Appraisers.

What evidence is there that the rule, as proposed, will solve the problem?

The rule will provide an alternative pathway to licensure that allows an additional means to obtain required experience. Because this experience can be done in a virtual environment, it is more accessible to a wide variety of potential applicants. Allowing an additional pathway to licensure helps reduce barriers.

Federal Law Comparison (where applicable)

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Under Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) the Appraiser Qualifications Board (AQB) establishes the minimum education, experience, and examination requirements for real property appraisers. The criteria for PAREA was adopted by the AQB on October 16, 2020 and became effective January 1, 2021.	N/A

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Alaska	<p>Alaska is in the rulemaking legislation process.</p> <p>The link for surrounding state's progress on PAREA is below and can be utilized for all states on this chart:</p> <p>https://www.appraisalfoundation.org/imis/TAF/Resources/Educators/PAREA/TAF/PAREA.aspx?hkey=ffa536dc-bbdd-4f6f-a12a-1e6df1cdaa1f</p>	N/A
Montana	<p>Montana has adopted AQB standards in their entirety and is not specified in the state's own administrative rules. Consequently, Montana has already fully adopted PAREA.</p> <p>https://rules.mt.gov/gateway/ChapterHome.asp?Chapter=24%2E207</p>	N/A
Nevada	Nevada is "in considerations/discussions" to adopt PAREA.	N/A
Oregon	Oregon is in the rulemaking/legislation process for adoption of PAREA	N/A
South Dakota	South Dakota has fully adopted PAREA.	N/A
Utah	Utah has fully adopted PAREA	N/A
Washington	Washington is in the rulemaking/legislation process for adoption of PAREA.	N/A

Wyoming	Wyoming is in the rulemaking/legislation process for adoption of PAREA.	N/A
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If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

Not applicable.

Anticipated impact of the proposed rule on various stakeholders:

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	N/A
Impact to Idaho businesses, with special consideration for small businesses	N/A
Impact to any local government in Idaho	N/A

Rule 100.08 CONTINUING EDUCATION

Proposed Rule:

The proposed rule reduces the number of continuing education credits (CE's) required per renewal cycle from thirty (30) hours to twenty-eight (28) hours. This must be done in a twenty-four (24) month period preceding the renewal.

Additionally, the AQB has mandated that all appraisers must successfully complete a course which meets the content requirements of the Valuation Bias and Fair Housing Laws and Regulations Outline every two calendar years. AQB's addition of this topic was adopted in 2023 and will be incorporated into its criteria with an effective date of January 1, 2026. Adding this topic to the proposed rule ensures that the rules conform to AQB's standards which set the floor for compliance.

The seven (7) hour USPAP update course remains in rule because it is required under the standards for continuing education.

Current Rule:

Thirty (30) hours of continuing education per renewal cycle (24 months preceding renewal). This includes the seven (7) hour USPAP update course.

Legal Authority:

Idaho Code Section 54-4106. Discretionary as to rulemaking but regulations must be in compliance with Federal standards. The Federal standards for state certification are set by the Appraisal Qualifications Board (AQB). The Federal standards provide a floor for what is permitted but states may adopt more stringent standards.

Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?

The proposed rule is attempting to align Idaho with our surrounding states and the AQB standards by reducing the number of Continuing education courses from thirty (30) hours to twenty-eight (28).

The addition of the topic of "Valuation Bias and Fair Housing Regulations" was adopted by the AQB and is required for all appraisers:

<https://appraisalfoundation.sharefile.com/share/view/s64de8b27897045ec98de22c6ab011865>

What evidence is there that the rule, as proposed, will solve the problem?

Idaho will no longer be more stringent than our surrounding states because two fewer hours of CE's will be required of licensees. Twenty-eight hours of CE's is the minimum number set by federal standards.

Federal Law Comparison (where applicable)

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
The Financial Institutions Reform, Recovery and Enforcement Act (FIRREA) established regulations for savings and loan real estate appraisals. This established a regulatory system involving the federal government, the states, and the Appraisal	N/A

Foundation. The Idaho State Board of Real Estate Appraisers is subject to Federal regulation under FIRREA.	
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State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Alaska	14 hours of continuing education for trainee appraisers to renew certificate for 24-month renewal cycle; 28 hours per 24 month renewal cycle for other licensees. chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.commerce.alaska.gov/web/portals/5/pub/AppraisersStatutes.pdf	
Montana	28 hours every other renewal period (renewal cycle is one year). Must include 7 hours of National USPAP update course. Continuing Ed is subject to audit by board based upon percentage of licensees. https://rules.mt.gov/gateway/ChapterHome.asp?Chapter=24%2E207	N/A

Nevada	<p>Renewal is on a two-year cycle. Proof of completion of at least 30 hours of Commission approved continuing education courses, including 7 hours of USPAP update. May be satisfied through distance education.</p> <p>https://www.leg.state.nv.us/nac/nac-645c.html</p>	N/A
Oregon	<p>28 hours of continuing education per renewal cycle. Renewal is every two years.</p> <p>https://secure.sos.state.or.us/oard/displayChapterRules.action?selectedChapter=1</p>	N/A
South Dakota	<p>28 hours of continuing education per renewal cycle. Renewal is every two years.</p> <p>https://sdlegislature.gov/Statutes/Codified_Laws/2060764</p>	N/A
Utah	<p>Licensure is on a two-year renewal cycle. 28 hours of continuing education is required, which includes the 7-hour USPAP National Update Course.</p> <p>https://le.utah.gov/xcode/Title61/Chapter2G/61-2g.html?v=C61-2g_1800010118000101</p>	N/A
Washington	<p>Licensure is on a two-year renewal cycle. 28 hours of continuing education is required, which includes the 7-hour USPAP National Update Course.</p> <p>Licensure cycle is pegged to birthday.</p> <p>https://www.dol.wa.gov/business/appraisers/</p>	N/A
Wyoming	<p>28 hours per two-year renewal cycle, which includes 7-hour USPAP update. Distance education may be used. All AQB courses are automatically approved.</p>	N/A

	https://drive.google.com/file/d/1y5yJdgq0V0IU8vR9nUn4kjuqNR0qHsmB/view	
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If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

The proposed Idaho rule would align with the Federal standards and our surrounding states.

Anticipated impact of the proposed rule on various stakeholders:

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	N/A
Impact to Idaho businesses, with special consideration for small businesses	N/A
Impact to any local government in Idaho	N/A