

Department of Commerce Division of Real Estate & Professional Licensing

BASE INVENTORY OF REGULATORY RESTRICTIONS

CONTACT NAME

E-MAIL ADDRESS

PHONE NUMBER

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1301:11-1-01		The real estate appraiser board shall publish a notice at least	ORC 4763.03	No, general rulemaking authority	No, general rulemaking authority
1301:11-1-02		The Superintendent shall cause a mailing list to be maintained of all persons who have requested notification, any person wishing to receive notification shall notify the Superintendent that they wish to be included, if a media representative requests notice of special meetings the media representative shall also provide no more than 2 telephone numbers, the Superintendent shall cause a notice to be distributed to all persons on the mailing list at least 5 calendar days before each regularly scheduled meeting, the Superintendent shall cause all reasonable efforts to be made to provide notice for shall	ORC 4763.03	No, general rulemaking authority	No, general rulemaking authority

1301:11-1-03

The applicable nonrefundable fees shall be assessed by the real estate appraiser board as follows, a \$175 fee for initial certification as a general real estate appraiser or residential real estate appraiser must be submitted with the initial application, a \$125 fee for the annual renewal must be submitted with the renewal application, the late filing fee must be submitted with the renewal application, for purposes of funding, a fee of \$50 shall be assessed against each person following successful completion of the examination, the assessment must be paid to the division, an application fee of \$50 shall be assessed against each person issued a temporary registration, the assessment must be paid to the division prior to actual issuance, at the first meeting of the board, the board shall determine the amount due from each applicant, if the board determines that a change in fees is necessary, the board shall adopt rules, in accordance with section 1109, a federal registry fee shall be assessed against each person issued a certificate or license, the assessment must be paid to the division prior to actual issuance, any increase in the fee shall be assessed upon notice to all appraisers, for purposes of the fund, a fee of \$50 shall be assessed against each person issued a license, certificate or registration, the assessment must be paid to the division, the applicable nonrefundable fees shall be assessed as follows, for purposes of the fund, a fee of \$50 shall be assessed against each person issued an initial registration as an assistant, the assessment must be paid to the division prior to actual issuance.

ORC 4763.03, 4763.05, 4763.09

Yes, both state and federal law

Yes, both state and federal law

1301:11-1-08	<p>A person may obtain a appraiser license provided all the following are satisfied, when any notice by registered mail is returned, the agency shall send the notice by ordinary mail, if any notice is returned, the agency either shall make personal delivery or shall cause a summary to be published, when notice is given by publication, a proof shall be mailed by ordinary mail to the person, a person may obtain a residential real estate appraiser certificate provided all are satisfied, when any notice is returned, the agency shall send the notice by ordinary mail, if any notice sent registered or ordinary mail is returned, the agency shall make personal delivery or cause a summary of the notice to be published, when notice is given by publication, a proof shall be mailed to the person, a person may obtain a real estate appraiser certificate provided all of the following are satisfied, the agency shall send the notice by ordinary mail to the person's last known address, if certified or ordinary mail is returned, the agency shall make personal delivery or cause a summary of substantive provisions of the notice to be published, when notice is given by publication, a proof shall be mailed to the person by ordinary mail, upon notice that an application is incomplete or incorrect as filed, the applicant shall within 30 days submit to the division the requested information or corrected application, failure to submit either shall constitute just cause for the Superintendent to void the application.</p>	ORC 4763.03, 4763.05	Yes, state law	Yes, state law
1301:11-1-09	<p>For purposes of the ORC, the stenographic record shall be provided by the division's use, such recording shall serve as an official record, advance written notice shall be provided to the division by the requesting party, all scheduling shall be the responsibility of the requesting party, the testimony shall be transcribed at the cost of the requesting party, the cost of the transcript shall be the responsibility of the party requesting the transcript.</p>	ORC 119.09, 4763.05, 4763.10, 4763.11	Yes, state law	Yes, state law

1301:11-1-10	The settlement agreement shall contain the following information, if a settlement agreement is entered, the formal hearing shall be postponed pending the presentation of the settlement agreement terms, if the appraiser board approves the settlement agreement, then the formal hearing shall be cancelled, the Superintendent shall not enter into any settlement agreements with an appraiser if the Superintendent knows it is not the appraiser's free and voluntary act, if the board rejects or modifies the settlement agreement terms, then the matter shall be returned to the division for additional investigation or shall be set for hearing, the appraiser will cease and desist all activity and will not apply in the future.	ORC 4763.11	Yes, state law	Yes, state law
1301:11-3-01	Nationally recognized appraisal organization means an organization which offers the classroom instruction to all individuals and does not require individuals to be a member of the organization to enroll and complete the instruction.	ORC 4763.05	No, general rulemaking authority	No, general rulemaking authority
1301:11-3-03	An applicant for a residential real estate appraiser license shall comply with the following, the applicant shall complete 150 classroom hours of instruction, 15 of the 150 shall include the successful completion of the national uniform standards of professional appraisal practice, equivalency shall be determined by the qualifications board, at least one of the instructors must be an instructor certified by the board and in good standing, the required core curriculum shall also include 30 hours of basic appraisal principles etc., an applicant shall comply with both of the following, the applicant shall satisfy one of the following college level education requirements, any college-level education must be obtained from a degree-granting institution, the applicant shall complete 200 classroom hours of instruction, 15 of the 200 hours shall include the successful completion of the national uniform standards of professional appraisal practice, equivalency shall be determined by the board approval program or by an alternate method, at least one of the course instructors must be an instructor certified by the board in national uniform standards, the required core curriculum shall also include 30 hours of instruction in basic appraisal principles, the applicant shall comply with both of the following, the applicant shall hold a bachelor's degree or higher degree, the college or university must be a degree-granting institution, the applicant shall complete 300 hours of instruction, 15 of the 300 hours shall include the successful completion of the national uniform standards of professional appraisal practice course or its equivalent, equivalency shall be determined by the	ORC 4763.05	Yes, both state and federal law	Yes, both state and federal law

1301:11-3-05	<p>Applicants seeking a license shall do the following, 1000 hours must be achieved over a period of not less than 6 months, 1000 hours of experience must be achieved either while registered so long as the state's requirements meet or exceed the requirements, 1000 hours of experience required must be achieved under the supervision of a certified real estate appraiser, a certified appraiser who is supervising applicant shall be known as the supervisory appraiser pursuant to this rule, an assistant may not have more than 1 supervisory appraiser, a certified appraiser may not supervise more than three assistants at any one time, an appraisal log shall be maintained by the assistant and each supervisory appraiser jointly, both shall share responsibility to ensure the log is accurate, current and complies with this rule, at a minimum the log shall include the following, separate appraisal logs shall be maintained for each supervisory appraiser, an applicant seeking a appraiser certificate shall do the following, 1500 hours of experience required in (B)(1) must be achieved over a period of not less than 12 months, 1500 hours of experience must be achieved while registered as a state registered or licensed assistant or appraiser or in another state so long as that state's requirements meet or exceed the requirements, 1500 hours of experience must be under the supervision of an Ohio certified or any state certified so long as that state's meet or exceed the requirements of the board, any experience that exceeds the scope of appraiser license must be obtained while under the supervision of an Ohio certified real estate appraiser or state</p>	ORC 4763.05	Yes, both state and federal law	Yes, both state and federal law
1301:11-3-05	<p>An applicant for a general appraiser certificate or residential appraiser license or certificate shall satisfy all fee, education, experience and background as required by ORC 4763.05, an applicant shall achieve a passing score for a license or a certificate or a general certificate, an applicant must take the examination in accordance with instructions from the vendor, the applicant shall have 12 months to achieve a passing score, if the applicant doesn't achieve a passing score, the applicant's file shall be closed, the applicant must notify the division of any change in application status that occurs, the examination shall include but not limited to the following content areas, each applicant shall bring to the examination and submit at least one form of government photo id.</p>	ORC 4763.05	Yes, both state and federal law	Yes, both state and federal law

1301:11-3-06	<p>Each temporary appraiser registration shall expire 6 months after the issuance date or upon completion of the work required, a temporary registration shall be expressly limited to a grant of authority to perform the appraisal assignment, the registration shall be on a form prescribed by the Superintendent and shall be accompanied by a fee, the form shall include the following information, including information sufficient to identify the appraisal assignment or specialized service but shall not require the applicant to divulge any information which would breach the applicant duty of confidentiality to his client, persons granted a temporary registration shall not advertise or hold themselves out as being certified or licensed in Ohio.</p>	ORC 4763.05	Yes, both state and federal law	Yes, both state and federal law
1301:11-3-08	<p>Within 10 days after the filing an application, an applicant shall submit fingerprints to BCI&I, the applicant shall pay any required fee for the criminal records check.</p>	ORC 4763.05, 4763.09	Yes, state law	Yes, state law
1301:11-4-02	<p>At the time the application is submitted, an applicant shall demonstrate that no more than 5 years prior, the applicant successfully completed the following courses, course content must meet the requirements found in paragraph (K), equivalency shall be determined by the appraiser board approval program, at least one course instructor must be an instructor certified by the qualifications board in national uniform standards, an applicant shall satisfy the requirements in this rule through distance education or classroom hours of instruction, distance education must satisfy the requirements of (D) and be obtained from a nationally or state recognized appraisal or organization, hours of instruction must be approved by the board, classroom hours may only be obtained where the minimum length of the course offering is 15 hours and the individual shall successfully complete a closed-book examination, the examination must be proctored by an official, experience shall not be substituted for education, upon notice, the applicant shall within 30 days submit to the division the additional information requested or corrected application, failure to submit such shall constitute just cause for the Superintendent to void the application.</p>	ORC 4763.05	Yes, both state and federal law	Yes, both state and federal law

1301:11-7-01	<p>An appraiser shall submit to the division such information as the Superintendent or board any require for continuing education, seven hours shall be in the national uniform standards, equivalency shall be determined through the board course approval program or alternate method, the requirements of this rule must be satisfied through distance education, non-academic credit college courses must be approved by the board, continuing education instruction obtained in excess of 14 classroom hours may not be used to meet the requirements for any future reporting period, no state appraiser shall receive credit for more than 8 hours of continuing education in any calendar day unless it is distance education.</p>	ORC 4763.03, 4763.07	Yes, both state and federal law	Yes, both state and federal law
1301:11-7-02	<p>An applicant shall apply to the division on a form prescribed by the division along with the nonrefundable fee, the form and fee must be submitted at least 30 days prior, upon notice, the applicant shall submit to the division the additional requested information or corrected application, failure to timely submit shall constitute just cause for the Superintendent to void the application, a course provider shall remit to the division the following, instructors who present a continuing education course shall submit documentation to the division through a form that meets the following, the national uniform standards shall only be awarded credit when the course is provided, each continuing education course shall be open to all appraisers on an equal basis, an examination shall not be a requirement for successful completion, each course provider shall notify the division of an addition of an offering date or change, the course provider must submit in writing a roster required under (H)(3) along with fees, the offering course providers must issue certificates, any certificate incorrectly issued must be reissued, no approved course providers shall certify attendance of a person who was not physically present, all offering must be completed, offering course providers shall maintain for 5 years a record of attendance disclosing the following information, the course provider shall certify the items in (G)(1) and furnish a copy to the attendee, each course provider shall submit to the division a list of appraisers who successfully completed the course, the list shall include the following, the division shall keep a current list of approved continuing education courses which</p>	ORC 4763.07	Yes, both state and federal law	Yes, both state and federal law















