Rules and Regulations of the State of Georgia

Department 539 RULES OF GEORGIA REAL ESTATE APPRAISERS BOARD

Current through Rules and Regulations filed through November 6, 2026

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ADMINISTRATIVE HISTORY

The **Administrative History** following each Rule gives the date on which the Rule was originally filed and its effective date, as well as the date on which any amendment or repeal was filed and its effective date. Principal abbreviations used in the Administrative History are as follows:

f. -- filed

eff. -- effective

R. -- Rule (Abbreviated only at the beginning of the control number)

Ch. -- Chapter (Abbreviated only at the beginning of the control number)

ER. -- Emergency Rule

Rev. -- Revised

Note: Emergency Rules are listed in each Rule's Administrative History by Emergency Rule number, date filed and effective date. The Emergency Rule shall be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule is adopted, as specified by the Agency.

Chapter 539-4 entitled "Procedural Rules" has been adopted. Filed August 16, 1990; effective September 5, 1990.

Chapters 539-1 entitled "Substantive Regulations", 539-2 entitled "Standards for appraisal Courses", 539-3 entitled "Standards for Appraisals" have been adopted. Filed September 25, 1990; effective October 15, 1990.

Rule 539-2-.03 has been amended. Filed January 30, 1991; effective February 19, 1991.

Rules 539-1-.02, .09, .15, 539-2-.09, .12 have been amended. Rule 539-1-.16 has been adopted. Filed May 8, 1991; effective May 28, 1991.

Rules 539-1-.15, 539-2-.01, .03 have been amended. Filed June 28, 1991; effective July 18, 1991.

Rules 539-2-.01, .05, .08 have been amended. Filed September 30, 1991; effective October 20, 1991.

Rules 539-1-.08 and 539-3-.09 have been amended. Rule 539-3-.12 has been adopted. Filed March 12, 1992; effective April 1, 1992.

Rules 539-1-.16 and 539-2-.05 have been amended. Rule 539-1-.17 has been adopted. Filed June 10, 1992; effective June 30, 1992.

Rule 539-1-.02, .16 have been amended. Filed July 14, 1992; effective September 1, 1992, as specified by the Agency.

Rules 539-1-.04 to .08, .10, .11, .13, .14 have been amended. Filed September 16, 1992; effective October 6, 1992.

Rule 539-2-.01 has been amended. Filed September 16, 1992; effective January 1, 1993, as specified by the Agency.

Rule 539-2-.05 has been amended. Filed December 8, 1992; effective December 28, 1992.

Rules 539-1-.02 to .04, .12, .16, 539-2-.01, .03, .05, 539-3-.01 to .03, .05 to .09, .11, .12 have been amended. Rules 539-3-.13, .14, .15 have been adopted. Filed March 10, 1993; effective March 30, 1993.

Rules 539-2-.03 to .05 have been amended. Filed June 8, 1993; effective June 28, 1993.

Rule 539-1-.05 has been amended. Filed September 15, 1993; effective October 5, 1993.

Rule 539-1-.16 has been amended. Filed November 16, 1993; effective December 6, 1993.

Chapter 539-3 has been amended. Filed January 12, 1994; effective February 1, 1994.

Rules 539-1-.16, 539-2-.03 have been amended. Filed March 9, 1994; effective March 29, 1994.

Rules 539-1-.15 and 539-2-.01 have been amended. Filed May 16, 1994; effective June 5, 1994.

Rules 539-3-.01, .06, .08 have been amended. Filed July 19, 1994; effective August 8, 1994.

Rules 539-1-.08, .16, 539-2-.03, .05, .07 have been amended. Filed September 21, 1994; effective October 11, 1994.

Rule 539-3-.09 has been amended. Filed November 16, 1994; effective December 6, 1994.

Rule 539-3-.07, .08 have been amended. Filed January 24, 1995; effective February 13, 1995.

Rules 539-1-.01, 539-3-.06, and 539-4-.01 have been amended. Filed March 27, 1995; effective April 16, 1995.

Rule 539-1-.15 has been amended. Filed May 19, 1995; effective June 8, 1995.

Rules 539-1-.07, .08, and 539-2-.03 have been amended. Chapter 539-4 has been repealed and a new Chapter adopted. Filed August 2, 1995; effective August 22, 1995.

Rule 539-3-.06 has been repealed and a new Rule adopted. Filed September 15, 1995; effective October 5, 1995.

Rule 539-1-.16 has been amended. Filed November 1, 1995; effective November 21, 1995.

Rules 539-3-.01, .08 have been amended. Filed January 22, 1996; effective February 11, 1996.

Rules 539-1-.02, .05, .08, 539-2-.02, .05, .06, .09 have been amended. Rule 539-2-.14 has been adopted. Chapter 539-5 entitled "Standards for Appraiser Course Instructors" has been adopted. Filed July 22, 1996; effective August 11, 1996.

Rule 539-1-.16 has been amended. Filed December 6, 1996; effective December 26, 1996.

Rules 539-1-.18, .19, .20 have been adopted. Filed January 15, 1997; effective February 4, 1997.

Rules 539-2-.01 has been amended. Filed April 1, 1997; effective April 21, 1997.

Rules 539-3-.01, .02, .08, .11, .13, .15 have been amended. Filed May 22, 1997; effective June 11, 1997.

Rules 539-1-.02, .16 have been amended. Chapter 539-3 has been repealed and a new Chapter adopted. Filed September 26, 1997; effective October 16, 1997.

Rules 539-1-.08, .16 have been amended. Filed June 8, 1998; effective June 28, 1998.

Chapter 539-2 has been amended. Filed October 6, 1998; effective October 26, 1998.

Rule 539-3-.02 has been amended. Filed February 2, 1999; effective February 22, 1999.

Rule 539-1-.21 has been adopted. Filed July 22, 1999; effective August 11, 1999.

Rules 539-1-.05, .06 and 539-3-.03 have been amended. Filed January 21, 2000; effective February 10, 2000.

Rules 539-1-.16 and 539-3-.02 have been amended. Filed May 19, 2000; effective June 8, 2000.

Rule 539-1-.02 has been amended. Filed May 19, 2000; effective July 1, 2000, as specified by the Agency.

Rule 539-1-.02 has been amended. Filed June 2, 2000; effective July 1, 2000, as specified by the Agency.

Rules 539-1-.13, 539-2-.01, .02, .04, and 539-5-.02, .03 have been amended. Filed July 21, 2000; effective August 10, 2000.

Rule 539-1-.01 A entitled "Definitions" has been adopted. Rules 539-1-.21, 539-4-.02, .03 have been amended. Filed September 29, 2000; effective October 19, 2000.

Rules 539-1-.04 and 539-3-.03 have been amended. Filed January 26, 2001; effective February 15, 2001.

Rules 539-1-.02, 539-2-.01, and 539-5-.03 have been amended. Rule 539-1-.22 has been adopted. Filed March 22, 2001; effective April 11, 2001.

Rule 539-1-.21 has been amended. Filed July 27, 2001; effective August 16, 2001.

Rule 539-2-.02 has been amended. Filed September 20, 2001; effective October 10, 2001.

Rules 539-1-.16, 539-3-.01, .02, .04 have been amended. Rules 539-2-.15, .16 have been adopted. Filed January 25, 2002; effective February 14, 2002.

Rule 539-1-.02 has been amended. Filed January 25, 2002; effective April 1, 2002, as specified by the Agency.

Rule 539-1-.05 has been amended. Filed January 25, 2002; effective July 1, 2002, as specified by the Agency.

Rule 539-1-.02 has been amended. Filed July 19, 2002; effective September 1, 2002, as specified by the Agency.

Rules 539-1-.08, .16, and .17 have been amended. Chapter 539-4 has been amended. Filed November 22, 2002; effective December 12, 2002.

Rules 539-1-.16 and 539-2-.05 have been amended. Filed March 20, 2003; effective April 9, 2003.

Rule 539-1-.08 has been amended. Filed May 22, 2003; effective June 11, 2003.

Rule 539-1-.16 has been amended. Filed January 26, 2004; effective February 15, 2004.

Rule 539-1-.16 has been amended. Filed May 24, 2004; effective June 13, 2004.

Rule 539-3-.01 has been amended. Filed September 23, 2004; effective October 13, 2004.

Rule 539-1-.01 has been amended. Filed November 18, 2004; effective December 8, 2004.

Rules 539-1-.15, .16, 539-2-.01, and .03 have been amended. Filed May 2, 2005; effective May 22, 2005.

Rule 539-1-.03 has been amended. Filed June 6, 2005; effective July 6, 2005.

Rules 539-1-.15 and .16 have been amended. Filed September 12, 2005; effective October 12, 2005.

Rules 539-2-.03 and .05 have been amended. Filed March 15, 2006; effective July 1, 2006, as specified by the Agency.

Rules 539-1-.16 and 539-3-.01 to .03 have been amended. Rule 539-3-.04 has been repealed. Filed June 22, 2006; effective August 1, 2006, as specified by the Agency.

Rules 539-1-.01 A, .03 and .05 have been amended. Rules 539-1-.04 and .06 have been repealed and new Rules adopted. Filed October 18, 2006; effective November 7, 2006.

Rule 539-1-.02 has been amended. Filed October 18, 2006; effective January 1, 2007, as specified by the Agency.

Rules 539-1-.08 and 539-2-.03 have been amended. Filed August 28, 2007; effective September 17, 2007.

Rule 539-1-.16 has been amended. Filed March 6, 2008; effective March 31, 2008, as specified by the Agency.

Rule 539-3-.02 has been amended. Filed July 24, 2008; effective August 31, 2008, as specified by the Agency.

Rules 539-5-.01 and .03 have been amended. Filed April 13, 2009; effective May 3, 2009.

Rules 539-1-.01 A and 539-3-.02 have been amended. Rule 539-1-.23 has been adopted. Filed August 18, 2009; effective September 7, 2009.

Rules 539-1-.01 A, .02, .05, .08, and .23 have been amended. Filed September 14, 2010; effective October 4, 2010.

Rule 539-3-.02 has been amended. Filed November 8, 2010; effective November 28, 2010.

Rule 539-1-.02 amended. F. Nov. 17, 2011; eff. Dec. 7, 2011.

Rule 539-1-.24 adopted. F. Aug. 30, 2012; eff. Sep. 19, 2012.

Rule 539-3-.04 adopted. F. Feb. 26, 2013; eff. Mar. 18, 2013.

Rule 539-1-.05 amended. F. Jun. 10, 2013; eff. Jul. 1, 2013, as specified by the Agency.

Rules 539-1-.16, 539-1-.23, and 539-3-.02 amended. F. Oct. 28, 2013; eff. Nov. 17, 2013.

Rules 539-1-.05, .06, .10, .14, .18, 539-2-.04, 539-2-.13, and 539-5-.05 amended. F. Jan. 24, 2014; eff. Feb. 15, 2014, as specified by the Agency.

Rule 539-3-.02 amended. F. Feb. 21, 2014; eff. Mar. 15, 2014, as specified by the Agency.

Rule 539-1-.08 amended. F. Aug. 21, 2014; eff. Sep. 10, 2014.

Rules 539-2-.03, 539-1-.16 amended. F. Dec. 11, 2014; Dec. 31, 2014.

Rule 539-3-.02 amended. F. Feb. 20, 2015; eff. Mar. 12, 2015.

Rule 539-1-.23 amended. F. Aug. 20, 2015; eff. Sep. 9, 2015.

Rule 539-1-.02, correction of typographical error, Rule updated on SOS website with the addition of paragraphs (4), (4.1), (5), (6) and (7), as requested by the Agency. The paragraphs were deleted in error, only on SOS Rules and Regulations website, when Rule was amended eff. Dec. 7, 2011; Rule in its entirety was published in Official Compilation. Effective September 13, 2016.

Rules 539-1-.01 A, 539-1-.05 amended. F. Aug. 28, 2017; eff. July 1, 2017, as specified by the Agency.

Rule 539-1-.16 amended. F. Sep. 19, 2018; eff. Oct. 15, 2018, as specified by the Agency.

Rule 539-3-.04 amended. F. July 30, 2020; eff. Aug. 19, 2020.

Rule 539-1-.16 amended. F. Aug 17, 2026; eff. Sept. 6, 2026.

Cite as Ga. Comp. R. & Regs. R. dept. 539, ADMINISTRATIVE HISTORY

Chapter 539-1. SUBSTANTIVE REGULATIONS.

Rule 539-1-.01. Organization.

(1) The public may obtain information regarding the operation of the Board or make submissions to the Board by addressing inquiries to the Georgia Real Estate Appraisers Board, Suite 1000 - International Tower, 229 Peachtree Street, N. E., Atlanta, Georgia 30303-1605.

(2) At its first regularly scheduled meeting of the calendar year, the Board shall select from its members a chairperson. An election of a chairperson may also occur at such time as the chairperson may vacate that position or at such time as the number of members which constitute a quorum may call for a new election. Such election shall be by secret ballot with all eligible members listed on the first ballot and balloting continuing until a member obtains a majority of the votes cast.

(3) At its first regularly scheduled meeting of the calendar year, the board shall select from its members a vice-chairperson. An election of a vice-chairperson may also occur at such times as the vice-chairperson may vacate that position or at such time as the number of members which constitute a quorum may call for a new election. Such election shall be by secret ballot with all members listed on the first ballot and balloting continuing until a member obtains a majority of the votes cast. The vice-chairperson shall preside in the absence of the chairperson and perform such other duties as may be assigned by the chairperson.

(4) Except as may otherwise be provided for in the contested cases in Chapter 539-4 Procedural Rules and in the Georgia Administrative Procedure Act, all requests for appearances before the board shall be governed by the provisions of this paragraph. All requests for scheduled appearances before the board shall be submitted in writing to the board at the address listed in paragraph (1) above. The board shall schedule an appearance at the board's regularly scheduled quarterly meeting for the first three persons or groups submitting a written request to the board's offices during regular business hours on or before the first day of the month preceding the quarterly meeting at which such person or group desires to be heard. Any person not scheduled to be heard by the board who desires to be heard may, at the discretion of the board, be allowed to appear before the board at the end of its scheduled business at any scheduled meeting. Except by leave of the board, all scheduled appearances before the board shall be limited to fifteen minutes and all unscheduled appearances before the board shall be limited to five minutes.

(5) Any interested person may petition the board requesting the promulgation, amendment, or repeal of a Rule. Such petition shall be in writing and the signature of the petitioner notarized. Within thirty (30) days after submission of a petition, the board either shall deny the petition in writing stating its reasons for denial or shall instigate rule-making procedures in accordance with the Georgia Administrative Procedure Act.

(6) The board shall supply declaratory rulings as to the applicability of any statutory provision or of any of its Rules. Requests for declaratory rulings must be in writing and the signature of the petitioner notarized. The board shall respond to a request for a declaratory ruling within thirty (30) days of its next scheduled meeting after its receipt of said request except when the board feels it would be in the best interest of the board to seek the opinion of the Attorney General. Nothing in this paragraph shall limit or impair the right of the board to seek the opinion of the Attorney General on any question of law connected with the duties of the board. The board shall not render a declaratory ruling on petitions on matters related to investigate hearings pending before it at the time of the petition.

Cite as Ga. Comp. R. & Regs. R. 539-1-.01
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-13.
History. Original Rule entitled "Organization" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: Mar. 27, 1995; eff. Apr. 16, 1995.
Amended: F. Nov. 18, 2004; eff. Dec. 8, 2004.

Rule 539-1-.01A. Definitions.

(1) Terms Defined by 43-39A-2. As used in this Chapter and Chapters 539-2, 539-3, 539-4, and 539-5 the terms "analysis," "appraisal," "appraisal management company," "appraisal management services," "appraisal report," "appraisal review," "Appraisal Subcommittee," "appraiser," "appraiser classification," "appraiser panel," "board," "certified appraisal," "client," "commission," "commissioner," "controlling person," "evaluation assignment,"

"federally related transaction," "independent appraisal assignment," "owner," "person," "real estate," "real estate appraisal activity," "real estate related financial transaction," "real property," "specialized services," "state," "valuation," and "valuation assignment" have the same definitions as provided for in O.C.G.A. Section 43-39A-2.

(2) Other Terms. As used in this Chapter and Chapters 520-2, 520-3, 520-4, and 520-5 the term:

(a) "Applicant" means any person who has submitted a complete Board-approved application in proper form accompanied by the proper fee. The Board shall consider an application to be in proper form only after the applicant has completed all of the applicable requirements for the appraiser classification, for the appraisal management company registration, or for an approval as set forth in O.C.G.A. Chapter 43-39A and in any Chapter of the Board's Rules and Regulations;

(b) "Candidate for classification" means any person who is in the process of completing the requirements for a classification as set forth in O.C.G.A. Chapter 43-39A and in any Chapter of the Board's Rules and Regulations, but who has not successfully completed all of them.

(c) "Credible real estate appraisal explanation" means one worthy of belief and one in which the relevant evidence and logic supports the appraisal assignment's intended use;

(d) "Customer" means a person who has not entered into an agreement for an independent appraisal assignment with an appraiser who holds a classification issued by the Board but for whom an appraiser may perform ministerial acts related to an appraisal assignment;

(e) "Disposition Value" means an opinion of value that, as specified by the client, is established on an exposure period of less than the average market exposure.

(f) "Liquidation Value" means an opinion of value that, as specified by the client, is established on an exposure period of significantly less than the average market exposure;

(g) "Military" means the United States armed forces, including the National Guard;

(h) "Military Spouse" means a spouse of a service member or transitioning service member;

(i) "Ministerial acts" means those acts that an appraiser performs for a person and that do not require discretion or the exercise of the appraiser's own judgment;

(j) "Reliable source" means a source of information typically used by in the area of the assignment and reasonably relied upon by appraisers in the ordinary course of

business. The term "reliable source" does not assure the accuracy of all data in the source;

(k) "Service Member" means an active or reserve member of the armed forces, including the National Guard;

(l) "Statutory overnight delivery" means delivery of a document through the United States Postal Service or through a commercial firm that is regularly engaged in the business of document delivery or document and package delivery in which the sender:

1. has directed that delivery be not later than the next business day following the day on which the document is received for delivery by the United States Postal Service or the commercial firm and

2. receives a receipt acknowledging receipt of the document signed by addressee or an agent of the addressee; and

(m) "Transitioning Service Member" means a member of the military on active duty status or on separation leave who is within twenty-four months of retirement or twelve months of separation.

Cite as Ga. Comp. R. & Regs. R. 539-1-.01A
Authority: O.C.G.A. §§ 43-39A-3, 43-39A-13.
History. Original Rule entitled "Definitions" adopted. F. Sept. 29, 2000; eff. Oct. 19, 2000.
Amended: F. Oct. 18, 2006; eff. Nov. 7, 2006.
Amended: F. Aug. 18, 2009; eff. Sept. 7, 2009.
Amended: F. Sept. 14, 2010; eff. Oct. 4, 2010.
Amended: F. Aug. 28, 2017; eff. July 1, 2017, as specified by the Agency.

Rule 539-1-.02. Fees and Renewals.

(1) Whenever an individual applicant activates an original appraiser classification, that applicant shall pay an activation fee that shall cover all fees due the Board until the last day of the month of the applicant's month of birth in the calendar year following the calendar year in which the applicant first becomes classified.

(2) Unless renewal fees are paid, all classifications issued under the provisions of paragraph (1) of this Rule will lapse at midnight on the last day of the month of the individual's birthday.

(3) Fees for all licenses and services performed by the Board shall be as follows:

(a) The activation fee for an original appraiser classification except state registered real property appraiser shall be $95.00; the activation fee for an original state registered real property appraiser shall be $125.00;

(b) The renewal fee for any appraiser classification for a renewal period shall be $100.00 if submitted and paid in any manner other than through the Board's Internet online renewal system and $75.00 if submitted and paid through that online system;

(c) As required by federal law, for all classifications except state registered real property appraiser, the Board shall collect upon activation a federal registry fee to be paid to the Appraisal Subcommittee of the Federal Financial Institutions Examination Council of:

1. $40.00 if the first renewal date after activation occurs 12 months or less after the date of activation; or

2. $80.00 if the first renewal date after activation occurs more than 12 months after the date of activation.

As required by federal law, for all classifications except state registered real property appraiser, the Board shall collect at the first and each subsequent renewal of the classification a federal registry fee of $40.00 to be paid to the Appraisal Subcommittee of the Federal Financial Institutions Examination Council; and

(d) $50.00, plus renewal fees that would otherwise have been due, for reinstatement of any appraiser classification or approval that lapsed solely for nonpayment of fees.

(4) $25.00(1) for failure to notify the Board in writing within 30 days of a change of address; and (2) whenever it is necessary for the Board to return an application because the application is incomplete.

(4.1) $100.00 for submitting to the Board a check that is returned unpaid or for disputing a charge to a credit card for a fee owed to the Board when the dispute results in a chargeback to the Board's account.

(5) Each applicant for approved school status shall pay an activation fee of $95.00 that shall cover all fees due the Board until December 31st of the calendar year in which the Board grants approval to the school. To continue an approval thereafter, prior to December 31st for each succeeding year for which it wishes to continue a school approval, the school must pay a renewal fee of $100.00 if submitted and paid in any manner other than though the Board's Internet on-line renewal system and $75.00 if submitted and paid through that on-line system.

(6) Each applicant for approved instructor status shall pay an activation fee of $95.00 that shall cover all fees due the Board until December 31st of the calendar year in which the Board grants approval to the instructor. To continue an approval thereafter, prior to December 31st for each succeeding year for which the instructor wishes to continue an approval, the instructor must pay a renewal fee of $100.00 if submitted and paid in any manner other than though the Board's Internet on-line renewal system and $75.00 if submitted and paid through that on-line system.

(7) Each applicant for an appraisal management company registration shall pay an activation fee of $1,000.00 that shall cover all fees due the Board until the month of the first anniversary of the activation of a registration by the company. To continue a registration thereafter, the appraisal management company must pay a yearly renewal fee of $500.00 if submitted and paid in any manner other than through the Board's internet on-line renewal system and $475.00 if submitted and paid through that on-line system.

Cite as Ga. Comp. R. & Regs. R. 539-1-.02
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-4, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-12, 43-39A-13, 43-39A-15, 43-39A-18.
History. Original Rule entitled "Fees and Renewals" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. May 8, 1991; eff. May 28, 1991.
Amended: F. Sept. 30, 1991; eff. Oct. 20, 1991.
Amended: F. July 14, 1992; eff. September 1, 1992, as specified by the Agency.
Amended: F. Mar. 10, 1993; eff. Mar. 30, 1993.
Amended: F. July 22, 1996; eff. August 11, 1996.
Amended: F. Sept. 26, 1997; eff. Oct. 16, 1997.
Amended: F. May 19, 2000; eff. July 1, 2000, as specified by the Agency.
Amended: F. June 2, 2000; eff. July 1, 2000, as specified by the Agency.
Amended: F. Mar. 22, 2001; eff. Apr. 11, 2001.
Amended: F. Jan. 25, 2002; eff. Apr. 1, 2002, as specified by the Agency.
Amended: F. July 19, 2002; eff. September 1, 2002, as specified by the Agency.
Amended: F. Oct. 18, 2006; eff. Jan. 1, 2007, as specified by the Agency.
Amended: F. Sept. 14, 2010; eff. Oct. 4, 2010.
Amended: F. Nov. 17, 2011; eff. Dec. 7, 2011.
Note: Correction of typographical error, Rule updated on SOS website with the addition of paragraphs (4), (4.1), (5), (6) and (7), as requested by the Agency. The paragraphs were deleted in error, only on SOS Rules and Regulations website, when Rule was amended eff. Dec. 7, 2011; Rule in its entirety was published in Official Compilation. Effective September 13, 2016.

Rule 539-1-.03. Examinations.

(1) Any examinee, applicant, candidate for classification, approved instructor, or appraiser who without proper authorization supplies to others, or attempts to supply to others, any information concerning the content of any qualifying examination administered by or approved by the Board shall be grounds for denial of an appraiser classification or the imposition of any sanction permitted by O.C.G.A. Section 43-39A-18.

(2) Approved schools and their staff members are prohibited from:

(a) obtaining from examinees or others information concerning the content of any qualifying examination administered by or approved by the Board;

(b) accepting such information except as provided or approved by the Board; and

(c) using such information in non-approved courses operated by or in association with any approved school or their staff members.

Violation of this paragraph may be grounds for denial of approved status, withdrawal of approved status, suspension of approved status, or imposing any sanction permitted by O.C.G.A. Section 43-39A-18 upon an approved school.

(3) Unless a person first obtains written permission of the Board, a person may not take any qualifying examination offered by the Board except:

(a) to qualify for or to reinstate the classification for which the examination is designed;

(b) when:

1. such person holds a classification issued by the Board by reciprocity rather than by examination,

2. such person is applying to another state for classification by reciprocity, and

3. the state to which such person is applying requires that an applicant for reciprocity must have passed an examination in Georgia as a condition of receiving a classification by reciprocity in that state; or

(c) when such person is required to take a qualifying examination by an Order of the Board in a disciplinary matter.

Cite as Ga. Comp. R. & Regs. R. 539-1-.03
Authority: Authority O.C.G.A. Secs. 43-39A-3; 43-39A-8; 43-39A-11; 43-39A-13; 43-39A-14; 43-39A-18.
History. Original Rule entitled "Examinations" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. Mar. 10, 1993; eff. Mar. 30, 1993.
Amended: F. June 16, 2005; eff. July 6, 2005.
Amended: F. Oct. 18, 2006; eff. Nov. 7, 2006.

Rule 539-1-.04. Applying for an Appraiser Classification After Passing Examination.

(1) Any candidate for classification who has taken an examination for an appraiser classification and successfully passed the examination must make application for an active or inactive appraiser classification within three months from the date of the

examination date, or after three months, must pay a fee equal to two times the original application fee. Any candidate for classification who fails to make application for an appraiser classification within twelve months from the date of the examination taken must retake the examination. In addition to passing the qualifying examination, an applicant who applies for an appraiser classification must submit evidence satisfactory to the Board of successful completion of any required education and experience.

(2) Any applicant who meets the age, education, experience, and examination requirements as described in O.C.G.A. §§ 43-39A-8 and 43-39A-9 and the Rules and Regulations of the Board and whose application for an appraiser classification or reinstatement of a classification is then denied may request a formal hearing concerning that denial. The applicant must make that request in writing to the Real Estate Commissioner within sixty (60) days of the Board's mailing notice to the applicant to the address on the application that the Board has reviewed the applicant's application and voted to deny issuance of an appraiser classification. If the applicant does not make written application for a hearing within sixty (60) days, the application shall lapse and the applicant may not make another application for a classification without again standing and passing any qualifying examination that may be required for that classification and paying any required fees.

(3) Any applicant who meets the age, education, experience, and examination requirements as described in O.C.G.A. §§ 43-39A-8 and 43-39A-9 and the Rules and Regulations of the Board and who is denied issuance of an appraiser classification after having been granted the opportunity for a formal hearing may not make another application for an appraiser classification without again standing and passing any qualifying examination that may be required for that classification and paying any required fees.

(4) Any applicant who meets the age and education requirements as described in O.C.G.A. §§ 43-39A-8 and 43-39A-9 and the Rules and Regulations of the Board for State Registered Real Property Appraiser and whose application for such appraiser classification or reinstatement of a classification is denied by the Board may request a formal hearing concerning that denial. The applicant must make that request in writing to the Real Estate Commissioner within sixty (60) days of the Board's mailing to the applicant to the address on the application notice that the Board has reviewed the applicant's application and voted to deny that classification. If the applicant does not make written application for a hearing within sixty (60) days or is denied issuance of a State Registered Real Property Appraiser classification after having been granted the opportunity for a formal hearing, the application shall lapse and the applicant must pay any required fees when making a new application.

Cite as Ga. Comp. R. & Regs. R. 539-1-.04
Authority: Authority O.C.G.A. Secs. 43-39A-3; 43-39A-8; 43-39A-11; 43-39A-13; 43-39A-14.
History. Original Rule entitled "Applying for License or Certification After Passing Examination" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: Rule retitled "Applying for an Appraiser Classification After Passing Examination". F. Sept. 16, 1992; eff. Oct. 6, 1992.
Amended: F. Mar. 10, 1993; eff. Mar. 30, 1993.
Amended: Rule retitled "Applying for an Appraiser Classification After Meeting Age, Education, Experience, and

Examination Requirements." F. Jan. 26, 2001; eff. Feb. 15, 2001.
Repealed: New Rule entitled "Applying for an Appraiser ClassificationAfter Passing Examination" adopted. F. Oct. 18, 2006; eff. Nov. 7, 2006.

Rule 539-1-.05. Applications.

(1) Applications for an appraiser classification, for an appraisal management company registration, for renewal of an appraiser classification, for renewal of an appraisal management company registration, for any change in status of an appraiser classification, for approval of schools and instructors, for renewal of school and instructor approvals, and for any change of information required to be filed with the Board, except a name change or a change of address, must be on Board approved forms. Each Board approved form may require the email address of an applicant if an email address is maintained by such applicant.

(a) Any such application, change of information, or fee required to be filed with the Board may be filed with the Board by:

1. personal delivery to the Board's offices during regular business hours;

2. mail in a letter postmarked by the United States Postal Service; or

3. private courier or delivery service.

(b) Any application that does not require the payment of a fee may be filed by electronic facsimile (fax) transmission.

(c) The effective date of the filing of the application or fee shall be the United States Postal Service postmarked date, if mailed, or if otherwise filed, the date the Board dates the receipt of the application or fee. In the event that receipt by the Board of an application or fee occurs later than the deadline for the filing of such application or fee, the applicant or appraiser shall bear the burden of proof that the application or fee was timely filed.

(2) If a candidate for classification, an applicant, or an appraiser submits an application on a form that is no longer in use by the Board and pays the correct fee in effect on the date of the application, the Board may require the applicant or appraiser to submit a new application on its latest form at no further cost to the applicant or appraiser.

(3) An appraiser, a candidate for classification, an applicant for an appraisal management company registration, an applicant to be a controlling person in an appraisal management company, any owner of an appraisal management company, or an applicant for an appraiser classification must supply all information requested on any form that the applicant or appraiser submits to the Board. Failure to supply all information shall cause the application to be incomplete. An application is incomplete if the applicant or the candidate for classification fails to include the proper fee, to attach any required

documents, to provide all requested biographical or other data, to include required signatures, or to include legible responses. Failing to disclose each and every criminal conviction, as defined by O.C.G.A. § 43-39A-14(a), or classification or license disciplinary action that the applicant may have in this state or any other jurisdiction may constitute a falsified application.

(4) The Board shall return any incomplete application, or any obsolete application, or any application on a non-approved form to a candidate for classification, an applicant, or an appraiser by mail at either (a) the address listed on the incomplete or incorrect application or (b) the last known business address of record in the Board's files if the incomplete or incorrect application contains no address. The candidate for classification, the applicant, or the appraiser must correct any deficiencies noted by the Board on such application within fourteen (14) days of the Board's mailing notice of the deficiency to the candidate for classification, the applicant, or the appraiser. If no response is received by the Board within thirty (30) days of the Board's mailing notice of the deficiency, the application shall be viewed as abandoned, any fee paid forfeited, and the candidate for classification, the applicant, or the appraiser must submit a new application and fee in order to complete the transaction.

(5) After making an original application for an appraiser classification to the Board, the applicant shall not commence real estate appraisal activities under such appraiser classification until he or she has received a wall certificate of classification and pocket card from the Board.

(6) Duplicate wall certificates and/or pocket cards shall be issued upon satisfactory proof of loss of the original.

(7) The Board will provide reasonable accommodations to a qualified candidate for classification with a disability in accordance with the Americans With Disabilities Act. The request for an accommodation by an individual with a disability must be made in writing and received in the Board office by the application deadline along with the appropriate documentation, as indicated in the Request for Disability Accommodation Guidelines.

(8) Whenever an applicant or a candidate for classification submits to the Board an original application on paper for classification as, including but not limited to, a registered, licensed, or certified appraiser; for an appraisal management company registration; or for approval as a school or instructor, the Board shall maintain the paper record for a period of fifteen years and may then destroy the application. Whenever an appraiser submits any other application to the Board on paper, the Board shall maintain the paper record for a period of one year and may then destroy the application. The Board shall maintain all electronic licensing records for a period of at least 15 years.

(9) The Board shall maintain investigative files under the following schedules:

(a) forty years for all investigative files in which the Board imposes a disciplinary action; and

(b) fifteen years for all other investigative files.

(10) No more than 60 days prior to making application, each applicant for an appraiser classification, controlling person of an applicant appraisal management company, any individual with a direct ownership interest exceeding 50% of an applicant appraisal management company, an instructor approval, or the Director of a school applying for approval shall obtain, at the applicant's expense, and attach to the applicant's application for classification a certified criminal history report issued by the Georgia Crime Information Center of the Georgia Bureau of Investigation indicating whether the applicant has any record of a criminal history. If that report indicates that the applicant has a record in another jurisdiction, the applicant must, at the applicant's expense, provide any necessary fingerprints, fees, authorization, or other requirements for the Board to obtain a Federal Crime Information Center report from the Federal Bureau of Investigation. If the criminal history report of such a candidate for classification reveals a prior criminal conviction(s) or if the candidate for classification has a prior professional classification or license disciplinary action, the candidate for classification shall comply with the provisions in paragraphs (8) and (9) of this rule and said candidate for classification shall be subject to the provisions of 43-40-15 (a) *et seq*.

(11) A candidate for classification or an applicant for classification who has moved to Georgia from another state or a candidate for classification or an applicant for classification for non-resident classification may be granted a classification without further examination or education if such candidate for classification produces, from the regulatory body of each state that has classified the candidate or applicant for licensure, an original certification issued no more than six months prior to the candidate or applicant for licensure making application for licensure that shows that the candidate or applicant for licensure:

1. has passed an examination for the type of classification for which such candidate for classification seeks classification in Georgia;

2. has met all preclassification and continuing education requirements required by such other state(s) for that classification;

3. is classified in good standing at the time of the certification; and

4. has not had any formal disciplinary action imposed by such state's licensing body.

Rather than the written certification required of applicants by this paragraph, the Board, in its sole discretion, may choose to accept some electronic form of the certified data from other states, which applicants must submit, or by some other procedure that reduces paperwork. A candidate for classification whose certification does not comply with all of the conditions in this paragraph must take and pass the qualifying examination for the Georgia classification that such candidate for classification seeks.

(12) An applicant appraisal management company must, with its application for registration, include evidence of having obtained a surety bond of not less than $20,000 coverage. The evidentiary documentation must include the name of the bond issuer and policy number of the bond.

(13) An appraisal management company whose registration has lapsed for failure to pay its renewal fee may apply as an original applicant only once five years have passed from the date of lapsing.

(14) Military Spouses and Transitioning Service Member Applications.

Effective July 1, 2017, military spouses and transitioning service members may qualify for expedited processing of any license application submitted to the Board by showing that the applicant is a military spouse or transitioning service member and that the applicant has paid the fee and meets the requirements for a license under the law and rules for the type of license for which the applicant has applied.

Cite as Ga. Comp. R. & Regs. R. 539-1-.05
Authority: O.C.G.A. §§ 43-39A-3, 43-39A-7, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-14, 43-39A-15, 43-39A-16, 43-39A-22, 43-39A-22.1.
History. Original Rule entitled "Applications" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. Sept. 16, 1992; eff. Oct. 6, 1992.
Amended: F. Sept. 15, 1993; eff. Oct. 5, 1993.
Amended: F. July 22, 1996; eff. August 11, 1996.
Amended: F. Jan. 21, 2000; eff. Feb. 10, 2000.
Amended: F. Jan, 25, 2002; eff. July 1, 2002, as specified by the Agency.
Amended: F. Oct. 18, 2006; eff. Nov. 7, 2006.
Amended: F. Sept. 14, 2010; eff. Oct. 4, 2010.
Amended: F. Jun. 10, 2013; eff. Jun. 30, 2013.
Amended: F. Jan. 24, 2014; eff. Feb. 15, 2014, as specified by the Agency.
Amended: F. Aug. 28, 2017; eff. July 1, 2017, as specified by the Agency.

Rule 539-1-.06. Certified Copies of Convictions.

(1) Whenever a candidate for classification or approval or an applicant for classification, approval, or renewal of a classification reveals, or the Board discovers, that such candidate for classification or approval or applicant for classification or approval or renewal of a classification has a criminal conviction, as that term is defined in O.C.G.A. § 43-39-14(b)(1)(A), such person must supply to the Board a certified copy of:

(a) the citation, accusation, information, or indictment that led to the conviction; and

(b) a certified copy of the sentence.

(2) Whenever a candidate for classification or approval or an applicant for classification, approval, or renewal of a classification reveals, or the Board discovers, that such

candidate for classification or applicant for classification or approval or renewal of a classification has been the subject of a disciplinary action before any licensing agency, such applicant must supply the Board with a certified copy of:

(a) any allegations that preceded the final order; and

(b) the final order of that licensing agency.

(3) The Board, in its discretion, may deem an application for classification as incomplete unless the requirements of paragraphs (1) and (2) are met and may elect not to process such an application unless and until those requirements are met.

Cite as Ga. Comp. R. & Regs. R. 539-1-.06
Authority: Authority O.C.G.A. Secs. 43-39A-3; 43-39A-7; 43-39A-13; 43-39A-18.
History. Original Rule entitled "Certified Copies of Convictions" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990;
Amended: F. Sept. 16, 1992; eff. Oct. 6, 1992.
Amended: F. Jan. 21, 2000; eff. Feb. 10, 2000.
Repealed: New Rule entitled "Certified Copies of Convictions" adopted. F. Oct. 18, 2006; eff. Nov. 7, 2006.
Amended: F. Jan. 24, 2014; eff. Feb. 15, 2014, as specified by the Agency.

Rule 539-1-.07. Reactivation of Inactive Appraiser Classification.

(1) Any appraiser who seeks to activate an appraiser classification which has been on inactive status and who is not current in meeting continuing education requirements shall be required to attend any Board approved course or courses of study necessary to bring such appraiser's continuing education requirements current.

(2) Any nonresident appraiser who seeks to activate an appraiser classification which has been on inactive status and who is current in meeting the continuing education requirements in his or her state of residence shall not be required to attend any additional education courses in order to activate such nonresident's appraiser classification.

Cite as Ga. Comp. R. & Regs. R. 539-1-.07
Authority: O.C.G.A. Secs. 43-39A-3; 43-39A-8; 43-39A-13.
History. Original Rule entitled "Reactivation of Inactive Registration, License, or Certification" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: Rule retitled "Reactivation of Inactive Appraiser Classification". F. Sept. 16, 1992; eff. Oct. 6, 1992.
Amended: F. Aug. 2, 1995; eff. Aug. 22, 1995.

Rule 539-1-.08. Reinstatement of Lapsed Appraiser Classification.

(1) Any appraiser whose appraiser classification lapses due to nonpayment of fees or failure to complete satisfactorily any of the education requirements of O.C.G.A. Chapter 43-39A shall be prohibited from engaging in real estate appraisal activities as defined in O.C.G.A.

Section 43-39A-2 until such time as the appraiser classification is reinstated. Upon the lapsing of an appraiser classification, an appraiser shall forward his other wall certificate and pocket card to the board at once.

(2) Except as provided in paragraph (6) below, any appraiser who fails to pay a renewal fee and allows an active appraiser classification to lapse may reinstate that appraiser classification within two years of the date of its lapsing by paying the total amount of all renewal fees that would have been due while that appraiser classification was lapsed plus a reactivation fee and by successfully completing any required continuing education courses that would have been due while that appraiser classification was lapsed.

(3) Except as provided in paragraph (6) below, any appraiser who allows an appraiser classification to lapse for a period longer than two years but less than five years due solely to a failure to pay a renewal fee may reinstate that appraiser classification by paying the total amount of all renewal fees that would have been due while that appraiser classification was lapsed plus a reactivation fee and by successfully completing 90 classroom hours of Board approved courses that includes the current version of the 7-Hour National USPSAP Update Course (or its AQB-approved equivalent). Courses taken to reinstate an appraiser classification under this paragraph must be taken within one year prior to making application for and paying the fees required for reinstatement. Any course taken under this paragraph must be taken at a Board approved school.

(4) Any appraiser whose appraiser classification lapses for failure to complete in a timely manner any continuing education required for renewal of that appraiser classification may reinstate that appraiser classification by (a) furnishing the Board evidence of having completed an approved course or courses of study and (b) paying any required fees. The course or courses of study required by (a) above must have a number of hours of instruction totaling at least 14 classroom hours for each year of the renewal period.

(5) Except as provided in paragraph (6) below, any real estate appraiser (except a State Registered Real Property Appraiser) who fails to pay a renewal fee and allows an appraiser classification to lapse and who does not elect to reinstate that appraiser classification under the provisions of paragraph (2) or (3) of this Rule may reinstate that appraiser classification by furnishing proof of completion of any required preclassification education and by taking and passing the appropriate qualifying examination for that appraiser classification.

(6) Any nonresident appraiser whose appraiser classification lapses for failure to pay a renewal fee may reactivate that appraiser classification by paying the fee required of an original applicant if such nonresident has maintained an active appraiser classification in his or her state of residence during the period that his or her appraiser classification lapsed and has met that state's continuing education requirements.

(7) Any appraisal management company whose registration lapses for failure to pay a renewal fee may reactivate by paying the renewal fee and an additional fee for reinstatement as follows:

(a) if the registration is reinstated within four months of the date of lapsing, $100.00; or

(b) if the registration is reinstated more than four months after the date of lapsing, $100.00 plus an additional fee of $50.00 for each month or portion of a month beyond four months from the date of lapsing.

Cite as Ga. Comp. R. & Regs. R. 539-1-.08
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-11, 43-39A-13.
History. Original Rule entitled "Reinstatement of Lapsed Registration, License, or Certification" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. Sept. 30, 1991; eff. Oct. 20, 1991.
Amended: F. Mar. 12, 1992; eff. Apr. 1, 1992.
Amended: Rule retitled "Reinstatement of Lapsed Appraiser Classification". F. Sept. 16, 1992; eff. Oct. 6, 1992.
Amended: F. Sept. 21, 1994; eff. Oct. 11, 1994.
Amended: F. Aug. 2, 1995; eff. Aug. 22, 1995.
Amended: F. July 22, 1996; eff. August 11, 1996.
Amended: F. June 8, 1998; eff. June 28, 1998.
Amended: F. Nov. 22, 2002; eff. Dec. 12, 2002.
Amended: F. May 22, 2003; eff. June 11, 2003.
Amended: F. Aug. 28, 2007; eff. Sept. 17, 2007.
Amended: F. Sept. 14, 2010; eff. Oct. 4, 2010.
Amended: F. Aug. 21, 2014; eff. Sept. 10, 2014.

Rule 539-1-.09. Notification of Legal Actions.

Every appraiser shall notify the Board in writing of the final disposition of any administrative, civil, or criminal action filed in any court of competent jurisdiction or any administrative agency whenever that final disposition involves the subject matter of the offenses cited in O.C.G.A. Sections 16-13-111, 43-39A-14 or 43-39A-17. Such notice of any administrative or civil action shall be given to the board within ten (10) days of the conclusion of the court or administrative proceedings and shall include a copy of any final order entered by the court or agency. Such notice of any criminal action shall be given to the board within ten days of any conviction and shall include a copy of the indictment, or accusation, and the conviction.

Cite as Ga. Comp. R. & Regs. R. 539-1-.09
Authority: O.C.G.A. Secs. 16-13-111; 43-39A-3; 43-39A-7; 43-39A-13; 43-39A-18.
History. Original Rule entitled "Notification of Legal Actions" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. May 8, 1991; eff. May 28, 1991.

Rule 539-1-.10. Certifications of Appraiser Classification History.

Upon written request the board shall provide a certification of the history of an appraiser's records with the board only for the five years immediately preceding the written request. However, regardless of the date of occurrence, the board shall provide a certification of any records that it maintains of any disciplinary sanctions taken against the appraiser classification of

any appraiser. Whenever the certification is to be utilized in a court of law, the party making the written request for the certification shall also indicate the name of the case, its case number, and the name of the court in which the certification will be used.

Cite as Ga. Comp. R. & Regs. R. 539-1-.10
Authority: Authority O.C.G.A. Secs. 43-39A-3, 43-39A-6, 43-39A-13.
History. Original Rule entitled "Certifications of License History" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: Rule retitled "Certifications of Appraiser Classification" F. Sept. 16, 1992; eff. Oct. 6, 1992.
Amended: F. Jan. 24, 2014; eff. Feb. 15, 2014, as specified by the Agency.

Rule 539-1-.11. Retention of Certificate of Appraiser Classification.

Upon making such request in writing to the board, any appraiser who retires after twenty years of active appraiser classification or the family of any appraiser who is deceased shall be allowed to retain the appraiser's wall certificate of appraiser classification for non-appraisal purposes.

Cite as Ga. Comp. R. & Regs. R. 539-1-.11
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-10, 43-39A-13.
History. Original Rule entitled "Retention of Certificate of Licensure" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: Rule retitled "Retention of Certificate of Appraiser Classification." F. Sept. 16, 1992; eff. Oct. 6, 1992.

Rule 539-1-.12. Paying Compensation to an Out of State Appraiser.

An appraiser classified in this state is hereby permitted to divide or share compensation with an appraiser classified in another state.

Cite as Ga. Comp. R. & Regs. R. 539-1-.12
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-13, 43-39A-18.
History. Original Rule entitled "Paying Compensation to an Out of State Appraiser" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. Mar. 10, 1993; eff. Mar. 30, 1993.

Rule 539-1-.13. Appraiser's Duties Upon Surrender, Suspension, or Revocation of an Appraiser Classification.

Upon surrendering an appraiser classification or upon notice of suspension or revocation of an appraiser classification, an appraiser shall forward his or her wall certificate and pocket card at once to the Board. No refund of fees will be made upon any appraiser classification when surrendered, suspended, or revoked. Any appraiser who surrenders an appraiser classification to the Board or whose appraiser classification is revoked by the Board and who later seeks reinstatement of that appraiser classification must apply as an original applicant.

Cite as Ga. Comp. R. & Regs. R. 539-1-.13
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-10, 43-39A-13.

History. Original Rule entitled "Appraiser's Duties Upon Surrender, Suspension, or Revocation of a Registration, License, or Certification" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: Rule retitled "Appraiser's Duties Upon Surrender, Suspension, or Revocation of an Appraiser Classification." F. Sept. 16, 1992; eff. Oct. 6, 1992.
Amended: F. July 21, 2000; eff. August 10, 2000.

Rule 539-1-.14. Investigations.

(1) Whenever a request for investigation involves an appraisal report which varies from a sales, lease, or exchange price by 20% or less, the Board may in its discretion decline to conduct an investigation.

(2) Whenever a request for investigation is based on a disagreement with an appraiser's opinion of value, the Board may request that the party requesting the investigation supply it with an appraisal report on the property conducted by another appraiser regulated by the Board before the Board initiates an investigation.

Cite as Ga. Comp. R. & Regs. R. 539-1-.14
Authority: Authority O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-11, 43-39A-13, 43-39A-14, 43-39A-18.
History. Original Rule entitled "Investigations" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. Sept. 6, 1992; eff. Oct. 6, 1992.
Amended: F. Jan. 24, 2014; eff. Feb. 15, 2014, as specified by the Agency.

Rule 539-1-.15. Experience Requirements.

(1) All applicants for state licensed real property appraiser, state certified residential real property appraiser, or state certified general real property appraiser must have experience in real property appraisal activity as provided by 539-1-.16. Such experience must have been acquired prior to the filing of an application for state licensed real property appraiser, state certified residential real property appraiser, or state certified general real property appraiser. Real property appraisal activity (a) means both the act or process of valuation of real estate or real property and preparing an appraisal report and (b) includes fee and staff appraisals, ad valorem tax appraisals, review appraisals, appraisal analysis, highest and best use analysis, feasibility analysis/study, and market analysis/study. In order to count toward meeting the experience requirements for any classification, appraisal experience obtained after January 1, 1991, must be real property appraisal activity conducted in compliance with the Standards for Appraisals in Chapter 539-3 and experience must have been obtained while classified as an appraiser in this or another state.

(2) Applicants may not count work in the following areas toward meeting the requirement for at least two years of experience:

(a) market value estimates as a real estate licensee in connection with the listing and/or sale of real estate;

(b) mass appraisals of real estate for ad valorem tax purposes (credit will be given for appraisals of individual parcels for such purposes);

(c) appraisals of businesses;

(d) appraisals of personal property; or

(e) a feasibility or market analysis except to the extent that the applicant estimated the market value or the market rent of a proposed real estate project.

(3) Reserved.

(4) Each applicant for state licensed real property appraiser, state certified residential real property appraiser, or state certified general real property appraiser shall verify his or her experience on forms as prescribed by the Board and by providing the documentation of experience required by 539-1-.16.

(5) The Board may, in addition to any other requirements for documenting experience, require an applicant to document experience by producing appraisal reports [if release of such report(s) is (are) approved by the applicant's client(s)], and file memoranda. Appraisal reports or file memoranda claimed as evidence to meet experience requirements should at a minimum contain the following:

(a) identification and description of the property being appraised;

(b) identification of the real property interest being appraised;

(c) statement of the purpose of the appraisal;

(d) definition of the value to be estimated;

(e) effective date of the appraisal and date of the report;

(f) description of the process of data collection, confirmation, and reporting;

(g) assumptions and limiting conditions;

(h) description of the information considered, appraisal procedures followed and the reasoning supporting the analysis, opinions, and conclusions;

(i) the appraiser's opinion of highest and best use;

(j) explanation of the exclusion of any usual valuation approaches;

(k) explanation of any departures from common standards of appraisal practice in effect at the time of the appraisal; and

(l) signed certification.

(6) The Board, at its option, may elect to accept documentation of experience other than that cited in paragraph (5) above including, but not limited to, the following:

(a) submission of a detailed log of appraisal activity;

(b) employer affidavits or interviews;

(c) client affidavits or interviews; and

(d) submission of business records.

Cite as Ga. Comp. R. & Regs. R. 539-1-.15
Authority: Authority O.C.G.A. Secs. 43-39A-3, 43-39A-10, 43-39A-13.
History. Original Rule entitled "Experience Requirements" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. May 8, 1991; eff. May 28, 1991.
Amended: F. June 28, 1991; eff. July 18, 1991.
Amended: F. May 16, 1994; eff. June 6, 1994.
Amended: F. May 19, 1995; eff. June 8, 1995.
Amended: F. May 2, 2005; eff. May 22, 2005.
Amended: F. Sept. 22, 2005; eff. Oct. 12, 2005.

Rule 539-1-.16. Appraiser Classification and Their Education, Examination, and Experience Requirements.

(1) (a) State Trainee appraiser classification In order to qualify as a State Trainee appraiser, an applicant must:

1. have attained the age of 18 years old;

2. be a resident of the State of Georgia, unless that applicant has fully complied with the provisions of Code Section 43-39A-9;

3. be a high school graduate or the holder of a general educational developmental equivalency diploma; and

4. furnish evidence of having successfully completed at least 90 creditable classroom hours of qualifying education as specified in the required core curriculum in a Board approved course or courses which include passing the 15-hour National Uniform Standards of Professional Appraisal Practice

(USPAP) course. There is no state examination for the State Trainee appraiser classification, but the State Trainee appraiser must pass the appropriate qualifying education end of course examinations in all the prerequisite courses in order to earn credit for those courses. All qualifying education must be completed within the five (5) year period prior to the date of submission of a State Trainee appraiser application. No appraiser experience is required as a prerequisite for the State Trainee appraiser classification.

5. Furnish evidence of having successfully completed a course that, at minimum, complies with the specifications for course content established by the Appraiser Qualifications Board (AQB), which is specifically oriented to the requirements and responsibilities of Supervisory Appraisers and Trainee Appraisers. The course must be completed by the State Trainee appraiser prior to obtaining a State Trainee appraiser classification in Georgia. Further, the State Trainee appraiser course is not eligible towards the ninety (90) hours of qualifying education required.

(b) A State Trainee appraiser who receives a classification shall be formally supervised by a Supervisory Appraiser in good standing and state-certified and each shall be subject to the following:

The scope of practice for a State Trainee appraiser classification is the appraisal of those properties which the state-certified Supervisory Appraiser is permitted by his/her current credential and that the Supervisory Appraiser is competent to appraise.

1. A State Trainee appraiser, as well as the Supervisory Appraiser, shall be entitled to obtain copies of appraisal reports and/or permitted appropriate access and retrieval arrangements for all work files for appraisals in which he or she participated, in accordance with the recordkeeping rule of USPAP.

2. A State Trainee appraiser must comply with the competency rule of USPAP for all assignments.

3. A State Trainee appraiser shall be subject to direct control and supervision of a Supervisory Appraiser in good standing, who shall be State Certified. A State Trainee appraiser is permitted to have more than one Supervisory Appraiser.

4. A Supervisory Appraiser shall be responsible for the training, guidance, and direct control in supervision of a State Trainee appraiser by:

(i) Accepting responsibility for the appraisal by signing and certifying the appraisal complies with USPAP;

(ii) Reviewing and signing the State Trainee appraisal report; and

(iii) Personally, inspecting each appraised property with the State Trainee appraiser until the Supervisory Appraiser determines the State Trainee appraiser is competent to inspect the property, in accordance with the competency rule of USPAP for the property type.

5. A State Trainee appraiser is permitted to have more than one Supervisory Appraiser, but a Supervisory Appraiser may not supervise more than three (3) State Trainee appraisers, at one time, unless a program is adopted in Georgia to provide for progress monitoring, Supervisory certified appraiser qualifications, and supervision and oversight requirements for Supervisory Appraisers.

6. An appraisal experience log shall be maintained by the Supervisory Appraiser and the State Trainee appraiser. It is the responsibility of both the Supervisory Appraiser and the State Trainee appraiser to ensure the appraisal experience log is accurate, current and complies with the requirements of the State of Georgia. At a minimum, the appraisal experience log requirements shall include:

   (i) Type of property;

   (ii) Date of report;

   (iii) Address of appraised property;

   (iv) Description of work performed by the State Trainee appraiser and scope of the review and supervision of the Supervisory Appraiser;

   (v) Number of actual work hours by the State Trainee appraiser on the assignment; and

   (vi) The signature and state classification number of the Supervisory Appraiser. Separate appraiser logs shall be maintained by each Supervisory Appraiser if applicable.

7. A Supervisory Appraiser shall be state-certified and in good standing in the State of Georgia for the previous three (3) years and not subject to any disciplinary action within any jurisdiction within the previous three (3)

years that affects the Supervisory Appraiser's legal eligibility to engage in appraisal practice.

8. A Supervisory Appraiser subject to a disciplinary action would be considered to be in "good standing" three (3) years after the successful termination of any sanction imposed against the appraiser.

9. A Supervisory Appraiser shall have been state-certified in Georgia for a minimum of three (3) years prior to being eligible to becoming a Supervisory Appraiser.

10. A Supervisory Appraiser must comply with the competency rule of USPAP for the property type and geographic location the State Trainee appraiser is being supervised.

11. Before entering into any additional supervisory relationship, a Supervisory Appraiser shall be required to complete a 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 State Trainee appraisers. The course must be completed by a Supervisory Appraiser prior to supervising a State Trainee appraiser.

12. A State Trainee appraiser shall be given credit for appraisal experience only when earned in appraisal assignments performed under the direct supervision of a Supervisory Appraiser.

(2) (a) State Registered appraiser classification In order to qualify as a State Registered appraiser, an applicant must:

1. have attained the age of 18 years old;

2. be a resident of the State of Georgia, unless that applicant has fully complied with the provisions of Code Section 43-39A-9;

3. be a high school graduate or the holder of a general educational developmental equivalency diploma; and

4. furnish evidence of having successfully completed at least 90 creditable classroom hours of qualifying education as specified in the required core curriculum in a Board approved course or courses which includes passing the 15-hour National Uniform Standards of Professional Appraisal Practice (USPAP) course. There is no state examination for the State Registered appraiser classification, but the State Registered appraiser must pass the

appropriate qualifying education end of course examinations in all the prerequisite courses in order to earn credit for those courses. All qualifying education must be completed within the five (5) year period prior to the date of submission of a State Registered appraiser application. No appraiser experience is required as a prerequisite for the State Registered appraiser classification.

(b) A State Registered appraiser may perform appraisals on any type of property except when the purpose of the appraisal is for use in a federally related transaction. A State Registered appraiser may perform appraisal activity and sign an appraisal report as "appraiser" on real property involved in a federally related transaction only if a certified appraiser also signs the report and assumes responsibility for the appraisal.

(c) Beginning January 1, 2015, a State Registered appraiser shall be given credit for appraisal experience only when earned under the same requirements set forth set forth for a State Trainee appraiser pursuant to paragraphs (1)(a) and (b) above.

(3) A State Licensed appraiser (a) may engage in any appraisal activity permitted a State Registered appraiser; (b) may appraise properties in federally related transactions of non-complex one to four residential units having a transaction value less than $1,000,000; (c) may appraise any other real estate having a transaction value less than $250,000; and (d) such other appraisals in federally related transactions as may be approved by the federal financial institutions regulatory agencies. In federally related transactions, a State Licensed appraiser may not appraise real estate wherein a development analysis/appraisal is necessary and utilized. In order to qualify as a State Licensed appraiser, an applicant must:

(a) have attained the age of 18 years old;

(b) be a resident of the State of Georgia, unless the applicant has fully complied with the provisions of Code Section 43-39A-9;

(c) be a high school graduate or the holder of a general educational developmental equivalency diploma;

(d) furnish evidence of having successfully completed at least 150 credit hours in a Board approved course or courses of study consistent with the provisions of 539-2-.03 (2) which includes at least 15 credit hours covering USPAP;

(e) upon the filing of an application for examination to become a Licensed Appraiser, provide documentation on forms prescribed by the Board of at least 1,000 hours of experience, gained over a period of at least 12 months, in real estate appraisal activity. Such documentation must include for each appraisal report the type of property, the date of the report, the address of the property, a description of the

work performed, and the number of work hours; and or successful completion of a Practical Applications of Real Estate Appraisal (PAREA) for Licensed Residential or Certified Residential appraisers, approved by the Appraisal Qualifications Board; and/or

(f) after meeting the requirements of subparagraphs (a) through (e) of this paragraph, take and pass the AQB-approved National Uniform Licensing and Certification Examination.

(4) A State Certified Residential appraiser: (a) may perform appraisals on any property which a State Registered appraiser or State Licensed appraiser may appraise; (b) may appraise one to four residential units without regard to transaction value or complexity; and (c) such other appraisals in federally related transactions as may from time to time be approved by the federal financial institutions' regulatory agencies. In federally related transactions, a State Certified Residential appraiser may not appraise real estate wherein a development analysis/appraisal is necessary and utilized. In order to qualify as a State Certified Residential appraiser, an applicant must:

(a) have attained the age of 18 years old;

(b) be a resident of the State of Georgia, unless that applicant has fully complied with the provisions of O.C.G.A. Section 43-39A-9;

(c)

1. hold a Bachelor's degree, or higher, from an accredited college or university. The college or university must be a degree-granting institution accredited by the Commission on Colleges, a national or regional accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education. 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; or

2. hold an Associate's Degree in a field of study related to: Business Administration, Accounting Finance, Economics, or Real Estate; or

3. successful completion of 30 semester hours of college-level courses in each of the following specific topic areas: English Composition (3 hours), Microeconomics (3 hours), Macroeconomics (3 hours), Finance (3 hours), Algebra, Geometry, or Higher Math (3 hours), Statistics (3 hours), Computer Science (3 hours), Business Law or Real Estate Law (3 hours). Two elective courses in any of the above topics, or in Accounting, Geography, Agricultural, Economics, Business Management, or Real Estate (3 hours each); or

4. successful completion of at least 30 hours of College Level Examination Program (CLEP®) examinations that cover each of the specific topic areas covered in 2. above; or

5. any combination of 3. and 4. above that includes all of the topics identified; or

6. no college level education is required for an appraiser who has held a State Licensed appraiser classification for a minimum of five (5) years and has no record of any adverse, final and non-appealable disciplinary action affecting the State Licensed appraiser's legal ability to engage in appraisal practice within the five (5) years immediately preceding the date of application for a State Certified Residential classification.

(d) furnish evidence of having successfully completed at least 200 credit hours in a Board approved course or courses of study consistent with the provisions of 539-2-.03(2) which includes at least 15 credit hours covering USPAP;

(e) upon the filing of an application for examination to become a Certified Residential Appraiser, provide documentation on forms described by the Board of at least 1,500 hours of experience, gained continuously over a period of at least 12 months, in real estate appraisal activity of which at least twenty-five percent must be in complex one-to-four-unit residential appraisal work. Such documentation must include for each appraisal report the type of property, the date of the report, the address of the property, a description of the work performed, and the number of work hours; and or successful completion of a Practical Applications of Real Estate Appraisal (PAREA) program for Certified Residential appraisers, approved by the Appraisal Qualifications Board. Up to 67% of the required experience hours may be obtained for successful completion of a PAREA program for Licensed Residential appraisers; and/or

(f) after meeting the requirements of subparagraphs (a) through (e) of this paragraph, take and pass the AQB-approved National Uniform Licensing and Certification Examination.

(5) A State Certified General appraiser may appraise any type of property for any purpose. In order to qualify as a State Certified General appraiser, an applicant must:

(a) have attained the age of 18 years old;

(b) be a resident of the State of Georgia, unless that applicant has fully complied with the provisions of Code Section 43-39A-9;

(c) hold a Bachelor's degree or higher, from an accredited college or university. The college or university must be a degree-granting institution accredited by the Commission on Colleges, a national or regional accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education. Applicants with a college degree from a foreign country may have their education evaluated for "equivalency" by one of the following:

1. an accredited, degree-granting domestic college or university;

2. the American Association of Collegiate Registrars and Admissions Officers (AACRAO);

3. a foreign degree credential evaluation service company that is a member of the National Association of Credential Evaluation Services (NACES); or

4. 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) furnish evidence of having successfully completed at least 300 credit hours in a Board approved course or courses consistent with the provisions of 539-2-.03(2) which includes at least 15 credit hours covering USPAP;

(e) upon the filing of an application for examination to become a Certified General Appraiser, provide documentation on forms prescribed by the Board of at least 3,000 hours of experience, gained continuously over a period of at least 18 months, in real estate appraisal activity of which at least fifty percent must be in non-residential appraisal work. Such documentation must include for each appraisal report the type of property, the date of the report, the address of the property, a description of the work performed, and the number of work hours; and successful completion of a Practical Applications of Real Estate Appraisal (PAREA) program for Certified Residential appraisers, approved by the Appraisal Qualifications Board may account for up to 50% of the required experience hours.

Successful completion of a Practical Applications of Real Estate Appraisal (PAREA) program for Licensed Residential appraisers, approved by the Appraisal Qualifications Board, may account for up to 33% of the required experience hours; or

(f) after meeting the requirements of subparagraphs (a) through (e) of this paragraph, AQB-approved National Uniform Licensing and Certification Examination.

(6) Exceptions. Any appraiser who holds a classification as an appraiser and who seeks a different classification shall be deemed to have met the curriculum set forth in the Standards for Appraisal Courses 539-2-.03 for the classification held.

(7) Every appraiser with an active classification including the State Trainee appraiser classification shall complete fourteen (14) classroom hours of continuing education instruction for each year of the appraiser's renewal period. In every two consecutive renewal periods, every appraiser with an active classification shall successfully complete the current version of the 7-Hour National USPAP Update Course (or its AQB-approved equivalent). Aside from complying with the requirement to complete a 7-Hour National USPAP Update Course (or its AQB-approved equivalent), appraisers may not receive credit for completion of the same continuing education course within the one-year renewal period.

(8) No hours of credit shall be awarded for any education course which an applicant or appraiser completes solely by taking and passing an examination.

(9) A State Trainee Appraiser and a State Registered Appraiser shall obtain appraiser experience hours from a Supervisory Appraiser under the formal Supervisory/Trainee Appraiser requirements found in paragraphs (1)(a) and (b) above. A Licensed or Certified Residential Appraiser may obtain appraiser experience hours to move up to a higher classification from a supervising appraiser who does not have to meet the formal requirements for being a Supervisory Appraiser as that term is used in paragraphs (1)(a) and (b) above but is required to meet the requirements hereinafter as a supervising appraiser.

(a) For the purpose of this rule, a "supervising appraiser" shall be a State Certified General appraiser or a State Certified Residential and shall be subject to the same criteria of a Supervisory Appraiser found in paragraphs (1)(b) 8. and 9. infra.

(b) In order for appraisal experience to qualify for credit, a certified appraiser supervising another classified appraiser (including a Supervisory Appraiser supervising a Trainee Appraiser), shall not be an employee of or an independent contractor with the supervised appraiser nor an employee of or an independent contractor with a firm in which the supervised appraiser has a controlling ownership interest.

(c) Experience credit shall be given only for experience earned while the applicant has a classification in this or another state.

(d) An appraiser who agrees to supervise the work of another appraiser (including a Supervisory Appraiser supervising a Trainee Appraiser) shall enter into a written agreement with the appraiser to be supervised prior to undertaking any appraisal work that will be utilized for appraisal experience credit under this rule. The written agreement shall at a minimum contain provisions that:

1. identify the full name of the type of classification held by each appraiser as follows:

   (i) State Trainee appraiser;

   (ii) State Registered Appraiser;

   (iii) State Licensed Appraiser;

   (iv) State Certified Residential Appraiser;

   (v) State Certified General Appraiser; or

   (vi) the name used by another state's regulatory agency, if the appraiser is not classified in Georgia but is in another state.

2. identify the classification number issued by the Board to each appraiser or similar number issued by another state's regulatory agency if the appraiser is not classified in Georgia;

3. identify the date of the end of the renewal period for each appraiser's classification;

4. state the supervised appraiser's and supervising appraiser's business relationship; for example, but not limited to, employee, independent contractor, or both are employees or independent contractors with the same firm;

5. indicate how the supervised and the supervising appraiser will be compensated for appraisal activities undertaken during the term of the contract and how each will be compensated when the contract ends for work begun but not completed prior to the termination of the contracts;

6. identify the scope of duties the supervised appraiser is authorized to undertake, which must not be inconsistent with this rule or the Appraiser Act, and must at least include provisions that:

(i) all appraiser assignments must be solicited and obtained in the name of the supervising appraiser or the supervising appraiser's firm (including a Supervisory Appraiser supervising a Trainee appraiser) (if an appraisal assignment is solicited and obtained in the name of a State Trainee real property appraiser, the resulting appraisal may not be used for experience credit under this rule);

(ii) all appraisal reports shall be transmitted or delivered to the client or customer by the supervising appraiser or his or her designee other than the supervised appraiser;

(iii) the supervising appraiser will accept responsibility for the supervised appraiser's work by signing the appraisal report and certifying that it complies with generally accepted appraisal procedures and is in compliance with the standards required by the federal financial institutions regulatory agency that regulates the financial transaction if the appraisal assignment was undertaken for such a purpose; and

(iv) the supervising appraiser shall review the report before signing it; and

7. after the termination of the relationship, the supervised appraiser shall, during normal business hours, have access to all appraisal files on which he or she worked for purposes of submitting to the Board any data the Board requires.

(e) The supervising appraiser and the supervised appraiser shall jointly maintain an appraisal log that includes the following information for each appraisal performed in the format available on the Board's website:

1. Type of property;

2. Date of report;

3. Address of appraised property;

4. Description of work performed by the supervised appraiser and scope of the review and supervision of the supervised appraiser;

5. Number of actual work hours by the supervised appraiser on the assignment; and

6. The signature and state classification number of the supervising appraiser. Separate appraiser logs shall be maintained by each supervising appraiser if applicable.

(f) Any appraiser seeking to use appraisal experience for a higher classification shall attach to his or her log a copy of any written agreements under which he or she obtained the hours of experience governed by this rule.

(g) The supervising appraiser (including a Supervisory Appraiser supervising a Trainee Appraiser) must comply with the requirements of 43-39A-18(b) (12) and retain for a period of five years the original or a true copy of each appraisal report prepared or signed by each appraiser and all supporting data assembled and formulated by the appraisers in preparing each such appraisal report.

(10) Notwithstanding any other provision of this rule, any State Licensed or State Certified Residential appraiser seeking to earn experience credit for a higher appraisal classification may perform appraisal activity and sign an appraisal report as "appraiser" on real property involved in a federally related transaction that may require a higher classification if the appraiser holding the higher classification required to do the appraisal also signs the report and assumes full responsibility for the appraisal.

Cite as Ga. Comp. R. & Regs. R. 539-1-.16
Authority: O.C.G.A. §§ 43-39A-3, 43-39A-8, 43-39A-13.
History. Original Rule entitled "Appraiser Classifications and Their Education, Examination, and Experience Requirements" adopted. F. May 8, 1991; eff. May 28, 1991.
Amended: F. June 10, 1992; eff. June 30, 1992.
Amended: F. July 14, 1992; eff. September 1, 1992, as specified by the Agency.
Amended: F. Mar. 10, 1993; eff. Mar. 30, 1993.
Amended: F. Nov. 16, 1993; eff. Dec. 6, 1993.
Amended: F. Mar. 9, 1994; eff. Mar. 29, 1994.
Amended: F. Sept. 21, 1994; eff. Oct. 11, 1994.
Amended: F. Nov. 1, 1995; eff. Nov. 21, 1995.
Amended: F. Dec. 6, 1996; eff. Dec. 26, 1996.
Amended: F. Sept. 26, 1997; eff. Oct. 16, 1997.
Amended: F. June 8, 1998; eff. June 28, 1998.
Amended: F. May 19, 2000; eff. June 8, 2000.
Amended: F. Jan. 25, 2002; eff. Feb. 14, 2002.
Amended: F. Nov. 22, 2002; eff. Dec. 12, 2002.
Amended: F. Mar. 20, 2003; eff. Apr. 9, 2003.
Amended: F. Jan. 26, 2004; eff. Feb. 15, 2004.
Amended: F. May 24, 2004; eff. June 13, 2004.
Amended: F. May 2, 2005; eff. May 22, 2005.
Amended: F. Sept. 22, 2005; eff. Oct. 12, 2005.
Amended: F. June 22, 2006; eff. August 1, 2006, as specified by the Agency.
Amended: F. Mar. 6, 2008; eff. Mar. 31, 2008, as specified by the Agency.
Amended: F. Oct. 28, 2013; eff. Nov. 17, 2013.
Amended: F. Dec. 11, 2014; eff. Dec. 31, 2014.
Amended: F. Sep. 19, 2018; eff. Oct. 15, 2018, as specified by the Agency.

Amended: F. Aug. 17, 2026; eff. Sept. 6, 2026.

Rule 539-1-.17. Disclosure of Appraiser Classification and Number.

(1) When signing an appraisal report, an appraiser shall, adjacent to his or her signature, print or type his or her name, appraiser classification, and number assigned by the Board.

(2) When an appraiser makes reference to his or her appraiser classification status in any advertisement, statement of qualification, contract, or other instrument used by the appraiser, the appraiser shall print or type his or her name, appraiser classification, and number assigned by the Board. If the appraiser signs such document or advertisement, the appraiser shall, adjacent to his or her signature, print or type his or her name, appraiser classification and number assigned by the Board. Such disclosure is usually most clearly accomplished by spelling out the name of the key words in classification name: e.g.,"Registered," "Licensed," "Certified Residential," or "Certified General."

(3) A State Registered Real Property Appraiser must clearly disclose such Registered appraiser's classification type on any appraisal report form that calls for inserting a classification number beside the names of such non-Registered classification types as licensed or certified. Thus, a State Registered Real Property Appraiser who draws a line through the name of the non-Registered classification type and enters the word "Registered" followed by such Registered appraiser's number issued by the Board shall be deemed to have complied with the requirements of this Rule.

Cite as Ga. Comp. R. & Regs. R. 539-1-.17
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-13.
History. Original Rule entitled "Disclosure of Appraiser Classification and Number" adopted. F. June 10, 1992; eff. June 30, 1992.
Amended: F. Nov. 22, 2002; eff. Dec. 12, 2002.
Amended: F. Mar. 20, 2003; eff. Apr. 9, 2003.

Rule 539-1-.18. Preliminary Decisions Regarding Prior Criminal Convictions or Disciplinary Actions.

(1) The Official Code of Georgia Annotated Section 43-39A-14 provides in part that the Board may deny a classification to an applicant who has a prior criminal conviction(s) or a disciplinary action(s) imposed by any occupational licensing body. An applicant for classification is a person who has met all experience, education, and examination requirements for the classification sought.

(2) Because of the time and expense involved in becoming an applicant for classification, the Board affords an individual who has not yet become an applicant the opportunity to request that the Board make a preliminary decision on the conviction(s) or the prior disciplinary action(s) before the individual takes the required education and examination

for classification. The purpose of a preliminary decision is merely to provide advisory guidance. Preliminary decisions are not binding. However, the Board may elect to allow a favorable preliminary decision to become its final decision without further investigation or hearing when the individual becomes an applicant for classification.

(3) An individual seeking a preliminary decision must submit to the Board a certified copy of any indictment and conviction or a disciplinary action imposed by another licensing regulatory authority. An individual seeking a preliminary decision may also provide the Board with any additional information that the individual believes may assist the Board in rendering a preliminary decision.

(4) A preliminary decision by the Board that is unfavorable to the individual shall not prevent the individual from becoming an applicant for classification by successfully completing all education, experience, and examination requirements for the classification. Whenever the Board denies a classification based on a prior conviction or prior disciplinary action, it must provide the applicant the opportunity for notice and a hearing.

Cite as Ga. Comp. R. & Regs. R. 539-1-.18
Authority: Authority O.C.G.A. Secs. 43-39A-3, 43-39A-13, 43-39A-14.
History. Original Rule entitled "Preliminary Decisions Regarding Prior Criminal Convictions or Disciplinary Sanctions" adopted. F. Jan. 15, 1997; eff. Feb. 4, 1997.
Amended: F. Jan. 24, 2014; eff. Feb. 15, 2014, as specified by the Agency.

Rule 539-1-.19. Significant Professional Assistance.

(1) Whenever an appraiser utilizes the assistance of an unclassified person in the development or reporting of an apprisal assignment, the appraiser is responsible for the acts of the unclassified person and therefore subject to disciplinary action by the Board if the acts of the unclassified person violate any of the provisions of this Chapter. Unclassified persons may perform only duties and tasks that are ministerial in nature and that do not require discretion or the exercise of judgement independent of the appraiser's specific instruction. Unclassified persons may not render significant professional assistance in arriving at a real estate appraisal analysis, opinion, or conslusion.

(2) In order to provide reasonable guidelines for appraisers and those persons who assist appraisers but without defining every permitted or prohibited activity, the Board has identified the following tasks that unclassified persons assisting an appraiser can and can not perform.

(a) Permitted activities (those which do not involve significant professional assistance) for unclassified persons assisting appraisers and under the supervision of the appraiser include:

1. typing an appraiser's research notes;

2. typing an appraisal report;

3. accompanying an appraiser on an inspection visit to a property;

4. assisting an appraiser in measuring a property;

5. taking photographs of specific areas and views of specific properties selected by the appraiser;

6. performing routine calculations;

7. obtaining copies of tax cards, deeds, maps, and data from real property data bases relating to properties selected by the appraiser;

8. checking for accuracy data selected by the appraiser;

(b) Prohibited activites (those which involve significant professional assistance) for unclassified persons assisting appraisers and under the direct supervision of the appraiser include:

1. signing an appraisal report;

2. discussing any confidential information in an appraisal assignment or discussing an appraisal report with anyone other than the appraiser responsible for the assignment;

3. selecting comparables for an appraisal assignment;

4. making adjustments to comparables;

5. drafting an appraisal report;

6. except when working in the presence of a classified appraiser:

(i) inspecting a property that is the subject of an appraisal or that may be used as a comparable in an appraisal; or

(ii) measuring a property.

Cite as Ga. Comp. R. & Regs. R. 539-1-.19
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-13, 43-39A-24.
History. Original Rule entitled "Significant Professional Assistance" adopted. F.Jan. 15 1997; eff. Feb. 4, 1997.

Rule 539-1-.20. Property Tax Consultants.

(1) A property tax consultant is an appraiser employed or retained to act in an advocacy capacity in a property tax appeal matter in which the appraiser acts as an advocate, not as a disinterested third party, in rendering an analysis, opinion, or conclusion relating the nature, quality, value, or utility of identified real estate or identified real property and in which any final determination of value is to be made by an authorized governmental entity or statutory process.

(2) A property tax consulting assignment is one in which the appraiser provides specialized services and is therefore subject to the requirements of the Official Code of Georgia Annotated 43-39A-20(3).

(3) In performing property tax consulting assignments, an appraiser must:

(a) obtain any occupational or professional license required to perform such specialized services;

(b) be aware of, understand, and correctly employ those recognized consulting methods and techniques that are necessary to produce credible results;

(c) not commit a substantial error of omission or commission that significantly affects the results of a property tax consulting assignment; and

(d) not render property tax consulting assignments in a careless or negligent manner, such as a series of errors that, considered individually, may not significantly affect the results, but which, when considered in the aggregate, would be misleading.

Departure from the requirements of this paragraph is not permitted in property tax consulting assignments.

(4) In performing property tax consulting assignments, an appraiser must observe the following specific guidelines:

(a) clearly identify the client's objective;

(b) define the problem to be considered, define the purpose and intended use of the property tax consulting assignment, consider the extent of the data collection process, adequately identify the real estate and/or property under consideration (if any), describe any special limiting conditions, and identify the effective date of the property tax consulting assignment;

(c) collect, verifty, and reconcile such data as may be required to complete the property tax consulting assignment. If an independent appraisal assignment is pertinent to the property tax consulting assignment, an appraisal in conformance with Rule 539-3-.07 must be included in the data collection. All pertinent information shall be included;

(d) apply the appropriate consulting tools and techniques to the data collected; and

(e) base all projections on reasonably clear and appropriate evidence.

(5) In reporting the results of a property tax consulting assignment, an appraiser must communicate each analysis, opinion, and conclusion in a manner that is not misleading. Each written or oral consulting report must:

(a) clearly and accurately set fourth the property tax consulting assignment in a manner that will not be misleading;

(b) contain sufficient information to enable the person(s) who receive or rely on the report to understand it properly; and

(c) clearly and accurately disclose any extraordinary assumption or limited condition that directly affects the property tax consulting assignment and indicate its impact on the final conclusion or recommendation (if any).

Departure from the requirements of this paragraph is not permitted in property tax consulting assignments.

(6) Each written property tax consulting assignment must comply with the following specific reporting guidelines:

(a) define the problem to be considered;

(b) state the purpose of the property tax consulting assignment;

(c) identify and describle the real estate and/or property under consideration;

(d) set forth the effective date of the property tax consulting assignment and the date of the report;

(e) describe the overall range of the work and the extent of the date collection process;

(f) set forth all assumptions and limiting conditions that affect the analyses, opinions, and conclusions;

(g) set forth the information considered, the consulting procedures followed, and the reasoning that supports the analyses, opinions, and conclusions;

(h) set forth the appraiser's final conclusions or recommendations (if any);

(i) set forth any additional information that may be appropriate to show compliance with, or clearly identify and explain permitted departures from, the requirements of paragraphs (3) and (4) of this Rule; and

(j) include a signed certification in accordance with paragraph (7) of this Rule.

(7) Each written property tax consulting assignment report must contain a certification that is similar in content to the following form:

I certify that, to the best of my knowledge and belief:

-- that this report has been prepared in my capacity as an advocate in a property tax appeal matter and not as a disinterested third party.

-- the statements of fact contained in this report are true and correct.

-- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, professional analyses, opinions, and conclusions.

-- my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the relevant appraisal standard adopted by the Georgia Real Estate Appraisers Board.

-- I have (or have not) made a personal inspection of the property that is the subject of this report. (If more than one person signs the report, this certification must clearly specify which individuals did and which individuals did not make a personal inspection of the property.

-- no one provided significant professional assistance to the person signing this report. (If there are exceptions, the name of each individual providing significant professional assistance must be stated.)

Departure from the requirements of this paragraph is not permitted in property tax consulting assignments.

(8) To the extent that it is both possible and appropriate, any oral report (including expert testimony) of a property tax consulting assignment must address the substantive matters set forth in paragraph (6) of this Rule.

Cite as Ga. Comp. R. & Regs. R. 539-1-.20
Authority: O.C.G.A. Secs. 43-39A-13, 43-39A-18.
History. Original Rule entitled "Property Tax Consultants" adopted. F. Jan. 15, 1997; eff. Feb. 4, 1997.

Rule 539-1-.21. Citations.

(1) Whenever the Board determines from the evidence gathered in an investigation that an appraiser has violated one or more of the provisions of O.C.G.A. Chapter 43-39A or the rules and regulations adopted by the Board or a standard of conduct, the Board may issue a citation to the appraiser in lieu of initiating the process for the imposition of sanctions in

accordance with the hearing procedures established for contested cases by Chapter 13 of Title 50. A citation issued by the board may include an order to complete a course of study in real estate appraisal or instruction or to pay a fine not to exceed $1,000.00 for each violation with fines for multiple violations limited to $5,000.00 in any one citation.

(2) The Board may elect to require successful completion of approved continuing education courses in addition to or in lieu of the financial penalties cited in paragraph (3) below.

(3) Violation of the following rules, regulations, and standards of conduct may become the basis for the issuance of a citation. While the Board may determine that circumstances warrant the imposition of a lesser penalty, the monetary penalty prescribed is the maximum penalty for a single violation of that rule, regulation, or standard of conduct. In the event of any conflict between the description of a violation in the schedule below and the language in the code section or rule, the language in the code section or rule shall control.

Violations	**Maximum Fine per Violation**
Where an examination of an approved school reveals a violation of requirements set forth in 539-2-.03; 520-3-.03; 539-2-.04; 539-2-.06(1) & (2); 539-2-.08; 539-2-.09; 539-2-.11; 539-2-.12; 539-2-.14; or 539-5-.04.	Fine of $100.00
Where an appraiser commits an error or omission in the development or reporting of an appraisal which violates one or more of the standards contained in Chapter 539-3 but which does not materially affect the validity of the appraisal or the appraisal report.	Fine of $200.00
Failure of an appraiser to print or type the appraiser's name, classification, and number assigned by the Board on any advertisment, document or instrument used by the appraiser which bears reference to the appraiser's classification. 43-39A-10 & 539-1-.17.	Fine of $200.00
Paying a finder's fee or a referral fee to a person who is not an appraiser in connection with a real estate appraisal. 43-39A-18(a)(5)	Fine of $200.00
Where an approved school violates one or more of the requirements set forth in 539-2-.14 in the development or offering of independent study courses.	Fine of $200.00
Engaging in real estate appraisal activity under an assumed or fictitious name not properly registered with the Secretary of State or with a political subdivision of this state as a name or trade name. 43- 39A-18(a)(4)	Fine of $200.00
Where an appraiser utilizes in other than a ministerial capacity, the services of a person who does not hold a current, active appraisal classification in developing an appraisal, in	Fine of $200.00

preparing an appraisal report, or in communicating an appraisal. 43-39A-18(a)(18)	
Failure of an appraiser to print or type adjacent to his or her signature on an appraisal report or any other document or instrument used by the appraiser which bears reference to the appraiser's classification status and his or her signature, the appraiser's name, classification, and number assigned by the Board. 43-39A-10 & 539-1-.17.	Fine of $200.00
Failure of an appraiser to retain for five years an original or copy of each appraisal report prepared by or signed by the appraiser along with all supporting data upon which the appraiser relied in developing the appraisal and preparing the report. 43-39A-18(a)(12)	Fine of $200.00 per appraisal
Where an approved school offers a course without the Board's prior approval if such prior approval is required. 43-39A-8(c), 539-2-.02(2), 539-2-.03, & 539-2-.05	Fine of $200.00 per student enrolled
Where an appraiser engages in real estate appraisal activities in violation of 539-1-.08 beyond the month in which an appraisal classification lapses for non payment of renewal fees.	Fine of $200.00 per appraisal transaction
Where an approved school fails to have a student complete the required number of hours in any course or to complete all exercises and/or examinations required by the school. 539-2-.07	Fine of $500.00 or $100.00 per student, whichever is greater
Failure of an appraiser to notify the Board of a conviction or violation within ten days of the conclusion of court or administrative proceedings. 539-1-.09.	Fine of $200.00
Where an approved school allows a person who has not been approved by the Board as an instructor to instruct an approved course. 539-2-.06(3)	Fine of $300.00 per course
Where an appraiser has made a false statement of material fact on his or her application or caused to be submitted or been a party to preparing or submitting any falsified application to the Board on paper, electronically, or by any other means or media. 43-39A-4.1, 43-39A- 14(d), 539-2-.13(1), & 539-5-.05(1).	Fine of $400.00
Where the annual percentage of students passing the state appraisal examination from an approved school falls ten percentage points or more below the percentage of all	Fine of $500.00

examinees passing a state examination in any two consecutive calendar years. 539-2-.13(2)

And such other violations and fines as the Board and the respondent parties agree upon.

(4) In lieu of imposing a citation upon an appraiser, the Board in its discretion may offer the appraiser the opportunity to consent to completing a course of study, to paying a fine, or some combination of these or other penalties.

(5) When the Board issues a citation on its own motion, the order in the citation shall become final when 30 days have passed since the date of service of the citation upon the appraiser either personally or by certified mail or statutory overnight delivery unless prior to that time:

(a) the appraiser and the Board have reached agreement on alternative terms; or

(b) the Board has requested a contested case hearing. When a citation becomes final, the appraiser named in the citation must meet any requirements contained in the order in the citation within 30 days of the effective date of that order unless the order prescribes a different timetable for completion of the requirements.

(6) Service of the final order in a citation shall be by personal delivery or by certified mail or statutory overnight delivery to the last address provided to the Board by the appraiser. Service upon an appraiser's attorney shall be deemed service upon the appraiser.

(7) After initiating a contested case action, the Board, in its discretion and with the consent of the appraiser, may elect to dismiss the contested case action and issue a citation.

(8) The Board may impose sanctions on the classification of an appraiser who fails to comply with the terms of a final order in a citation after giving notice to the appraiser and the opportunity for a hearing.

(9) In imposing sanctions on an appraiser's classification in a contested case, the Board shall not consider prior citations if the appraiser has fully complied with the terms of those citations.

Cite as Ga. Comp. R. & Regs. R. 539-1-.21
Authority: O.C.G.A. Secs. 43-39A-8, 43-39A-10, 43-39A-13, 43-39A-14, 43-39A-18, 43-39A-18.1
History. Original Rule entitled "Citations" adopted. F. July 22, 1999; eff. August 11, 1999.
Amended: F. Sept. 29, 2000; eff. Oct. 19, 2000.
Amended: F. July 27, 2001; eff. August 16, 2001.

Rule 539-1-.22. Maintenance of Records.

Copies of appraisals and other records which appraisers are required by law and the Board's rules to maintain may be maintained in any records storage system that utilizes paper, film, electronic, or other media provided that:

(a) the appraiser can produce true and correct copies of such documents and records and

(b) copies of such documents and records can be made available to an authorized representative of the Board upon reasonable request and at reasonable cost to the Board.

Cite as Ga. Comp. R. & Regs. R. 539-1-.22
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-13, 43-39A-18.
History. Original Rule entitled "Maintenance of Records" adopted. F. Mar. 22, 2001; eff. Apr. 11, 2001.

Rule 539-1-.23. Appraisal Management Companies.

An appraisal management company shall not:

(a) fail to preserve the data and format of the appraisal as submitted by the appraiser;

(b) with the exception of review appraisals, redact any information on the appraisal, including but not limited to the name and classification number(s) of the appraiser(s);

(c) indicate or represent to any party that it is acting in any capacity other than a conduit between an appraiser and a client;

(d) require an appraiser to submit a report in an unsecured format;

(e) operate without a controlling person for more than 60 days;

(f) fail to satisfy payment obligations for work performed by an appraiser for a period greater than 30 days from the date of completion of an appraisal, unless otherwise agreed to by all parties in writing;

(g) fail to include its registration number in any appraisal order;

(h) require an appraiser to indemnify it or hold it harmless from any liability, damage, losses or claims arising out of the services provided by it. This prohibition shall not preclude indemnification agreements for services performed by the appraiser; or

(i) pay any fee to an appraiser performing or attempting to perform any real estate appraisal activity in a federally related transaction without complying with the rules to regulate such transactions in accordance with 15 U.S.C. Section 1601, *et seq.*, and the regulations promulgated there under as well as the standards required by the federal financial institutions regulatory agency that regulates the financial transaction for which the appraisal assignment is undertaken, including, but not limited to, compensation to

appraisers at a rate that is customary and reasonable for comparable appraisals being performed for one- to four-family residential units in the geographic area of the property being appraised. For purposes of this rule, geographic area may be defined by zip code, city, county, metropolitan statistical area, or a combination of contiguous counties in a non metropolitan statistical area.

1. An appraisal management company shall be presumed to comply with this Rule if: the appraisal management company compensates the appraiser in an amount that is reasonably related to recent rates paid for comparable appraisal services performed in the geographic market of the property being appraised. In determining this amount, the appraisal management company shall review the factors below and make any adjustments to recent rates paid in the relevant geographic market necessary to ensure that the amount of compensation is reasonable:

   (1) the type of property;

   (2) the scope of work;

   (3) the time in which the appraisal services are required to be performed;

   (4) appraiser qualifications;

   (5) appraiser experience and professional record; and

   (6) appraiser work quality.

2. As an alternative presumption of compliance, an appraisal management company is presumed to comply with this section if it determines the amount of compensation paid to an appraiser by relying on information about rates that:

   a. is based on objective third-party information, including fee schedules, studies, and surveys prepared by independent third-parties such as government agencies, academic institutions, and private research firms;

   b. is based on recent rates paid to a representative sample of providers of appraisal services in the geographic market of the property being appraised or the fee schedules of those providers; and

   c. in the case of information based on fee schedules, studies, and surveys, such fee schedules, studies, or surveys, or the information derived there from, excludes compensation paid to appraisers for appraisals ordered by appraisal management companies.

3. The Board, at its discretion, may contract with an objective third party, such as an educational institution, to develop a schedule of customary and reasonable fee rates of compensation for use by any appraisal management company electing to do so.

4. An appraisal management company shall maintain records of how it determined the customary and reasonable rate of compensation paid for each appraisal assignment.

Cite as Ga. Comp. R. & Regs. R. 539-1-.23
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-13.
History. Original Rule entitled "Appraisal Management Companies" adopted. F. Aug. 18, 2009; eff. Sept. 7, 2009.
Amended: F. Sept. 14, 2010; eff. Oct. 4, 2010.
Amended: F. Oct. 28, 2013; eff. Nov. 17, 2013.
Amended: F. Aug. 20, 2015; eff. Sept. 9, 2015.

Rule 539-1-.24. Hearing Officers and Arbitrators.

An appraiser who serves as a Hearing Officer or an Arbitrator as allowed by O.C.G.A. §§ 48-5-311(e)(1)(A)(ii)& (iii) and who renders a decision regarding the value of real property in ad valorem tax appeals shall not be construed to be engaged in "real estate appraisal activity" as defined in O.C.G.A. § 43-39A-2(23) and shall not be required to comply with the Standards for Developing and Reporting an Appraisal as required by Rule 539-3-.02 herein.

Cite as Ga. Comp. R. & Regs. R. 539-1-.24
Authority: Authority O.C.G.A. §§ 43-39A-8, 43-39A-13, & 43-39A-18.
History. Original Rule entitled "Hearing Officers and Arbitrators" adopted. F. Aug. 30, 2012; eff. Sept. 19, 2012.

Chapter 539-2. STANDARDS FOR APPRAISAL COURSES.

Rule 539-2-.01. College and Equivalent Courses.

(1) An applicant for state licensed real property appraiser who has successfully completed any course or courses of at least one hundred fifty (150) credit hours of prelicense appraiser education which was approved by another appraiser licensing and certification agency in any state, district, territory, possession, or province of the United States or Canada may submit with the applicant's application for examination evidence of that completion from such agency in order to meet the education requirement to sit for a licensing examination and to apply for state licensed real property appraiser. An applicant for a state certified residential real property appraiser who has successfully completed any course or courses of at least two hundred (200) credit hours of prelicense appraiser education which was approved by another licensing and certification agency in any state, district, territory, possession, or province of the United States or Canada may submit with the applicant's application for examination evidence of that completion from such agency in order to meet the education requirement to sit for a certification examination and to apply for state certified residential real property appraiser. An applicant for state certified general real property appraiser who has successfully completed any course or courses of

at least three hundred (300) credit hours of prelicense appraiser education approved by another appraiser licensing and certification agency in any state, district, territory, possession, or province of the United States or Canada may submit with the applicant's application for examination evidence of that completion from such agency in order to meet the education requirement to sit for the certification examination and to apply for state certified general real property appraiser.

(1.1) An applicant who has taken a college course, the content of which is demonstrated to the satisfaction of the Board to include subject matters authorized by Code Section 43-39A-8(d) and enumerated in Chapter 539-2 of the Rules, may count such college course toward meeting the education requirements for state licensed real property appraiser, state certified residential real property appraiser, or state certified general real property appraiser at a rate of 8 classroom hours per quarter hour or 13.3 classroom hours per semester hour of credit earned.

(2) In order to be accepted by the Board as approved to meet educational requirements for classification or for continuing education, courses approved by licensing agencies in other states, districts, territories, possessions, or provinces of the United States or Canada must be courses offered through classroom instruction or through computer-based instruction that is consistent with the standards of Rule 539-2-.14 of these regulations.

Cite as Ga. Comp. R. & Regs. R. 539-2-.01
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "College and Equivalent Courses" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. June 28, 1991; eff. July 18, 1991.
Amended: F. Sept. 30, 1991; eff. Oct. 20, 1991.
Amended: F. Sept. 16, 1992; eff. Jan. 1, 1993; as specified by the Agency.
Amended: F. Mar. 10, 1993; eff. Mar. 30, 1993.
Amended: F. May 16, 1994; eff. June 6, 1994.
Amended: Apr. 1, 1997; eff. Apr. 21, 1997.
Amended: F. Oct. 6, 1998; eff. Oct. 26, 1998.
Amended: F. July 21, 2000; eff. August 10, 2000.
Amended: F. Mar. 22, 2001; eff. Apr. 11, 2001.
Amended: F. May 2, 2005; eff. May 22, 2005.
Amended: F. Jul. 2, 2012; eff. July 22, 2012.

Rule 539-2-.02. Procedures for Approval of Schools and Courses.

(1) The Board shall approve, disapprove, or request additional data on any application for a school approval within sixty (60) days of the submission of a completed application containing the data required by this Rule. The application, in addition to the name and address of the school or person offering appraisal course(s) as well as any other identifying criteria which the Board may require, must set forth in terms acceptable to the Board the following:

(a) a detailed proposal of records management for retaining for at least five years records which will reflect the scores earned by a student on all graded exercises and examinations;

(b) if subject to the Nonpublic Postsecondary Educational Institutions Act of 1990, O.C.G.A. Section 20-3-250.1*et seq.*, a current certificate issued by the Nonpublic Postsecondary Education Commission;

(c) all directors and owners of the school including their names and addresses. If the owner or owners are a partnership or corporation then a list of all directors and owners of the parent entity;

(d) if the school wishes to adopt a makeup policy regarding attendance, a detailed statement of that policy;

(e) a statement of entrance qualifications for students;

(f) a statement that it can make available to its students materials which the Board may require for use in a particular course or courses and that it has video or audio equipment available to present Board required material;

(g) a statement that it will conduct approved courses in classroom style facilities.

(h) a statement that the school will comply with all related provisions of the Americans with Disabilities Act (ADA) and that the school will not discriminate in its fees, enrollment, or completion policies on the basis of race, color, sex, religion, national origin, familial status, or handicap:

(i) a detailed outline(s) of course(s) to be offered in the first year of the school's approval with hours to be spent on each subject area to be covered in the course(s) and all planned classroom and homework exercises;

(j) a bibliography of all texts and reference materials for use in the course(s);

(k) a comprehensive description of the measures and standards it will employ to evaluate student performance in order to determine whether a student successfully completes a course;

(l) a description of the learning objectives for each instructional hour of the course(s) (what the student should know or be able to do upon mastery of the content of each hour of study);

(m) copies of all final examinations together with proposed answers for any course(s) requiring an examination;

(n) a list of all instructors and applications for approval of classification course instructors not yet approved by the Board under the standards of Chapter 539-5;

(o) a schedule of planned offerings of the course(s) for the first calendar year for which the school seeks approval including the date, time, and place of any offering;

(p) the fee schedule planned for the course offering(s) during the first year;

(q) a copy of the Notice to Students required by Rule 539-2-.09; and

(r) the name of a school director and/or coordinator who shall be responsible for certifying student completion of all courses covered under this Rule.

(2) An approved course is one for which an approved school maintains and will make readily available to an authorized representative of the Board the following data:

(a) a detailed course outline with hours to be spent on each subject area to be covered in the course and classroom and homework exercises;

(b) detailed learning objectives for each instructional hour of the course (i.e. what the student should know or be able to do upon mastery of the content of each hour of study);

(c) text materials utilized in the course;

(d) daily tests, final examinations, or other materials used to evaluate student performance;

(e) records that identify each student and the student's attendance record and final grade for any course;

(f) a list of the instructors for the course; and

(g) summaries of student evaluations of the courses.

(3) An applicant for school approval may not hold any course out as approved by the Board until the Board posts the school approval in its offices or the offeror receives a certificate of school approval from the Board.

(4) Any continuing education course addressing a topic or topics other than those listed in Rule 539-2-.05(1)(b) must have the prior written authorization of the Board.

(5) An approved school shall provide the Board in writing no later than 14 days prior to offering a new course the following information:

(a) the title of the course;

(b) the number of credit hours for the course; and

(c) whether the school intends the course for registration, licensure, certified residential, certified general, and/or continuing education credit.

The Board shall provide the school with a course code to be included by the school on the educational certificate issued to students and on the course roster filed with the Board as required by 539-2-.08(3).

Cite as Ga. Comp. R. & Regs. R. 539-2-.02
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Procedures for Approval of Schools" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: Rule retitled "Procedures for Approval of Schools and Courses." F. July 22, 1996; eff. August 11, 1996.
Amended: F. Oct. 6, 1998; eff. Oct. 26, 1998.
Amended: F. July 21, 2000; eff. August 10, 2000.
Amended: F. Sept. 20, 2001; eff. Oct. 10, 2001.

Rule 539-2-.03. Courses.

(1) The Board intends that all approved courses be educational in nature. Schools should not specifically orient approved courses to the passing of state examinations or other examinations. The courses should introduce students to the language of the profession and basic theory underlying the duties and responsibilities of a real estate appraiser.

Approved courses shall require practice in the skills being taught and provide a significant number of exercises for practice of those skills. All courses should make students aware of the need for further study and the perfection of practical skills.

(2) The curriculum of courses approved under this Rule should include at a minimum the following:

(a) for courses approved to meet the education requirement for a State Trainee or State Registered real property appraiser:

1. 30 hours in Basic Appraisal Principles covering topics such as real property concepts and characteristics, legal considerations, influences on real estate values, types of value, economic principles, an overview of real estate markets and analysis, the provisions of the Appraisal Act and its Rules and Regulations, and ethics and how they apply in appraisal theory and practice;

2. 30 hours in Basic Appraisal Procedures covering topics such as the provisions of Georgia's Residential Mortgage Fraud law and methods for identifying possible fraud in transactions and properly reporting alleged

fraud, an overview of approaches to value, valuation procedures, property description, and residential applications;

3. 15 hours in Residential Report Writing and Case Studies covering topics such as writing and reasoning skills, common writing problems, form reports, report options, USPAP compliance, and case studies or 15 hours in General Appraisal Report Writing and Case Studies covering topics such as writing and reasoning skills, common writing problems, and report options;

4. the current version of the 15-Hour National (USPAP) course (or its AQB-approved equivalent);

5. such other subject matter as the Board may require or approve.

(b) for courses approved to meet the education requirement for state licensed real property appraiser:

1. 30 hours in Basic Appraisal Principles covering topics such as real property concepts and characteristics, legal considerations, influences on real estate values, types of value, economic principles, an overview of real estate markets and analysis, the provisions of the Appraisal Act and its Rules and Regulations, and ethics and how they apply in appraisal theory and practice;

2. 30 hours in Basic Appraisal Procedures covering topics such as the provisions of Georgia's Residential Mortgage Fraud law and methods for identifying possible fraud in transactions and properly reporting alleged fraud, an overview of approaches to value, valuation procedures, property description, and residential applications;

3. 15 hours in Residential Market Analysis And Highest And Best Use covering topics such as market fundamentals and characteristics, supply analysis, demand analysis, use of market analysis, and the application of highest and best use;

4. 15 hours in Residential Appraisal Site Valuation And Cost Approach covering topics such as site valuation methods, cost approach concepts and definitions, replacement/reproduction cost new, and methods of estimating accrued depreciation;

5. 30 hours in Residential Sales Comparison And Income Approaches covering topics such as sales comparison valuation principles & procedures, income valuation principles & procedures, finance and cash equivalency, financial calculators, derivation and measurement of adjustments, gross rent multipliers, partial interests, and reconciliation;

6. 15 hours in Residential Report Writing and Case Studies covering topics such as writing and reasoning skills, common writing problems, form reports, report options, USPAP compliance, and case studies;

7. 15 hours in the Uniform Standards of Professional Appraisal Practice (USPAP);

   (NOTE: If an applicant plans to use this course for a certified classification, the appraisal Subcommittee of the federal government contends that federal law requires that the course be one not subject to the Board's review and approval. Instead, it must be one the Appraisal Qualifications Board of The Appraisal Foundation has identified by the name "15-hour National USPAP Course, or its equivalent." The Appraisal Foundation, the private entity that mandates the use of that course, seeks to generate profits from it.

   That course and its equivalent courses were developed under criteria unknown to the Board. The phrase "its equivalent" apparently means only a course that The Appraisal

   Foundation says is "equivalent" to its course. Appraisers may not receive credit for the "15-hour National USPAP Course, or its equivalent" unless (a) the school offers the appraisal Foundation's course on USPAP and pays The Appraisal Foundation special fees for the number of students enrolled in its course, (b) secures the permission of an entity that has achieved The Appraisal Foundation's "equivalent" status to offer its course, or (c) secures The Appraisal Foundation's "equivalent" status for a course the school develops. Regardless of which of the three types of USPAP course that a school uses, every student it enrolls must receive a copy of Uniform Standards of Professional Appraisal Practice for which The Appraisal Foundation has received payment or a royalty. Regardless of the educational quality of the course, a course on USPAP developed by Board approved schools may not replace the "15-hour National USPAP Course, or its equivalent" unless the school obtains The Appraisal Foundation's equivalency authorization and pays The Appraisal Foundation any fees it may require for

   (a) the approval and

   (b) offering the course or materials to students; and

8. such other subject matter as the Board may require or approve.

(c) for courses approved to meet the education requirement for state certified residential real property appraiser:

1. 30 hours in Basic Appraisal Principles covering topics such as real property concepts and characteristics, legal considerations, influences on real estate values, types of value, economic principles, an overview of real estate markets and analysis, the provisions of the Appraisal Act and its Rules and Regulations, and ethics and how they apply in appraisal theory and practice;

2. 30 hours in Basic Appraisal Procedures covering topics such as the provisions of Georgia's Residential Mortgage Fraud law and methods for identifying possible fraud in transactions and properly reporting alleged fraud, an overview of approaches to value, valuation procedures, property description, and residential applications;

3. 15 hours in Residential Market Analysis And Highest And Best Use covering topics such as market fundamentals and characteristics, supply analysis, demand analysis, use of market analysis, and the application of highest and best use;

4. 15 hours in Residential Appraisal Site Valuation And Cost Approach covering topics such as site valuation methods, cost approach concepts and definitions, replacement/reproduction cost new, and methods of estimating accrued depreciation;

5. 30 hours in Residential Sales Comparison And Income Approaches covering topics such as sales comparison valuation principles & procedures, income valuation principles & procedures, finance and cash equivalency, financial calculators, derivation and measurement of adjustments, gross rent multipliers, partial interests, and reconciliation;

6. 15 hours in Residential Report Writing and Case Studies covering topics such as writing and reasoning skills, common writing problems, form reports, report options and USPAP compliance, and case studies;

7. 15 hours in Statistics, Modeling And Finance covering topics such as statistics, valuation, models, and real estate finance;

8. 15 hours in Advanced Residential Applications And Case Studies covering topics such as complex property, ownership and market conditions, deriving and supporting adjustments, residential market analysis, and advanced case studies;

9. 20 hours of additional courses in appraisal subject matter;

10. 15 hours in the Uniform Standards of Professional Appraisal Practice (USPAP);

    (NOTE: If an applicant plans to use this course for a certified classification, the appraisal Subcommittee of the federal government contends that federal law requires that the course be one not subject to the Board's review and approval. Instead, it must be one the Appraisal Qualifications Board of The Appraisal Foundation has identified by the name "15-hour National USPAP Course, or its equivalent." The Appraisal Foundation, the private entity that mandates the use of that course, seeks to generate profits from it.

    That course and its equivalent courses were developed under criteria unknown to the Board. The phrase "its equivalent" apparently means only a course that The Appraisal Foundation says is "equivalent" to its course. Appraisers may not receive credit for the "15-hour National USPAP Course, or its equivalent" unless (a) the school offers the appraisal Foundation's course on USPAP and pays The Appraisal Foundation special fees for the number of students enrolled in its course, (b) secures the permission of an entity that has achieved The Appraisal Foundation's "equivalent" status to offer its course, or (c) secures The Appraisal Foundation's "equivalent" status for a course the school develops. Regardless of which of the three types of USPAP course that a school uses, every student it enrolls must receive a copy of Uniform Standards of Professional Appraisal Practice for which The Appraisal Foundation has received payment or a royalty. Regardless of the educational quality of the course, a course on USPAP developed by Board approved schools may not replace the "15-hour National USPAP Course, or its equivalent" unless the school obtains The Appraisal Foundation's equivalency authorization and pays The Appraisal Foundation any fees it may require for

    (a) the approvaland

    (b) offering the course or materials to students; and 11. such other subject matter as the Board may require or approve.

(d) for courses approved to meet the education requirement for state certified general real property appraiser:

    1. 30 hours in Basic Appraisal Principles covering topics such as real property concepts and characteristics, legal considerations, influences on real estate values, types of value, economic principles, an overview of real estate

markets and analysis, the provisions of the Appraisal Act and its Rules and Regulations, and ethics and how they apply in appraisal theory and practice;

2. 30 hours in Basic Appraisal Procedures covering topics such as the provisions of Georgia's Residential Mortgage Fraud law and methods for identifying possible fraud in transactions and properly reporting alleged fraud, an overview of approaches to value, valuation procedures, property description, and residential applications;

3. 30 hours in General Appraisal Market Analysis And Highest And Best Use covering topics such as market fundamentals and characteristics, supply analysis, demand analysis, use of market analysis, and the application of highest and best use;

4. 30 hours in General Appraisal Site Valuation And Cost Approach covering topics such as site valuation methods, cost approach concepts and definitions, replacement/reproduction cost new, and methods of estimating accrued depreciation;

5. 30 hours in General Appraisal Sales Comparison Approach covering topics such as sales comparison valuation principles & procedures, derivation and measurement of adjustments, and reconciliation;

6. 60 hours in General Appraisal Income Approach covering topics such as compound interest, lease analysis, income analysis, vacancy and collection loss, estimating operating expenses and reserves, reconstructed income and expense statement, stabilized net operating income estimate, direct capitalization, discounted cash flow, yield capitalization, and partial interests;

7. 30 hours in General Appraisal Report Writing and Case Studies covering topics such as writing and reasoning skills, common writing problems, and report options;

8. 15 hours in Statistics, Modeling And Finance statistics, valuation, and models;

9. 30 hours of additional courses in appraisal subject matter;

10. 15 hours in the Uniform Standards of Professional Appraisal Practice (USPAP);

    (NOTE: If an applicant plans to use this course for a certified classification, the appraisal Subcommittee of the federal government contends that federal law requires that the course be one not subject to the

Board's review and approval. Instead, it must be one the Appraisal Qualifications Board of The Appraisal Foundation has identified by the name "15-hour National USPAP Course, or its equivalent." The Appraisal Foundation, the private entity that mandates the use of that course, seeks to generate profits from it.

That course and its equivalent courses were developed under criteria unknown to the Board. The phrase "its equivalent" apparently means only a course that The Appraisal Foundation says is "equivalent" to its course. Appraisers may not receive credit for the "15-hour National USPAP Course, or its equivalent" unless (a) the school offers the appraisal Foundation's course on USPAP and pays The Appraisal Foundation special fees for the number of students enrolled in its course, (b) secures the permission of an entity that has achieved The Appraisal Foundation's "equivalent" status to offer its course, or (c) secures The Appraisal Foundation's "equivalent" status for a course the school develops. Regardless of which of the three types of USPAP course that a school uses, every student it enrolls must receive a copy of Uniform Standards of Professional

Appraisal Practice for which The Appraisal Foundation has received payment or a royalty. Regardless of the educational quality of the course, a course on USPAP develope d by Board approved schools may not replace the "15-hour National USPAP Course, or its equivalent" unless the school obtains The Appraisal Foundation's equivalency authorization and pays The Appraisal Foundation any fees it may require for

(a) the approvaland

(b) offering the course or materials to students; and 11. such other subject matter as the Board may require or approve.

(3) Course fees, entrance standards, and standards for successful completion shall not be based on the student's race, color, sex, religion, national origin, familial status, or handicap.

(4) An "instruction hour" means a period of time of at least fifty minutes of instruction or other learning activity. The Board will grant credit toward a classroom hour requirement for pre-classification education only if the course offering is at least fifteen hours in length and the applicant successfully completes an examination pertinent to the course.

The Board will grant credit toward a classroom hour for continuing education only if the course offering is at least two hours in length. Unless it has prior approval of the Board,

no school may schedule a student for more than seven and one-half (71/2) hours per day of classroom instruction and testing. The school shall hold all classroom instruction between the hours of 8:00 a.m. and 10:00 p.m. with breaks totaling at least fifteen minutes every two hours. The schedule shall allow reasonable time for preparation for each classroom session.

(5) The school coordinator/director shall notify the Board when any individual class has fewer than six (6) or more than forty (40) students. The coordinator/director shall give this notice to the Board within twenty-four hours after the first session of the class.

(6) Each course shall begin and end with the playing of any audio or video tape message the Board may require.

(7) For all courses schools shall include with each instructional unit appropriate reading assignments for completion out of class. The school shall also require that students complete out of class extensive written exercises which the Board approves. Each written assignment a student submits for grading shall include the following:

I certify that I have personally completed this assignment.

(DATE) (STUDENT'S SIGNATURE)

The school shall refuse to grade any written assignment on which the student does not sign this statement.

(8) Schools may offer units of instruction on subjects other than those required by the Board only with prior written approval from the Board.

(9) While instructors may use such teaching methods as lecture, discussion, questions and answers, etc. in in-class sessions, instruction should also include role play, simulations, or other similar instructional techniques designed to assist students in mastering the skills required to act as a real estate appraiser.

(10) The school coordinator/director shall be responsible for consistent and regular evaluation of the school's instructors. The coordinator/director shall provide each student with an opportunity to make unsigned, written evaluations of instructors. Schools shall maintain summaries of these evaluation forms for a period of five years or until the instructor is no longer used by the school, whichever is earlier.

Cite as Ga. Comp. R. & Regs. R. 539-2-.03
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Courses" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. Jan. 30, 1991; eff. Feb. 19, 1991.
Amended: F. June 28, 1991; eff. July 18, 1991.
Amended: F. Mar. 10, 1993; eff. Mar. 30, 1993.
Amended: F. June 8, 1993; eff. June 28, 1993.
Amended: F. Mar. 9, 1994; eff. Mar. 29, 1994.
Amended: F. Sept. 21, 1994; eff. Oct. 11, 1994.

Amended: F. Aug. 2, 1995; eff. Aug. 22, 1995.
Amended: F. Oct. 6, 1998; eff. Oct. 26, 1998.
Amended: F. May 2, 2005; eff. May 22, 2005.
Amended: F. Mar. 15, 2006; eff. July 1, 2006, as specified by the Agency.
Amended: F. Aug. 28, 2007; eff. Sept. 17, 2007.
Amended: F. Dec. 11, 2014; eff. Dec. 31, 2014.

Rule 539-2-.04. Course Examinations.

(1) Every approved course offered to meet preclassification education shall conclude with an examination prepared and administered by the approved school.

(2) Schools must require that students achieve a passing score (a score consistent with the passing score required on state classification examinations) on final examinations administered for approved courses. Schools may elect to allow any student who fails to achieve a passing score to take another examination on another day without repeating in-class instruction. If a student fails to achieve a passing score on a second final examination, the student must repeat all in-class instruction of that course before taking another examination.

(3) Schools shall maintain at least four forms of a final examination for each course and shall provide the Board with reasonable assurances that Board approved examinations are secure from distribution to students except upon administration of an examination and that the school will follow such instructions as the Board may prescribe covering the administration, storage, and disposition of any Board approved examinations that it receives. The Board may impose any disciplinary action permitted by law on the approval of any school which fails to provide proper security for Board approved examinations.

(4) Final examinations for an approved course should attempt to measure the student's competence in the knowledge or skills taught in the approved course. A school shall not be required to submit a course final examination to the Board if the examination:

(a) consists of multiple-choice questions with a minimum of four choices for each question; and

(b) includes no fewer than two multiple-choice questions for each credit hour of the course. A school must submit to the Board for approval any course final examination that does not meet the above criteria prior to the examination's being administered for the approved course.

(5) Whenever a school selects someone other than the school director, school coordinator, or approved instructor as a proctor to administer a course final examination, that person may not be personally related to the student taking the examination or associated with the student in any real estate or appraisal practice. A school must require that any proctor for final examinations sign and date a statement indicating that the proctor personally

administered the course final examination and that the proctor administered the examination according to the requirements of this chapter.

Cite as Ga. Comp. R. & Regs. R. 539-2-.04
Authority: Authority O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Course Examinations" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. June 8, 1993; eff. June 28, 1993.
Amended: F. Oct. 6, 1998; eff. Oct. 26, 1998.
Amended: F. July 21, 2000; eff. August 10, 2000.
Amended: F. Jan. 24, 2014; eff. Feb. 15, 2014, as specified by the Board.

Rule 539-2-.05. Continuing Education Courses.

(1) The Board shall deem an appraiser who completes the seven hour course on the Uniform Standards of Professional Appraisal Practice as required in Rule 539-1-.16(7) to have met the continuing education requirement of O.C.G.A. Section 43-39A-8(b) for a renewal period if the appraiser also successfully completes in a renewal period any of the following courses which have at least the total number of hours of instruction that the appraiser is required to complete:

(a) any course of at least 3 semester hours or 5 quarter hours at an accredited college or university which deals with principles, fundamentals, or essentials of valuation. College correspondence courses and courses which qualify for continuing education units may not be used to qualify under this Rule; or

(b) any other course which the Board approves prior to an appraiser's taking the course and which includes coverage of real estate appraisal related topics such as:

1. ad valorem taxation;
2. arbitrations;
3. business courses related to practice of real estate appraisal;
4. development cost estimating;
5. ethics and standards of professional practice;
6. land use planning, zoning, and taxation;
7. management, leasing, brokerage, and timesharing;
8. property development;
9. real estate appraisal;

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;

15. real property exchange;

    15.1. Georgia's Residential Mortgage Fraud law and methods for identifying possible fraud in transactions and properly reporting alleged fraud;

    15.2. the provisions of the Appraisal Act and its Rules and Regulations; and

16. any other topics to which the Board may give prior approval.

(c) Any course approved by another appraiser regulatory licensing and certification agency in any state, district, territory, possession, or providence of the United States or Canada which meets the requirements of paragraph (1)(b) of this Rule.

(2) Appraisers completing continuing education requirements must submit transcripts or other verification of completion which the Board deems necessary and adequate.

(3) The Board shall deem the continuing education requirement for a renewal period as met by any appraiser who submits satisfactory written proof that he or she has taught any of the courses approved under this Rule totaling at least the number of continuing education hours that the appraiser is required to complete, provided that the appraiser complies with the requirements of Rule 539-1-.16(7).

(4) A course approved for continuing education credit may not be used by an appraiser to meet the education requirements for a different classification than that which the appraiser holds, unless such course is also approved by the Board to meet the education requirements for certification.

(5) The Board, in its discretion, may require the completion of an examination at the end of any continuing education course.

(6) An appraiser who has successfully completed an approved course to meet any part of such appraiser's continuing education requirement may not repeat that course unless at least one full year has passed since the completion of that course.

(7) Any nonresident appraiser shall have met the continuing education requirements required to maintain an appraiser classification in Georgia if such nonresident appraiser has met the continuing education requirements in such nonresident's state of residence and if the appraisal regulatory program in such nonresident's state of residence is not disapproved by the Appraisal Subcommittee.

Cite as Ga. Comp. R. & Regs. R. 539-2-.05
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Continuing Education Courses" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. Sept. 30, 1991; eff. Oct. 20, 1991.
Amended: F. June 10, 1992; eff. June 30, 1992.
Amended: F. Dec. 8, 1992; eff. Dec. 28, 1992.
Amended: F. Mar. 10, 1993; eff. Mar. 30, 1993.
Amended: F. June 8, 1993; eff. June 28, 1993.
Amended: F. Sept. 21, 1994; eff. Oct. 11, 1994.
Amended: F. July 22, 1996; eff. August 11, 1996.
Amended: F. Oct. 6, 1998; eff. Oct. 26, 1998.
Amended: F. Mar. 20, 2003; eff. Apr. 9, 2003.
Amended: F. Mar. 15, 2006; eff. July 1, 2006, as specified by the Agency.

Rule 539-2-.06. Facilities and Instructors.

(1) Schools shall conduct all in-class instruction for courses approved under this Chapter in classroom style facilities.

(2) Each school approved by the Board shall conspicuously post the notification of its school approval in its classroom or in its administration area.

(3) Only instructors approved by the Board under the standards of Chapter 539-5 may instruct courses offered to meet the preclassification education requirements. Only instructors with appropriate experience and knowledge of the content areas of continuing education course may teach continuing education courses. Schools must maintain resumes or other biographical information documenting such knowledge and experience for all continuing education instructors who have not qualified as approved instructors under the standards of Chapter 539-5.

(4) Instructors may utilize no more than thirty (30) minutes for every seven and one-half (71/2) hours of instruction of audio or video material toward meeting any required classroom (or make-up) hours unless the Board grants written authorization for such material prior to its use.

Cite as Ga. Comp. R. & Regs. R. 539-2-.06
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Facilities" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. Jul. 22, 1996; eff. Aug. 11, 1996.
Amended: Rule retitled "Facilities and Instructors". F. Oct. 6, 1998; eff. Oct. 26, 1998.

Rule 539-2-.07. Minimum Standards for Students.

(1) In order for a school to certify a student as passing an approved course, the student must attend the required number of classroom hours of instruction provided for in this Chapter.

(2) In order for a school to certify a student as passing an approved course, the student must complete all exercises and/or examinations required by the school.

(3) Except with the prior approval of the Board, students transferring from one course to another may not count any portion of their attendance or work in the former course toward passing the new course.

(4) In order for a school to certify a student as passing an approved course, the student must meet the minimum grading standards established by this Chapter and the school. On graded exercises and examinations for which this Chapter sets specific requirements, the school's policy shall at least equal those requirements. Other grading standards shall be in accordance with generally accepted educational standards. Schools shall publish these standards and give them to the students on a written form at the beginning of the course.

Cite as Ga. Comp. R. & Regs. R. 539-2-.07
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Minimum Standards for Students" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. Sept. 21, 1994; eff. Oct. 11, 1994.

Rule 539-2-.08. Maintenance of Records.

(1) All approved schools shall maintain, and upon reasonable request make available to any authorized representative of the Board, copies of all examinations with answer keys and copies of all texts or other instructional materials. Schools shall maintain these for a period of at least five years after use.

(2) Each school shall maintain for at least five years, in a form which the Board approves, records which reflect the attendance and scores earned by each student on all graded material and examinations used to determine whether the student passed a course. For all computer-based courses, each school shall maintain for at least five years, in a form that the Board authorizes, records which reflect the following:

(a) the student's name, the course title, the number of hours for the course, the particular software version of the course, and the course serial number;

(b) a Board authorized system of verification of the completion of each module of instruction within the computer-based course and the date of completion of the course;

(c) the scores for each student for all final examinations for those courses requiring such examinations; and

(d) verification of the above data by the school director/coordinator.

(3) Every school offering an approved course shall issue to the passing student an educational certificate provided by the Board. No later than fourteen (14) days after completion of each course, the school coordinator/director shall sign and file with the Board a student roster-letter which includes a certification that each student listed thereon has successfully passed the course, a statement of the number of hours the student attended the course along with the student's overall course grade, and any other data which the Board may require.

Cite as Ga. Comp. R. & Regs. R. 539-2-.08
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Maintenance of Records" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. Oct. 6, 1998; eff. Oct. 26, 1998.

Rule 539-2-.09. Notice To Students.

(1) At the time a student enrolls in an approved course, the school shall provide that student with the following information in writing:

(a) a statement of the Board's current approval of the course;

(b) whether the Board has approved the course to meet registration, licensure, certified residential, or certified general appraiser educational requirements and how many hours toward meeting those requirements the course contains;

(c) the approved instructors who will teach the course and detailed information on their qualifications to instruct in that course;

(d) the school's grading policies for all graded work including, but not limited to, homework examinations, oral or written practice appraisals;

(e) the school's attendance requirements and how students may make-up absences (if allowed); and

(f) for computer based courses, the notice to students must also include:

1. the name and address of the approved school;

2. the order in which the student must submit any homework assignments;

3. that the student must personally complete all instructional modules required to demonstrate mastery of the material and sign the certification statement required by Rule 539-2-.14(8);

4. that the student must successfully complete all assignments before receiving credit for the course or before attending any required in-class instruction; and

5. when and where to complete any required in class instruction; and

(g) any other information which the board may require.

(2) Since a copy of the school's notice to students is a part of the original application for school approval, schools must report in writting no later than 14 days prior to a course offering any change in the school's grading policies for courses, the school's attendance requirements, and/or the school's make-up policy.

Cite as Ga. Comp. R. & Regs. R. 539-2-.09
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Notice to Students of Approval" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Repealed: New Rule entitled "Notice to Students" adopted. F. May 8, 1991; eff. May 28, 1991.
Amended: F. Oct. 6, 1998; eff. Oct. 26, 1998.

Rule 539-2-.10. Renewal of Approval.

In order to renew the approval for any school, the board must receive an application from the school requesting renewal prior to the expiration of the current approval of the course. The application requesting renewal must be on a form approved by the board and accompanied by the required renewal fee established in Rule 539-1-.02.

Cite as Ga. Comp. R. & Regs. R. 539-2-.10
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Renewal of Approval" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.

Rule 539-2-.11. Changes and Exceptions.

(1) Schools shall notify the Board in writing immediately of any changes in its director/coordinator, its name, its phone number, or its location or mailing address. The school shall notify the Board in writing immediately if it terminates its relationship with an instructor because of the instructor's violation of any provision of this Chapter.

(2) Schools may request exceptions, modifications, or exemptions to the requirement of this Chapter whenever sound educational reasons exist for such a request. Schools must submit such requests in writing with supporting rationales and may implement them only after receiving written approval from the Board.

Cite as Ga. Comp. R. & Regs. R. 539-2-.11
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Changes and Exceptions" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. Oct. 6, 1998; eff. Oct. 26, 1998.

Rule 539-2-.12. Advertising.

(1) If a school, after approval, wishes to use the name of the Georgia Real Estate Appraisers Board in its advertising, it should indicate that the Georgia Real Estate Appraisers Board approves the course(s) as meeting the requirements of Georgia laws. Advertising includes any type of solicitation, and advertisements may not indicate in any fashion that the board has any interest in the school other than insuring that it complies with the standards imposed by Georgia law. In no event can the phrase "Georgia Real Estate Appraisers Board" appear anywhere in the advertisement in larger type than the words and phrases preceding or following the phrase "Georgia Real Estate Appraisers Board."

(2) An approved school shall not advertise courses approved under this Chapter with non-approved courses that it may offer in such a manner as to lead the public to believe that the non-approved courses bear board approval or meet any registration, license, or certification requirements. An approved school shall not name and/or advertise non-approved courses in such a manner as to lead the public to believe that the non-approved courses bear board approval or meet any registration, license, or certification requirements.

(3) An approved school shall not advertise a course as being offered, sponsored, or conducted by or in conjunction with a real estate appraisal firm or other organization or individual which is not an approved school. However, a school may advertise that it will offer a course at the location of a real estate appraisal firm or other organization provided that only personnel of the approved school:

(a) provide students and prospective students with information concerning course offerings except that the school may allow other persons to distribute written information prepared by the school's director/coordinator. Such printed information shall include no telephone number other than the school's number and the following statement:

"This information provided by (name of school). Direct any questions concerning this information to (name of school).";

(b) handle paperwork for registering and enrolling students and for certifying students' completion of the course; and

(c) maintain all records required by the board.

(4) While a course may help to prepare students to take a state examination, the board will not approve any course if the name of the course or any advertising of the school or person offering the course indicates that the primary objective of the course is to prepare students for passing a state examination and may rescind approval of any course which so advertises.

(5) An approved school may not advertise that successful completion of its courses will assist an individual in passing a Board approved examination unless it includes its passing percentage in the advertisement in type as large as the reference to passing the examination. In calculating and advertising its passing percentage, an approved school must include the following information:

(a) the passing rate of its students:

1. on the examination(s) to which the advertisement refers;

2. expressed as a specific percentage (language such as "more than 80% passing" is not acceptable);

3. based on only first-time examinees and so state in the advertisement; and

4. for the calendar year prior to the advertisement (the year must be identified in the advertisement);

(b) whether the passing rate is for the licensing and certified residential examination or the certification examination (passing rates for the two examinations may not be combined);

(c) the actual number of its students taking the examination during the calendar year cited; and

(d) the actual number of its students passing the examination in the calendar year cited. An approved school which advertises non-approved courses which do not qualify an individual to sit for an examination but which are held out to the public as assisting an individual to pass the examination must comply with the requirements of this paragraph in advertising those courses.

Cite as Ga. Comp. R. & Regs. R. 539-2-.12
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Advertising" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. May 8, 1991; eff. May 28, 1991.

Rule 539-2-.13. Violations.

(1) Any violation of the provisions of this Chapter, any falsification or misrepresentation on the application for approval or renewal, or any falsification or misrepresentation of any other reports, certifications, or applications required to be submitted by this Chapter may result in withdrawal of approval or any other sanction permitted by O.C.G.A. § 43- 39A-18 or citation permitted by O.C.G.A. § 43-39A-18.1.

(2) Any school whose annual percentage of students passing the state examinations falls ten percentage points or more below the percent of total examinees passing a state examination in any calendar year may have its approval withdrawn or have one of the sanctions allowed by O.C.G.A. § 43-39A-18 imposed on it or citation permitted by O.C.G.A. § 43-39A-18.1.

(3) Before imposing any sanction for a violation of this Chapter, the board shall afford a hearing in accordance with the "Georgia Administrative Procedure Act" O.C.G.A. §50-13 to the school allegedly violating this Chapter.

Cite as Ga. Comp. R. & Regs. R. 539-2-.13
Authority: Authority O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Violations" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. Jan. 24, 2014; eff. Feb. 15, 2014, as specified by the Board.

Rule 539-2-.14. Computer-Based Courses.

(1) Frequently, some applicants for appraiser classification have difficulty attending classes to meet the law's education requirements because they live at significant distances from approved schools offering these education courses, because of extended personal illness, because of induction into the armed forces, or because of other similar extraordinary circumstances. To meet these types of problems, the Board approves the offering of independent-based courses.

(2) Every course approved under this Rule shall teach to mastery. Teaching to mastery means that the course shall, as a minimum:

(a) divide the material into major units as approved by the Board;

(b) divide each of the major units of content into modules of instruction for delivery on a computer or other approved interactive audio or audiovisual programs;

(c) specify the learning objectives for each module of instruction. The learning objectives must be comprehensive enough to insure that if all the objectives are met, the entire content of the course will be mastered;

(d) specify an objective, quantitative criterion for mastery used for each learning objective;

(e) implement a structured learning method by which each student is able to attain each learning objective;

(f) provide means of diagnostic assessment of each student's performance on an ongoing basis during each module of instruction;

1. this assessment process shall measure what each student has learned and not learned at regular intervals throughout each module of instruction, and

2. the diagnostic assessment must specifically assess the mastery of each concept covered in the content material.

(g) provide a means of tailoring the instruction to the needs of each student as identified in (e) above. The process of tailoring the instruction shall insure that each student receives adequate remediation for specific deficiencies identified by the diagnostic assessment;

(h) continue the appropriate remediation on an individualized basis until the student demonstrates achievement of each mastery criterion; and

(i) require that the student demonstrate mastery of all material covered by the learning objectives for the module before the module is completed.

(3) Prior to the development of specific computer-based courses to be offered to meet education requirements, a school must submit to the Board for its approval satisfactory documentation of the method by which each element of mastery on paragraph (2) of this Rule is to be accomplished. If the Board authorizes that method, the school may utilize that method in developing any courses it may offer to meet appraisers' education processes implemented with computer-based courses must be based on sound instructional strategies that have been systematically designed and proven effective through educational research and development. The basis and rationale for any proposed instructional approach must be specified in any request for approval.

(4) Courses approved under this Rule must also meet the criteria outlined in Rule 539-2-.02, except those covering in-class instruction. Except where the Board has granted permission in writing to do otherwise, persons developing computer-based courses must:

(a) utilize at least nine persons in testing programs in order to evaluate for the developer the quality of content and the user friendliness of software and hardware. Of those nine persons, at least three must be unclassified, at least three must be classified appraisers holding classifications at the level of or higher than the courses being developed, and at least six must be non-educators. Persons

developing such courses must document that those testing the programs have varying skill and knowledge levels of computers and appraising, and

(b) make reasonably available to an authorized representative of the Board documentation on the development and testing processes utilized in the computer-based courses.

(5) The following types of programs will not be deemed as meeting the requirements of this Rule:

(a) those which consist primarily of text material presented on a computer or other audio or audiovisual programs rather than in printed material;

(b) those which consist primarily of questions similar to those on the state licensing examination;

(c) those which consist primarily of combinations of the elements in (a) and (b) above.

(6) An approved instructor and/or the school coordinator/director shall grade the written course work required of students in computer-based courses.

(7) Every computer-based course approved to meet the educational requirement for state registered real property appraiser, for state licensed real property appraiser, for state certified residential real property appraiser, for state certified general real property appraiser, and for continuing education shall consist of interactive computer-based or other interactive audio or audiovisual programs which will reasonably require the student to expend in completing the course the number of hours for which the course is approved.

(8) Every school offering an approved computer-based course shall offer those courses under an approved instructor who shall:

(a) be available to answer students' questions or provide them assistance as necessary;

(b) provide reasonable oversight of students' work in order to insure that the student who completes the work is the student who is enrolled in the course;

(c) obtain from each student the following certification statement:

I certify that I have personally completed each assigned module of instruction.

_____ _____

Date Student Signature

(d) certify students as successfully completing a computer-based course only if the student:

1. has completed all instructional modules required to demonstrate mastery of the material,

2. has attended any hours of live instruction and/or testing required for a given course, and

3. has passed the final examination, if the Board, in approving the course requires such an examination.

Cite as Ga. Comp. R. & Regs. R. 539-2-.14
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Independent Study Course" adopted. F. Jul. 22, 1996; eff.Aug. 11, 1996 . Amedned: Rule retitled "Computer-Based Courses". F. Oct 6, 1998; eff. October 26, 1998.

Rule 539-2-.15. Instruction in Standards.

(1) Every course offered by an approved school for pre-classification or continuing education credit shall include acknowledgement and coverage of the provisions of the current editions of the Uniform Standards of Professional Appraisal Practice (USPAP) and the Board's Standards for Appraisals that relate to the subject matter of the course.

(2) Every approved school shall:

(a) provide instruction to each student who enrolls in any continuing education course offered by such school on how to access USPAP on the Internet and particularly how to identify and access that part of USPAP related to the subject matter of the course; or

(b) supply to every student who enrolls in any continuing education course offered by such school a copy of the latest annual edition of USPAP and identify that part of USPAP related to the subject matter of the course.

Cite as Ga. Comp. R. & Regs. R. 539-2-.15
Authority: O.C.G.A. Secs. 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Instruction in Standards" adopted. F. Jan. 25, 2002; eff. Feb. 14, 2002.

Rule 539-2-.16. Distance Education Courses.

(1) Distance education is a course(s) in which instruction does not take place in a traditional classroom setting but rather through other media in which teacher and student are separated by distance and sometimes by time.

(2) The Board approves distance education courses:

(a) that meet all of the requirements of this chapter, or

(b) for which the applicant provides satisfactory documentation that (1) the International Distance Education Certification Center (IDECC) has certified the course as meeting its distance education standards for course design and delivery mechanism and (2) the course content meets the content requirements of this Chapter. Any Board approval based on such an IDECC certification will cease immediately upon notice from IDECC that certification of the course has been discontinued for any reason.

(3) In distance education courses, a classroom hour is defined as fifty minutes of instruction out of each sixty minute segment.

Cite as Ga. Comp. R. & Regs. R. 539-2-.16
Authority: O.C.G.A. Secs. 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Distance Education Courses" adopted. F. Jan. 25, 2002; eff. Feb. 14, 2002.

Chapter 539-3. STANDARDS FOR APPRAISALS.

Rule 539-3-.01. Federally Related Transactions.

(1) A federally related transaction is any real estate related financial transaction that (A) a federal financial institutions regulatory agency or the Resolution Trust Corporation engages in, contracts for, or regulates; and (B) requires the services of an appraiser.

(2) In developing and reporting an appraisal of real property in a federally related transaction, an appraiser must comply with the standards required by the federal financial institutions regulatory agency that regulates the financial transaction for which the appraisal assignment was undertaken. For each appraisal assignment, it is the responsibility of the appraiser to determine what standards a federal financial institutions regulatory agency requires.

(3) In developing and reporting an appraisal of real property in a federally related transaction,an appraiser must take reasonable efforts to identify and report (a) the identity of the current owner of the property, (b) whether the property is listed for sale and identify and state in the appraisal report all list prices within the preceding year reported by reliable sources, (c) whether the property is under contract for sale, and (d) whether

the property has sold or had deed transfer within the last three years prior to the effective date of the appraisal.

(4) While documenting compliance with this requirement may be met in a variety of ways, an appraiser who attaches to the appraisal report the following items, obtained contemporaneously with the appraisal, shall be deemed to have met the requirements of this rule:

(a) a copy of the most recently recorded deed transferring ownership of the property or county tax records showing the name(s) of the property's current owner(s) of record;

(b) a copy of any existing listing agreements or documentation from a multiple listing service that reflects any listing periods and list prices of the property and its owner(s). (The appraiser must also identify and state in the appraisal report all list prices within the preceding year reported by reliable sources); and

(c) a written statement signed by the party ordering the appraisal that such party has disclosed to the appraiser all pending agreements to sell the property of which it is aware and has supplied to the appraiser all written agreements to sell the property of which it is aware.

Cite as Ga. Comp. R. & Regs. R. 539-3-.01
Authority: O.C.G.A. Secs. 43-39A-8, 43-39A-13, 43-39A-18.
History. Original Rule entitled "Definitions" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. Mar. 10, 1993; eff. Mar. 30, 1993.
Amended: F. Jan. 12, 1994; eff. Feb. 1, 1994.
Amended: F. July 19, 1994; eff. August 8, 1994.
Amended: F. Jan. 22, 1996; eff. Feb. 11, 1996.
Amended: F. May 22, 1997; eff. June 11, 1997.
Repealed: New Rule entitled "Federally Related Transactions" adopted. F. Sept. 26, 1997; eff. Oct. 16, 1997.
Amended: F. Jan. 25, 2002; eff. Feb. 14, 2002.
Amended: F. Sept. 23, 2004; eff. Oct. 13, 2004.
Amended: F. June 22, 2006; eff. August 1, 2006, as specified by the Agency.

Rule 539-3-.02. Standards for Developing and Reporting an Appraisal.

(1) In developing and reporting an appraisal of real property, an appraiser shall not:

(a) perform any appraisal assignment beyond the scope of authority granted in the appraiser classification held;

(b) fail to disclose clearly and accurately the appraiser classification and number granted to the appraiser by the state;

(c) fail to employ correctly methods and techniques that are necessary to produce a credible appraisal. Unless the appraiser expressly provides a credible real estate appraisal justification in the appraisal report, the appraiser may not vary from the following guidelines:

1. appraisers reaching a conclusion of value for a real property must:

    a. Obtain all data used in every appraisal from a reliable source and verify that data from at least one additional reliable source. For purposes of this Chapter a reliable source shall be one typically utilized by appraisers in the area and includes, but is not limited to, a personal inspection by the appraiser; publicly filed records; property tax records; an appropriate local multiple listing service; and commercially available data based and publications reasonably relied upon by appraisers in the ordinary course of their business.

    An appraiser may also rely upon information obtained from real estate appraisers, brokers, closing attorneys, sellers, and buyers provided that the appraiser maintains (1) documentation of any information obtained from appraisers, brokers, closing attorneys, sellers, and buyers and (2) the name and telephone number and/or address of each source in the appraiser's file for at least five years;

    b. Obtain for the appraiser's file the Tax Assessor's 100% market value;

    c. identify and state in the appraisal report any list prices of the property if listed within the preceding year reported by reliable sources; and

    d. comment on the impact on the market value of the subject of foreclosure activity in the market area of the subject property.

2. appraisers utilizing the market approach for reaching a conclusion of value for a real property must:

    a. identify and describe the market area as a geographic location;

    b. select comparable properties that are the most recent sales and that reflect current market conditions for valuation of the subject property. Absent a credible real estate appraisal explanation for a different definition of most recent sales, most recent sales shall be within one year and in the market area. The most recent sales shall be presumed to be properties that have sold within the preceding year of the *effective* date of the appraisal;

    c. select comparable properties for valuation of a residential property that require the net total of any adjustments to the sales price of a

comparable sale not to exceed 15% and the gross total of all adjustments (whether positive or negative) not to exceed 25%, absent a credible real estate appraisal explanation for differing adjustments;

d. select comparable properties for valuation of a property that are located within the market area of the subject. Absent a credible real estate appraisal explanation for a different market area, the market area for residential properties shall be presumed to be comparable properties located first within the same subdivision as the subject and second located within one mile of the subject;

e. list in the appraisal report any sale of the subject property held within the preceding three (3) years of the appraisal's effective date including the date of sale and sales price. In addition, comment on or explain if any sale occurred within six (6) months of a previous sale within said three (3) year period when the sales price increased more than 25% of the previous sales price;

f. list in the appraisal report any sales of comparable properties used in said report held within the preceding one (1) year of the comparable properties last date of sale including the previous date of sale and sales prices. In addition, comment on or explain if any sale occurred within six (6) months of a previous sale within said one (1) year period when the sales price increased more than 25% of the previous sales price.

g. state the exposure time indicated by the market.

3. appraisers utilizing the cost approach for reaching a conclusion of value for a real property must include in the appraisal report the relevant replacement cost data from a source reasonably relied upon by appraisers in the ordinary course of their business. Said source must be identified by title on the appraisal report;

4. appraisers utilizing the income approach for reaching a conclusion of value for a real property shall identify in the appraisal report the source of any income data used in the appraisal report; identify any ownership or other interest which such source has in the subject property; and maintain in the appraiser's file for a period of five years written verification of such income data.

(d) commit a substantial error of omission or commission that significantly affects the appraisal;

(e) render appraisal services in a careless or negligent manner;

(f) communicate the appraiser's analyses, opinions, or advice in a manner that is misleading to the client;

(g) fail to include in a report of an appraisal sufficient information to enable the person(s) who are expected to receive or rely on the report to understand it properly;

(h) perform an independent appraisal assignment with partiality or an accommodation of personal interest;

(i) accept an independent appraisal assignment when the employment itself is contingent upon the appraiser's reporting a predetermined estimate, analysis, valuation, or opinion or where the fee to be paid is contingent upon the opinion, conclusions, analysis, or valuation reached or upon the consequences resulting from the appraisal assignment;

(j) perform any appraisal assignment without (1) disclosing any lack of knowledge and/or experience to the client before accepting the assignment; (2) taking all steps necessary to complete the assignment competently; (3) describing the lack of knowledge and/or experience and the steps taken to complete the assignment competently in the appraisal report; and (4) having the client expressly identify any other persons or entities that the client expects to rely on the appraisal report;

(k) report the results of a real property appraisal without disclosing the nature, extent, and detail of the appraisal processes undertaken;

(l) fail to disclose clearly and accurately in the appraisal report any assumption or any limiting condition that directly affects the appraisal and to indicate its impact on value;

(m) fail to include in an appraisal report a certification that includes the following items in language substantially similar to the following:

I certify that, to the best of my knowledge and belief:

- the statements of fact contained in this report are true and correct.

- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions.

- I have no (or the specified) present or prospective interest in the property that is the subject of this report, and I have no (or the specified) personal interest or bias with respect to the parties involved.

- I have performed no (or the specified) services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three year period immediately preceding acceptance of this assignment.

- I have no bias with respect to the property that is the subject of this report or to the parties involved in this assignment.

- my engagement in this assignment or in any future assignment is not contingent upon developing or reporting predetermined results.

- my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.

- my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Georgia Real Estate Appraiser Classification and Regulation Act and the Rules and Regulations of the Georgia Real Estate Appraisers Board.

- I have (or have not) made a personal inspection of the property that is the subject of this report. (If more than one person signs the report, this certification must clearly specify which individuals did and which individuals did not make a personal inspection of the appraised property.)

- no one provided significant professional assistance to the person signing this report.

(If there are exceptions, the name of each individual providing significant professional assistance must be stated and the professional assistance provided must be disclosed.);

(n) falsify any part of an appraisal report;

(o) fail to maintain at all times direct control of the appraiser's signature and the method by which that signature is affixed to an appraisal report. An appraiser may grant permission to another to affix the appraiser's signature to an appraisal report provided that the permission is in writing, the permission extends to only one specific appraisal report, the writing identifies the report and the amount of the opinion of value, and the appraiser maintains a copy of the written permission in the appraiser's work file. An appraiser shall not grant blanket authority to another person to affix the appraiser's signature to an appraisal report or reports; and

(p) use any uniform residential appraisal report form for reporting appraisal work for any purpose other than to report an appraisal.

(q) Submit or transmit an appraisal report without taking reasonable steps to ensure that the report cannot be altered, modified or otherwise facilitate unlicensed appraisal activity as addressed in O.C.G.A. § 43-39A-24. Such unlicensed activity may include the alteration or modification of the report by the client, liaison of the recipient, or appraisal management company.

(r) if paid by a third party, fail to include the fee paid for the appraisal assignment and; if ordered by an appraisal management company, the registration number of that appraisal management company.

(2) An appraiser who signs a real property appraisal report prepared by another accepts full responsibility for the appraisal and the contents of the appraisal report.

(3) On the effective date of this Rule amendment and in anticipation of a change in USPAP published as the Fourth Exposure Draft of proposed changes to the 2016-2017 Edition of it by the Appraisal Standards Board to become effective January 1, 2016, the physical characteristics of real estate appraised shall not be considered assignment results. Examples of the physical characteristics include size, functional utility, physical conditions, and quality of the real estate appraised. An appraiser shall not disclose appraisal assignment results or confidential information found in an appraisal to anyone other than:

(a) the client and parties specifically authorized by the client;

(b) state appraiser regulatory agencies and third parties as may be authorized by due process of law;

(c) a duly authorized professional peer review committee except when such disclosure to a committee would violate applicable law or regulation; and

(d) the appraiser's legal counsel or professional expert representing the appraiser in an existing criminal, civil, or administrative law investigation or proceeding involving the appraiser.

(4) In developing and reporting an appraisal of real property in a non-federally related transaction; an appraiser must take reasonable steps to identify and report (a) the identity of the current owner of the property, (b) whether the property is listed for sale and identify and state in the appraisal report all list prices within the preceding year, (c) whether the property is under contract for sale, and (d) whether the property has sold within the last three years prior to the effective date of the appraisal.

(5) While documenting compliance with the requirements of paragraph (4) above may be accomplished in a variety of ways, an appraiser who attaches to the appraisal report the following items, obtained contemporaneously with the appraisal, shall be deemed to have met the requirements of this rule:

(a) a copy of the most recently recorded deed transferring ownership of the property or county tax records showing the name(s) of the property's current owner(s) of record,

(b) a copy of any existing listing agreement or documentation from a multiple listing service that reflects a listing period of the property and its owner(s); and

(c) a written statement signed by the party ordering the appraisal that such party has disclosed to the appraiser all pending agreements to sell the property of which it is aware and has supplied to the appraiser all written agreements to sell the property of which it is aware.

(6) When a client of an appraiser requests an appraisal of a property that was the subject of an appraisal performed by that appraiser for a different client and intended user(s) with a new effective date and if the appraiser uses any data from the original appraisal in the appraisal for the new client, then, unless the appraiser expressly provides a credible real estate appraisal justification in the appraisal report, the appraiser must, at a minimum:

(a) perform an inspection of the subject property sufficient in scope to provide a credible appraisal;

(b) re-verify any data from the first appraisal that is being re-used in the new appraisal;

(c) review the comparable sales that were used in the original appraisal and analyze any comparable sales that have occurred or on which information has become available since the date of the original; and

(d) identify the new client and intended user(s).

Cite as Ga. Comp. R. & Regs. R. 539-3-.02
Authority: O.C.G.A. Secs. 43-39A-8, 43-39A-13, 43-39A-18.
History. Original Rule entitled "Conduct" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. Mar. 10, 1993; eff. Mar. 30, 1993.
Amended: F. May 22, 1997; eff. June 11, 1997.
Repealed: New Rule entitled "Non-federally Related Transactions" adopted. F. Sept. 26, 1997; eff. Oct. 16, 1997.
Amended: F. Feb. 2, 1999; eff. Feb. 22, 1999.
Amended: Rule retitled "Standards for Developing and Reporting An Appraisal" adopted. F. May 19, 2000; eff. June 8, 2000.
Amended: F. Jan. 25, 2002; eff. Feb. 14, 2002.
Amended: F. June 22, 2006; eff. August 1, 2006, as specified by the Agency.
Amended: F. July 4, 2008; eff. August 31, 2008, as specified by the Agency.
Amended: F. Aug. 18, 2009; eff. Sept. 7, 2009.
Amended: F. Nov. 8, 2010; eff. Nov. 28, 2010.
Amended: F. Oct. 28, 2013; eff. Nov. 17, 2013.
Amended: F. Feb. 21, 2014; eff. Mar. 15, 2014, as specified by the Agency.
Amended: F. Feb. 20, 2015; eff. Mar. 12, 2015.

Rule 539-3-.03. Review of Appraisals.

(1) An appraisal review assignment shall consist of developing and reporting an opinion of the quality of another appraiser's work.

(2) In undertaking an appraisal review assignment, the appraiser must:

(a) identify for the appraisal review assignment the client, the intended users, the subject, the effective date, the purpose of the assignment, and the scope of work to be performed;

(b) develop and report a credible opinion of the quality of another appraiser's work including, but not limited to, an opinion as to whether the data is adequate and relevant, the appraisal methods used are appropriate, and the analyses, opinions, and conclusions in the work being reviewed are reasonable and appropriate; and

(c) disclose in the appraiser's report the nature, extent, and detail of the review process undertaken and include all known pertinent information.

(3) Anytime an appraiser develops and reports an opinion of value that agrees or disagrees with the opinion of value developed and reported in an appraisal assignment performed by another appraiser, that opinion is an appraisal, not a review of an appraisal. When the purpose of an appraisal review assignment also requires that the appraiser develop an opinion of value of the subject of the review assignment, that requirement must be identified in the purpose and scope of work of the appraisal review assignment and the appraiser must comply with the applicable standards for developing an appraisal.

Cite as Ga. Comp. R. & Regs. R. 539-3-.03
Authority: Authority O.C.G.A. Secs. 43-39A-13, 43-39A-18, 43-39A-18(a)(8).
History. Original Rule entitled "Management" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: March 10, 1993; eff. March 30, 1993.
Repealed: New Ruleentitled "Review Appraisals" adopted. F. Sept. 26, 1997; eff. Oct. 16, 1997.
Amended: F. Jan. 21, 2000; eff. Feb. 10, 2000.
Amended: Rule retitled "Review of Appraisals." F. Jan. 26, 2001; eff. Feb. 15, 2001.
Amended: F. June 22, 2006; eff. August 1, 2006, as specified by the Agency.

Rule 539-3-.04. Standards for Developing and Reporting an Evaluation Appraisal.

(1) An "Evaluation Appraisal" is defined as follows:

An appraisal which is limited in its scope and development to the requirements for Evaluations as set forth for a lender by a federal financial institutions regulatory agency and as defined in and consistent with the Interagency Appraisal and Evaluation

Guidelines ("Evaluation Guidelines") promulgated by the Office of the Comptroller of the Currency, et al.

(2) An Evaluation Appraisal may be performed for any transaction that qualifies to be performed as an Evaluation under the Interagency Appraisal and Evaluation Guidelines ("Evaluation Guidelines") promulgated by the Office of the Comptroller of the Currency, et al.

(3) Development and Content of Evaluation Appraisals:

At a minimum, the development and content of an Evaluation Appraisal shall comply with the guidelines set forth in the Interagency Appraisal and Evaluation Guidelines ("Evaluation Guidelines") promulgated by the Office of the Comptroller of the Currency, et al.

(4) **Certification.** The Evaluation Appraisal report shall include the following items in language substantially similar to the following: I certify that, to the best of my knowledge and belief:

- the statements of fact contained in this report are true and correct.

- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions.

- I have no (or the specified) present or prospective interest in the property that is the subject of this report, and I have no (or the specified) personal interest or bias with respect to the parties involved.

- I have no bias with respect to the property that is the subject of this report or to the parties involved in this assignment.

- my engagement in this assignment or in any future assignment is not contingent upon developing or reporting predetermined results.

- my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.

- my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Georgia Real Estate Appraiser Classification and Regulation Act and the Rules and Regulations of the Georgia Real Estate Appraisers Board.

- I have (or have not) made a personal inspection of the property that is the subject of this report. (If more than one person signs the report, this certification must clearly specify

which individuals did and which individuals did not make a personal inspection of the appraised property.)

- no one provided significant professional assistance to the person signing this report. (If there are exceptions, the name of each individual providing significant professional assistance must be stated and the professional assistance provided must be disclosed.)

Cite as Ga. Comp. R. & Regs. R. 539-3-.04
Authority: O.C.G.A. §§ 43-39A-13, 43-39A-18.
History. Original Rule entitled "Confidentiality" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Repealed: New Rule entitled "Departure in Non-federally Related Transactions" adopted. F. Sept. 26, 1997; eff. Oct. 16, 1997.
Amended: F. Jan. 25, 2002; eff. Feb. 14, 2002.
Repealed: F. June 22, 2006; eff. August 1, 2006, as specified by the Agency.
Adopted: New rule entitled "Standards for Developing and Reporting an Evaluation Appraisal." F. Feb. 26, 2013; eff. Mar. 18, 2013.
Amended: F. July 30, 2020; eff. August 19, 2020.

Rule 539-3-.05. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-3-.05
Authority: O.C.G.A. Secs. 43-39A-13, 43-39A-18.
History. Original Rule entitled "Competency Provision" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. March 10, 1993; eff. March 30, 1993.
Repealed: F. Sept. 26, 1997; eff. Oct. 16, 1997.

Rule 539-3-.06. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-3-.06
Authority: O.C.G.A. Secs. 43-39A-13, 43-39A-18.
History. OriginalRule entitled "Departure Provision" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. March 10, 1993; eff. March 30, 1993.
Amended: F. Jan. 12,1994; eff. Feb. 1, 1994.
Amended: F. July 19, 1997; eff. August 8, 1994.
Amended: F. Mar. 27, 1995; eff. Apr. 16, 1995.
Repealed: New Rule, same title, adopted. F.Sept. 15, 1995; eff. Oct. 5, 1995.
Repealed: F. Sept. 26, 1997; eff. Oct. 16, 1997.

Rule 539-3-.07. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-3-.07
Authority: O.C.G.A. Secs. 43-39A-13, 43-39A-18.
History. Original Rule entitled "Developing a Real Property Appraisal" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: March 10, 1993; eff. March 30, 1993.
Amended: F. Jan. 12, 1994; eff. Feb. 1, 1994.
Amended: F. Jan. 24, 1995; eff. Feb. 13, 1995.

Repealed: F. Sept. 26, 1997; eff. Oct. 16, 1997.

Rule 539-3-.08. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-3-.08
Authority: O.C.G.A. Secs. 43-39A-13, 43-39A-18.
History. Original Rule entitled "Reporting a Real Property Appraisal" adopted. F. Sept. 25, 1990;eff.Oct. 15, 1990.
Amended: F. March 10, 1993; eff. March 30, 1993.
Amended: F. Jan. 12, 1994; eff. Feb. 1, 1994.
Amended: F. July 19, 1994; eff. August 8, 1994.
Amended: F. Jan. 24, 1995; eff. Feb. 13, 1995.
Amended: F. Jan. 22, 1996; eff. Feb. 11, 1996.
Amended: May 22, 1997; eff. June 11, 1997.
Repealed: F. Sept. 26,1997; eff. Oct. 16, 1997.

Rule 539-3-.09. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-3-.09
Authority: O.C.G.A. Secs. 43-39A-13, 43-39A-18.
History. Original Rule entitled "Review Appraisals" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. March 12, 1992; eff. April 1, 1992
Amended: Mar. 10, 1993; eff. Mar. 30, 1993.
Amended: F. Jan. 12, 1994; eff. Feb. 1, 1994.
Repealed: F. Sept. 26, 1997; eff. Oct. 16, 1997.

Rule 539-3-.10. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-3-.10
Authority: O.C.G.A. Secs. 43-39A-13, 43-39A-18.
History. Original Rule entitled "Consulting Services" adopted. F. Sept. 25, 1990; eff. Oct. 15, 1990.
Amended: F. Jan. 12, 1994; eff. Feb. 1, 1994.
Repealed: F. Sept. 26, 1997; eff. Oct. 16, 1997.

Rule 539-3-.11. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-3-.11
Authority: O.C.G.A. Secs. 43-39A-13, 43-39A-18.
History. OriginalRule entitled "Reporting Consulting Services" adopted. F. Sept. 25, 1990; eff.Oct. 15, 1990.
Amended: F. March 10, 1993; eff. March 30, 1993.
Amended: F.Jan. 12, 1994; eff. Feb. 1, 1994.
Amended: F. May 22, 1997; eff. June 11, 1997.
Repealed: F. Sept. 26, 1997; eff. Oct. 16, 1997.

Rule 539-3-.12. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-3-.12
Authority: O.C.G.A. Secs. 43-39A-13, 43-39A-18.
History. Original Rule entitled "Mass Appraisals" adopted. F. Mar. 12, 1992; eff. Apr. 1, 1992.
Amended: F. Mar. 10, 1993; eff. Mar. 30, 1993.
Amended: F. Jan. 12, 1994; eff. Feb. 1, 1994.
Repealed: F. Sept. 26, 1997; eff. Oct. 16, 1997.

Rule 539-3-.13. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-3-.13
Authority: O.C.G.A. Secs. 43-39A-13, 43-39A-18.
History. Original Rule entitled "Personal Property Appraisals" adopted. F. Mar. 10, 1993; eff.Mar. 30, 1992.
Amended: F. Jan. 12, 1994; eff. Feb. 1, 1994.
Amended: May 22, 1997; eff. June 11, 1997.
Repealed: F. Sept. 26, 1997; eff. Oct. 16, 1997.

Rule 539-3-.14. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-3-.14
Authority: O.C.G.A. Secs. 43-39A-13, 43-39A-18.
History. Original Rule entitled "Business or Intangible Asset Appraisal" adopted. F. Mar. 10, 1993; eff. Mar. 30, 1993.
Amended: F. Jan. 12, 1994; eff. Feb. 1, 1994.
Repealed: F. Sept. 26, 1997; eff. Oct. 16, 1997.

Rule 539-3-.15. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-3-.15
Authority: O.C.G.A. Secs. 43-39A-13, 43-39A-18.
History. Original Rule entitled "Reporting a Business of Intangible Asset Appraisal" adopted. F.Mar. 10, 1993; eff. Mar. 30, 1993.
Amended: F. Jan. 12, 1994; eff. Feb. 1, 1994.
Amended: May 22, 1997; eff. June 11, 1997.
Repealed: F. Sept. 26, 1997; eff. Oct. 16, 1997.

Chapter 539-4. PROCEDURAL RULES.

Rule 539-4-.01. Hearing Procedures.

(1) All hearings in "contested cases," as that term is defined in the Georgia Administrative Procedure Act (O.C.G.A. § 50-13-13), shall be conducted by the Office of State Administrative Hearings. All proceedings pending before the Office of State Administrative Hearings shall be governed by its rules and regulations. Chapter 616-1-2 Procedures for Administrative Hearings before Office of State Administrative Hearings

Administrative Law Judges. The Board shall initiate all proceedings in contested cases by filing the requisite pleadings with Office of State Administrative Hearings.

(2) When the Board denies an application for classification based on the applicant's failure to meet the other requirements of O.C.G.A. § 43-39A-14, notwithstanding the fact the applicant may have met the other requirements under O.C.G.A. § 43-39A-8, the Board shall notify the applicant of the denial and the applicant shall be offered the opportunity to request a hearing before the Office of State Administrative Hearings.

Cite as Ga. Comp. R. & Regs. R. 539-4-.01
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-6, 43-39A-13, 43-39A-14, 43-39A-15, 43-39A-18, 43-39A-21, 43-39A-22, 43-39A-25, 50-13.
History. Original Rule entitled "General Information" adopted. F. Aug. 16, 1990; eff. Sept. 5, 1990.
Amended: F. Mar. 27, 1995; eff. Apr. 16, 1995. Repealed: New Rule entitled "Hearing Procedures" adopted. F.Nov. 22, 2002 Aug. 2, 1995; eff.August 22, 1995 .
Amended: F. Nov. 22, 2002; eff. Dec. 12, 2002.

Rule 539-4-.02. General Information.

(1) The following rules govern prehearing and posthearing procedures in "contested cases" pending before the Georgia Real Estate Appraisers Board. The following rules do not apply to matter filed or pending before the Office of State Administrative Hearings.

(2) The Board shall maintain records indicating when it received all papers relating to every proceeding to which these rules apply.

(3) The office of the Board shall be open from 8:00 a.m. to 4:30 p.m. each weekday except Saturdays, Sundays, and legal holidays, and such other times as the Governor shall declare state offices closed.

(4) All documents, including requests for hearing or review of an initial decision, correspondence, motions, and pleadings related to matters pending before the Board and not pending before the Office of State Administrative Hearings, shall be filed with the Real Estate Commissioner, whose office is located at Suite 1000, International Tower, 229 Peachtree Street, N.E., Atlanta, Georgia 30303- 1605. Copies shall be furnished by the party filing said documents to all parties of record, including the attorney representing the Board.

(5) All communications, correspondence, motions, and pleadings in any proceeding shall be deemed to be filed or received on the date on which they are actually received by the Commissioner.

(6) Computation of any period of time referred to in these rules shall begin with the first day following that on which the act which initiates such period of time occurs. When the last day of the period so computed is a day on which the office of the Board is closed, the

period shall run until the end of the following business day. When such period of time, with the intervening Saturdays, Sundays, and legal holidays counted, is seven (7) days or less, the said Saturdays, Sundays, and legal holidays shall be excluded from the computation; otherwise such days shall be included in the computation.

(7) It shall be within the discretion of the Board to extend, for good cause shown, any time limit prescribed or allowed by these rules. Extensions shall be granted only when the Board is satisfied that good cause has been shown and not otherwise.

(8) Every notice, pleading, motion, or other document filed by a party (other than the Board) represented by an attorney shall be signed by at least one attorney of record in the attorney's individual name and the attorney's address and telephone number shall be stated. A party who is not represented by an attorney shall sign the pleading and state the party's address and telephone number. Except when otherwise specifically provided by rule or statute, pleadings need not be verified or accompanied by affidavit. The signature of an attorney constitutes a certificate by the attorney that the attorney has read the pleading and that it is not interposed for delay.

(9) No person not employed by the Board shall communicate exparte with any member of the Board or any employee of the Board involved in the decisional process with respect to the merits of a contested case. If any ex-parte communication is directed to any person in violation of these rules, all parties shall be immediately informed of the substance of the communication and the circumstances of its receipt; provided, that a request for information with respect to the status of a proceeding shall not be prohibited by this section.

(10) Any applicant/appraiser named as a petitioner/respondent in a notice of hearing shall have the right to obtain a copy of the investigative record pertaining to the applicant/appraiser upon written request. That record shall be available to the applicant/appraiser or the applicant/appraiser's legal counsel at the Board office during regular business hours. Charges for copies of any material from the applicant/appraiser's investigative file shall be at a rate of $.25 per page with a minimum charge of $5.00. Any material from said investigative file to be mailed shall be mailed by certified mail or statutory overnight delivery, return receipt requested, at the applicant/ appraiser's expense.

Cite as Ga. Comp. R. & Regs. R. 539-4-.02
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-6, 43-39A-13, 43-39A-14, 43-39A-15, 43-39A-18, 43-39A-21, 43-39A-22, 43-39A-25, 50-13.
History. Original Rule entitled "Pleadings" adopted. F. Aug. 16, 1990; eff. Sept. 5, 1990.
Repealed: New Rule entitled "General Information" adopted. F. Aug. 2, 1995; eff. Aug. 22, 1995.
Amended: F. Sept. 29, 2000; eff. Oct. 19, 2000.
Amended: F. Nov. 22, 2002; eff. Dec. 12, 2002.

Rule 539-4-.03. Service of Documents Generated by the Board.

(1) Service of a proposed or final decision in a contested case shall be by personal delivery or by certified mail or statutory overnight delivery to the last known place of business of the appraiser. All other notices, pleadings, orders, motions, and other documents shall be served by hand delivery or first class mail to the last known address of record with the Board.

(2) Service upon a party's attorney shall be deemed service upon the party.

Cite as Ga. Comp. R. & Regs. R. 539-4-.03
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-6, 43-39A-13, 43-39A-14, 43-39A-15, 43-39A-18, 43-39A-21, 43-39A-22, 43-39A-25, 50-13.
History. Original Rule entitled "Motions" adopted. F. Aug. 16, 1990; eff. Sept. 5, 1990.
Repealed: New Rule entitled "Service" adopted. F. Aug. 2, 1995; eff. Aug. 22, 1995.
Amended: F. Sept. 29, 2000; eff. Oct. 19, 2000.
Amended: F. Nov. 22, 2002; eff. Dec. 12, 2002.

Rule 539-4-.04. Posthearing Procedures.

(1) Upon issuance of an initial decision by the Office of State Administrative Hearings, any party may request a review of the initial decision by filing the request in accordance with the provisions of Rule 539-4-.02 of the Board within thirty (30) days from the date of filing of the initial decision by the Administrative Law Judge.

(2) Any rejection or modification by the Board of the findings of fact, conclusions of law, or disposition contained in an initial decision shall be supported by written reasons contained in the final decision by the Board.

(3) A party may move that the matter be remanded to the Office of State Administrative Hearings for purposes of taking additional testimony. Such motions shall be filed in accordance with the provisions of Rule 539-4-.02 of the Board and shall be granted only for good cause shown. The Board shall notify all parties of its action upon the motion.

(4) All motions, briefs or other documents pertaining to matters pending before the Board shall be filed with the Board at least seven days prior to the scheduled hearing date.

(5) All petitions for judicial review shall be filed in accordance with the Georgia Administrative Procedure Act, O.C.G.A. Chapter 50-13 and must be filed in Fulton County Superior Court.

Cite as Ga. Comp. R. & Regs. R. 539-4-.04
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-6, 43-39A-13, 43-39A-14, 43-39A-15, 43-39A-16, 43-39A-18, 43-39A-21, 43-39A-22, 43-39A-25, 50-13.
History. Original Rule entitled "Service" adopted. F. Aug. 16, 1990; eff. Sept. 5, 1990.
Repealed: New Rule entitled "Posthearing Procedures" adopted. F. Aug. 2, 1995; eff. Aug. 22, 1995.
Amended: F. Nov. 22, 2002; eff. Dec. 12, 2002.

Rule 539-4-.05. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-4-.05
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-6, 43-39A-13, 43-39A-14, 43-39A-15, 43-39A-18, 43-39A-21, 43-39A-22, 43-39A-25, 50-13.
History. Original Rule entitled "Parties, Intervention" adopted. F. Aug. 16, 1990; eff. Sept. 5, 1990.
Repealed: F. Aug. 2, 1995; eff. Aug. 22, 1995.

Rule 539-4-.06. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-4-.06
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-6, 43-39A-13, 43-39A-14, 43-39A-15, 43-39A-16, 43-39A-18, 43-39A-21, 43-39A-22, 43-39A-25, 50-13.
History. Original Rule entitled "Evidence; Subpoenas" adopted. F. Aug. 16, 1990; eff. Sept. 5, 1990.
Repealed: F. Aug. 2, 1995; eff. Aug. 22, 1995.

Rule 539-4-.07. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-4-.07
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-6, 43-39A-13, 43-39A-14, 43-39A-15, 43-39A-16, 43-39A-18, 43-39A-21, 43-39A-22, 43-39A-25, 50-13.
History. Original Rule entitled "Taking of Testimony by Deposition" adopted. F. Aug. 16, 1990; eff. Sept. 5, 1990.
Repealed: F. Aug. 2, 1995; eff. Aug. 22, 1995.

Rule 539-4-.08. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-4-.08
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-6, 43-39A-13, 43-39A-14, 43-39A-15, 43-39A-18, 43-39A-21, 43-39A-22, 43-39A-25, 50-13.
History. Original Rule entitled "Stipulations" adopted. F. Aug. 16, 1990; eff. Sept. 5, 1990.
Repealed: F. Aug. 2, 1995; eff. Aug. 22, 1995.

Rule 539-4-.09. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-4-.09
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-6, 43-39A-11, 43-39A-13, 43-39A-14, 43-39A-15, 43-39A-16, 43-39A-18, 43-39A-21, 43-39A-22, 43-39A-25, 50-13.
History. Original Rule entitled "Hearings" adopted. F. Aug. 16, 1990; eff. Sept. 5, 1990.
Repealed: F. Aug. 2, 1995; eff. Aug. 22, 1995.

Rule 539-4-.10. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-4-.10
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-6, 43-39A-13, 43-39A-14, 43-39A-15, 43-39A-18, 43-39A-21, 43-39A-22, 43-39A-25, 50-13.

History. Original Rule entitled "Consolidation and Continuances" adopted. F. Aug. 16, 1990; eff. Sept. 5, 1990.
Repealed: F. Aug. 2, 1995; eff. Aug. 22, 1995.

Rule 539-4-.11. Repealed.

Cite as Ga. Comp. R. & Regs. R. 539-4-.11
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-6, 43-39A-13, 43-39A-14, 43-39A-15, 43-39A-18, 43-39A-21, 43-39A-22, 43-39A-25, 50-13.
History. Original Rule entitled "Briefs and Post Hearing Procedure" adopted. F. Aug. 16, 1990; eff. Sept. 5, 1990.
Repealed: F. Aug. 2, 1995; eff. Aug. 22, 1995.

Chapter 539-5. STANDARDS FOR APPRAISER COURSE INSTRUCTORS.

Rule 539-5-.01. Types of Instructors.

(1) Only instructors approved, by name, by the Board; guest instructors as provided for in paragraph (4) of this Rule; or instructors identified on the application for a course that is approved by the Board may teach courses approved by the Board to meet the educational requirement for state registered real property appraiser, for state licensed real property appraiser, for state certified residential real property appraiser, for state certified general real property appraiser. Instructors approved, by name, by the Board may teach any course approved by the Board.

(2) Applicants for instructor approval shall file an application for approval with the Board. The application shall be signed by the applicant. The application shall include a resume of the applicant's background and include the following information:

(a) appraiser classification status;

(b) teaching experience with recommendations and evaluations from supervisors, colleagues, and students;

(c) real estate appraisal education as evidenced by formal professional education;

(d) real estate appraisal experience as evidenced by association with professional associations, experience with auxiliary fields, continuing education and training, and specific numbers and types of appraisal assignment in which the applicant has been involved;

(e) formal education experience; and

(f) evidence of the applicant's having completed, within one year prior to making an application for instructor approval, an instructor development workshop approved by the Board.

(3) In approving the applicant, the Board shall consider qualifications from the six areas above and student and approved instructor evaluations of the applicant. However, in granting approval the Board will give most weight to the applicant's teaching experience, involvement in a wide variety of appraisal assignments, and satisfactory evaluation of the applicant's performance in apprentice instruction in a Board approved course of study. The Board shall be the final determinant of approval of instructors.

(4) Schools may utilize guest instructors with expertise in particular areas in any approved course provided a properly approved instructor is present at the time of their presentation. Schools may, however, utilize guest instructors without an approved instructor's being present with the prior written approval of the Board.

Cite as Ga. Comp. R. & Regs. R. 539-5-.01
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Types of Instructors" adopted. F. July 22, 1996; eff. August 11, 1996.
Amended: F. Apr. 13, 2009; eff. May 3, 2009.

Rule 539-5-.02. Approval Procedures.

(1) The Board shall approve, disapprove, or request further information on all applications for instructor approval within sixty (60) days of the receipt of a completed application.

(2) If an applicant for instructor or an instructor has an appraiser classification and that classification is sanctioned by the Board, such sanction may be grounds for Board withdrawal of approval or denial of approval as an instructor.

Cite as Ga. Comp. R. & Regs. R. 539-5-.02
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Approval Procedures" adopted. F. July 22, 1996; eff. August 11, 1996.
Amended: F. July 21, 2000; eff. August 10, 2000.

Rule 539-5-.03. Renewal of Approval.

All instructors must apply for renewal of approval by December 31st each year. Renewal applications must be on forms supplied by the Board and accompanied by:

(a) the required renewal fee established in Rule 539-1-.02;

(b) satisfactory evidence that the applicant has engaged in at least 14 hours of instructional contact with students in any Board approved course during the preceding year or has completed at least seven hours of an instructor development workshop approved by the Board or by an appraiser licensing agency in another state; or

(c) satisfactory proof that the instructor has attended during the renewal period at least 14 hours of Board approved continuing education courses for appraiser instructors; such courses can include school meetings, instructor development workshops, and any other courses which the Board approves for instructor continuing education prior to the instructor's taking the course.

Cite as Ga. Comp. R. & Regs. R. 539-5-.03
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Renewal of Approval" adopted. F. July 22, 1996; eff. August 11, 1996.
Amended: F. July 21, 2000; eff. August 10, 2000.
Amended: F. Mar. 22, 2001; eff. Apr. 11, 2001.
Amended: F. Apr. 13, 2009; eff. May 3, 2009.

Rule 539-5-.04. Evaluation of Instructors.

(1) The school coordinator/director shall be responsible for consistent and regular evaluation of the school's instructors. The coordinator/director shall provide students with an opportunity to make unsigned, written evaluations of instructors.

(2) Each time any school uses an instructor for the first time, the school coordinator/director shall evaluate the instructor and maintain this evaluation in the school files along with the original student evaluations of the instructor.

(3) Subsequent evaluations on instructors previously evaluated and qualified and which a school uses in any calendar year shall be completed at least annually, by the coordinator/director and should be used to measure any change in the quality of the instruction.

(4) Upon receipt of a sworn written request for an investigation or at its own discretion, the Real Estate Appraisers Board may request, and the coordinator/director shall supply additional student and coordinator/director evaluations on specific individual instructors in question. These evaluations may be used by the Board to determine what action to take to improve the quality of instruction.

Cite as Ga. Comp. R. & Regs. R. 539-5-.04
Authority: O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Evaluation of Instructors" adopted. F. July 22, 1996; eff. August 11, 1996.

Rule 539-5-.05. Violations.

(1) Any violation of the provisions of this Chapter or any falsification or misrepresentation on the application for approval or renewal may result in withdrawal of approval or any sanction permitted by O.C.G.A. Section 43-39A-18 or any citation permitted in O.C.G.A.§ 43-39A-18.1.

(2) Before imposing any sanction for a violation of this Chapter, the Board shall afford a hearing in accordance with the "Georgia Administrative Procedure Act" [O.C.G.A. Chapter 50-13] to the instructor allegedly violating this Chapter.

Cite as Ga. Comp. R. & Regs. R. 539-5-.05
Authority: Authority O.C.G.A. Secs. 43-39A-3, 43-39A-8, 43-39A-9, 43-39A-11, 43-39A-13, 43-39A-18, 43-39A-22.
History. Original Rule entitled "Violations" adopted. F. July 22, 1996; eff. August 11, 1996.
Amended: F. Jan. 24, 2014; eff. Feb. 15, 2014, as specified by the Board.