

APA-4
Revised 1/2018

CERTIFICATION OF EMERGENCY RULES
FILED WITH LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR

Pursuant to Code of Alabama 1975, §§41-22-5(b) and
41-22-6I(2)a. and b.

I certify that the attached emergency amendment is a correct copy
as promulgated and adopted on the 28^h day of May, 2020.

AGENCY NAME: Real Estate Appraisers Board

RULE NO. AND TITLE: 780-X-17-.03ER Registration

EFFECTIVE DATE OF RULE: July 1, 2020

EXPIRATION DATE (If less than 120 days): N/A

NATURE OF EMERGENCY: To Comply with Appraisal Subcommittee
regulations pursuant to the Dodd Frank Amendment to FIRERA.

STATUTORY AUTHORITY: 34-27A-5

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS YES NO

NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR COPY
OF RULE:

Neva C. Conway
P.O. Box 304355
Montgomery, AL 36130
Neva.conway@reab.alabama.gov
334-242-8747

Lisa Brooks, Executive Director
Signature of officer authorized
to promulgate and adopt rules and
regulations or his or her deputy

FILING DATE
(For APA Use Only)

REC'D & FILED

JUL 1 2020

LEGISLATIVE SVC AGENCY

Registration.

(a) An appraisal management company applying for registration in Alabama may not be owned, in whole or in part, directly or indirectly, by any person who has had an appraiser license or certificate refused, denied, ~~cancelled~~ canceled, surrendered in lieu of revocation, or revoked in any state unless the license or registration has been restored or reissued.

(b) An appraisal management company applying for registration in Alabama may not employ for the purposes of appraisal review, analysis, or performance evaluation any person who has ever had a registration, license, or certificate to act as an appraiser in Alabama or any other state refused, denied, canceled, or revoked unless a registration, license, or certificate has subsequently been issued or reinstated by the state in which the appraisal registration, license, or certificate had been refused, denied, canceled, or revoked.

(c) An employee of an appraisal management company, or any contractor working in any capacity on behalf of an appraisal management company, that has any involvement in the actual performance of appraisal services, or the review and analysis or completed appraisals in Alabama shall be an appraiser certified in Alabama. The license classification shall qualify the employee to perform all applicable job functions.

(d) An appraisal management company applying for registration in Alabama shall designate one principal contact for all communication between the Board and the appraisal management company.

(e) The Board shall obtain a criminal background check on all individuals who have more than ten percent (10%) ownership in an appraisal management company applying for registration. For companies owned by a sole proprietor, the individual owner shall furnish a criminal background check. For companies owned by a partnership, each partner shall furnish a background check. For any corporation, limited liability company or other legal entity, each person who has a 10% or greater ownership interest in the entity shall provide a criminal background check. Applicants shall pay all required fees required to perform this check.

(f) In addition to the application fee an applicant for registration shall post with the Board a surety bond in the

amount of twenty-five thousand dollars (\$25,000). The bond shall be annually maintained on renewal. The bond shall be in a form as provided in the appendix of these regulations and shall accrue to the state for the benefit of a claimant against the registrant to secure the faithful performance of obligations under this article. The aggregate liability of the surety may not exceed the principal sum of the bond.

(g) An appropriate deposit of cash or security may be accepted by the Board in lieu of the required bond. The face amount of the bond shall annually be restored upon renewal of registration. Annual renewal of registration shall occur before the expiration date of the registration. Failure to timely renew registration shall result in loss of authority to operate an appraisal management company in Alabama. Request for reinstatement after expiration shall be accompanied by the annual registration fee and any late filing fee established by Board regulation.

(h) If the applicant for registration has been in existence for more than one year, it shall submit, in addition to the application fee and bond, a National Registry fee as determined by the Appraisal Subcommittee.

(i) If the applicant for registration has been in existence for less than one year, it shall submit, in addition to the application fee and bond, a National Registry fee as determined by the Appraisal Subcommittee.

Author: Lisa Brooks, Executive Director, Alabama Real Estate Appraisers Board

Statutory Authority: Code of Ala. 1975, §34-27A-54.

History: New Rule: Filed November 18, 2011; effective December 23, 2011. **Amended:** Filed August 29, 2014; effective October 3, 2014. **Amended:** Published October 31, 2019; effective December 15, 2019. **Amended:** Filed July 1, 2020;