CHAPTER 1 DEFINITIONS

1.2 Appraiser Qualifications Board, or AQB: The Appraiser Qualifications Board of The Appraisal Foundation.

1.6 Appraisal Standards Board, or ASB: The Appraisal Standards Board of The Appraisal Foundation.

1.7 Applicant: Any person applying for a license or temporary practice permit.

1.8 Initial license; That license issued when an applicant is first approved for a license at that level of licensure. An initial license is valid through December 31 of the year of issue.

1.12 Colorado Registered Appraiser, or Registered Appraiser: A person who has been granted a license pursuant to § 12-61-706(1)(b)(IV), C.R.S., as a Colorado Registered Appraiser by the Board as a result of meeting the real estate appraisal education and real estate appraisal examination requirements established by Board Rule 2.1, which license is in good standing.

1.13 Colorado Licensed Appraiser, or Licensed Appraiser: A person who has been granted a license pursuant to § 12-61-706(1)(b)(III), C.R.S., as a Colorado Licensed Appraiser or Licensed Appraiser by the Board as a result of meeting the real estate appraisal education, real estate appraisal experience and real estate appraisal examination requirements established by Board Rule 2.2, or as a result of licensure through endorsement from another state as provided by Chapter 9 of these Rules, which license is in good standing.

1.14 Colorado Certified Residential Appraiser, or Certified Residential Appraiser: A person who has been granted a license pursuant to § 12-61-706(1)(b)(II), C.R.S., as a Colorado Certified Residential Appraiser or Certified Residential Appraiser by the Board as a result of meeting the real estate appraisal education, real estate appraisal experience and real estate appraisal examination requirements established by Board Rule 2.3, or as a result of licensure through endorsement from another state as provided by Chapter 9 of these Rules, which license is in good standing.

1.15 Colorado Certified General Appraiser, or Certified General Appraiser: A person who has been granted a license pursuant to § 12-61-706(1)(b)(I), C.R.S., as a Colorado Certified General Appraiser or Certified General Appraiser by the Board as a result of meeting the real estate appraisal education, real estate appraisal experience and real estate appraisal examination requirements established by Board Rule 2.4, or as a result of licensure through endorsement from another state as provided by Chapter 9 of these Rules, which license is in good standing.

1.16 Residential Property: Properties comprising one to four residential units; also includes building sites suitable for development to one to four residential units.

1.17 Non-Residential Property: Properties other than those comprised of one to four residential units and building sites suitable for development to one to four residential units. Includes, without limitation, properties comprised of five or more dwelling units, farm and ranch, retail, manufacturing, warehousing, and office properties, large vacant land parcels and other properties not within the definition of residential property.

1.18 Temporary Practice Permit: A permit issued pursuant to Section 12-61-708(2), C.R.S., (as amended) and Chapter 10 of these rules allowing an appraiser licensed in another jurisdiction to appraise property in Colorado under certain conditions.

1.20 Contingent Fee: Compensation paid to a person who is licensed as a registered, licensed or certified appraiser, as a result of reporting a predetermined value or direction of 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. A person licensed as a registered, licensed or certified appraiser employed by a business entity which is compensated by a contingent fee is considered to be compensated by a contingent fee.

1.21 Licensee: A collective term used to refer to a person who has been licensed by the board as a Registered Appraiser, Licensed Appraiser, Certified Residential Appraiser or Certified General Appraiser.

1.22 Distance education: Educational methodologies and presentation techniques other than traditional classroom formats, including, without limitation, live teleconferencing, cd-rom or disk based computer presentations, written correspondence courses, internet on-line learning, video and audio tapes, and others.

1.23 Complex Residential Property: Properties comprising one to four residential dwelling units exhibiting complex appraisal factors such as unusual size, unusual design characteristics, unusual locational characteristics, unusual physical condition characteristics, landmark designation, nonconforming zoning, divided estates, lack of appraisal data, and other similar factors.

1.24 Signature: As defined in the Uniform Standards of Professional Appraisal Practice incorporated by reference in Board Rule 11.1, and including all methods of indicating a signature, such as, without limitation, a handwritten mark, digitized image, coded authentication number, stamped impression, embossed or applied seal, or other means.

1.25 Supervisory appraiser: any licensee who shall act in a supervisory role in the preparation of appraisals, appraisal reports, and other appraisal work products. Includes, without limitation, any licensee who signs a report in a manner indicating they exert control over the actions of any assistant or associate, or who acts to guide or manage the work of any assistant or associate.

CHAPTER 2 REQUIREMENTS FOR REGISTRATION, LICENSURE OR CERTIFICATION AS A REAL ESTATE APPRAISER

2.1 An applicant for licensure as a Colorado Registered Appraiser shall meet the following requirements:

a. Real estate appraisal education: at least 75 classroom hours of real estate appraisal education acceptable to the Board under the provisions of Chapter 3 of these Rules, including at least 15 classroom hours coverage of the Uniform Standards of Professional Appraisal practice. Uniform Standards of Professional Appraisal Practice courses begun on and after January 1, 2003 must comply with Board Rule 3.17.

1. Real estate appraisal education programs completed for credit toward this requirement shall demonstrate coverage of all the following topics, with emphasis on basic appraisal principles and procedures:

I. Influences on real estate value

II. Legal considerations in appraisal

III. Types of value

IV. Economic principles

V. Real estate markets and analysis

VI. Valuation process
b. Real estate appraisal examination: successful completion of an appropriate examination as provided in Chapter 4 of these Rules.

2.2 An applicant for licensure as a Colorado Licensed Appraiser shall meet the following requirements:

a. Real estate appraisal education:

   1. For applications received on and after January 1, 1998, at least 90 classroom hours of real estate appraisal education acceptable to the Board under the provisions of Chapter 3 of these rules, including at least 15 classroom hours coverage of the Uniform Standards of Professional Appraisal Practice. Uniform Standards of Professional Appraisal Practice courses begun on and after January 1, 2003 must comply with Board Rule 3.17.

   2. Real estate appraisal education programs completed for credit toward this requirement shall demonstrate coverage of all the following topics, with emphasis on the appraisal of typical, non-complex one to four unit residential properties:

      I. Influences on real estate value
      II. Legal considerations in appraisal
      III. Types of value
      IV. Economic principles
      V. Real estate markets and analysis
      VI. Valuation process
      VII. Property description
      VIII. Highest and best use analysis
      IX. Appraisal statistical concepts
X. Sales comparison approach

XI. Site value

XII. Cost approach

XIII. Income approach, emphasizing gross rent multiplier. estimation of income and expenses, and operating expense ratios

XIV. Valuation of partial interests

XV. Appraisal standards and ethics

XVI. Such other topics as the Board may approve or prescribe

b. Real estate appraisal examination: successful completion of an appropriate examination as provided in Chapter 4 of these Rules.

c. Real estate appraisal experience: at least 2000 hours of real estate appraisal experience acceptable to the Board under the provisions of Chapter 5 of these Rules. Pursuant to § 12-61-706(9), C.R.S., such real estate appraisal experience shall have been gained across a period of not less than 12 months.

2.3 An applicant for licensure as a Colorado Certified Residential Appraiser shall meet the following requirements:

a. Real estate appraisal education: at least 120 classroom hours of real estate appraisal education acceptable to the Board under the provisions of Chapter 3 of these Rules, including at least 15 classroom hours coverage of the Uniform Standards of Professional Appraisal Practice. Uniform Standards of Professional Appraisal Practice courses begun on and after January 1, 2003 must comply with Board Rule 3.17.

1. Real estate appraisal education programs completed for credit toward this requirement shall demonstrate coverage of all the following topics, with emphasis on the appraisal of one to four unit residential properties, and shall demonstrate coverage of appraisal of complex residential properties as defined in Chapter 1 of these rules:

I. Influences on real estate value

II. Legal considerations in appraisal

III. Types of value

IV. Economic principles

V. Real estate markets and analysis

VI. Valuation process

VII. Property description

VIII. Highest and best use analysis

IX. Appraisal statistical concepts
X. Sales comparison approach

XI. Site value

XII. Cost approach

XIII. Income approach, emphasizing gross rent multiplier, estimation of income and expenses, operating expense ratios and direct capitalization

XIV. Valuation of partial interests

XV. Narrative report writing

XVI. Appraisal standards and ethics

XVII. Such other topics as the Board may approve or prescribe

b. Real estate appraisal examination: successful completion of an appropriate examination as provided in Chapter 4 of these Rules.

c. Real estate appraisal experience:

1. For applications received on and after January 1, 1998, at least 2500 hours, gained across a period of at least 24 months, of real estate appraisal experience acceptable to the Board under the provisions of Chapter 5 of these Rules. Such real estate appraisal experience shall include appraisal of complex residential properties as defined in Chapter 1 of these rules.

2.4 An applicant for licensure as a Colorado Certified General Appraiser shall meet the following requirements:

a. Real estate appraisal education:

1. For applications received on and after January 1, 1998, at least 180 classroom hours of real estate appraisal education acceptable to the Board under the provisions of Chapter 3 of these Rules. including at least 15 classroom hours coverage of the Uniform Standards of Professional Appraisal Practice. Uniform Standards of Professional Appraisal Practice courses begun on and after January 1, 2003 must comply with Board Rule 3.17.

2. Real estate appraisal education programs completed for credit toward this requirement shall demonstrate coverage of all the following topics, with emphasis on the appraisal of nonresidential properties:

I. Influences on real estate value

II. Legal considerations in appraisal

III. Types of value

IV. Economic principles

V. Real estate markets and analysis

VI. Valuation process
II. Property description

III. Highest and best use analysis

IV. Appraisal statistical concepts

V. Sales comparison approach

VI. Site value

VII. Cost approach

VIII. Income approach, emphasizing estimation of income and expenses, operating statement ratios, direct capitalization, cash flow estimates, measures of cash flow and discounted cash flow analysis

IX. Valuation of partial interests

X. Narrative report writing

XI. Appraisal standards and ethics

XII. Such other topics as the Board may approve or prescribe

b. Real estate appraisal examination: successful completion of an appropriate examination as provided in Chapter 4 of these Rules.

c. Real estate appraisal experience:

1. For applications received on and after January 1, 1998, at least 3000 hours, gained across a period of at least 30 months, of real estate appraisal experience acceptable to the Board under the provisions of Chapter 6 of these rules. Such real estate appraisal experience shall include at least 1500 hours of appraisal of non-residential property, as defined in Chapter 1 of these Rules.

CHAPTER 3 STANDARDS FOR REAL ESTATE APPRAISAL PRE-LICENSING EDUCATION PROGRAMS

3.1 All education requirements may be completed at any time prior to filing of the application for licensure, with the exception that Uniform Standards of Professional Appraisal Practice education requirements must be completed within the six years preceding application.

3.2 Appraisal education and training courses must be taken from providers approved by the Board. In order to be approved, the course must meet the following standards at the time it is offered:

a. The course was developed by persons qualified in the subject matter and instructional design;

b. The program content is current;

c. The instructor is qualified with respect to course content and teaching methods;

d. The number of participants and the physical facilities are consistent with the teaching method and;

e. The course includes an examination for measuring the information learned.
3.3 The following may be approved as providers of appraisal education and training provided the standards set forth in Rule 3.2 are maintained and provided they have complied with all other requirements of the State of Colorado:

a. Universities, colleges, junior colleges or community colleges accredited by a regional accrediting body accredited by the council on post-secondary accreditation;

b. Professional appraisal and real estate-related organizations;

c. State or federal government agencies;

d. Proprietary schools holding valid certificates of approval from the Colorado Division of Private Occupational Schools, Department of Higher Education.

e. As to courses completed in other jurisdictions, providers approved by such other jurisdiction, provided that the jurisdiction's appraiser regulation program has been determined to be in compliance with FIRREA, and;

f. As to courses approved under the course approval program of The Appraisal Foundation, the providers of such courses.

g. Such other providers as the Board may approve upon petition of the course provider or the applicant on a form prescribed by the Board.

3.4 As to course work offered on or January 1, 1991, in order to be approved by the Board, each course provider must maintain, and provide to the Board upon request, information regarding the course offerings including, but not limited to the following:

a. Course outline or syllabus;

b. All texts, workbooks, hand-outs or other course materials;

c. Instructors and their qualifications, including selection, training and evaluation criteria;

d. Course examinations;

e. Dates of course offerings;

f. Location of course offerings;

h. History of the provider.

3.5 The number of hours credited shall be equivalent to the actual number of contact hours of in-class instruction and testing. An hour of appraisal education and training is defined as at least 50 minutes of instruction out of each 60 minute segment. For distance education courses, the number of hours credited shall be that number of hours allowed by the higher education accrediting body, professional organization, state or federal government agency, or private occupational school regulatory agency.

3.6 In order to be approved as pre-licensing education and training, a course must be at least 15 hours in duration and must include an examination pertinent to the material covered. Courses may be comprised of segments of not less than one classroom hour.

3.7 Appraisal education and training courses must be successfully completed by the applicant. Except as otherwise provided in Rule 3.9, successful completion means the applicant has attended the
class, participated in class activities and achieved a passing score on the course examination. Teaching of approved appraisal education and training courses shall constitute successful completion.

3.8 Credit will be granted for classroom hour where the applicant obtained credit from the course provider by challenge examination without attending the course, provided that such credit was granted by the provider prior to July 1, 1990 and provided further that the Board is satisfied with the quality of the challenge examination administered.

3.9 The responsibility for establishing that a particular course or other program for which credit is claimed is acceptable rests upon the applicant.

3.10 Each applicant shall provide a signed statement, under penalty of perjury, attesting to the successful completion of the required hours of appraisal education and training on a form prescribed by the Board. The Board reserves the right to require an applicant or licensee to provide satisfactory documentary evidence of completion of appropriate course work.

3.11 Hours of appraisal education and training accepted in satisfaction of the education requirement of one level of registration, licensure or certification may be applied toward the requirement for another level and need not be repeated. Applicants are responsible for demonstrating coverage of the required topics.

3.12 The following factors shall be used to convert university, college, junior college and community college course credits into classroom hours:

   a. Semester Credits × 15.00 = Classroom Hours
   b. Quarter Credits × 10.00 = Classroom Hours

3.13 Applicants shall successfully complete a course or series of courses of appraisal education and training which build upon and augment previous courses. Courses which substantially repeat other course work in terms of content and level of instruction will not be accepted. The Board will give appropriate consideration to courses where substantive changes in content have occurred. Applicants are responsible for demonstrating coverage of the required topics.

3.14 To be acceptable for pre-licensing real estate appraisal education, distance education offerings must incorporate methods and activities which promote active student engagement and participation in the learning process. Among those methods and activities acceptable are written exercises which are graded and returned to the student, required responses in cd-rom, disk and on-line computer based presentations, provision for students to submit questions during teleconferences, and examinations proctored by an independent third party. Simple reading, viewing or listening to materials is not sufficient engagement in the learning process to satisfy the requirements of this rule.

3.15 As to pre-licensing courses completed in other jurisdictions with appraiser regulatory programs established in conformance with Title XI, FIRREA, the Board will accept the number of classroom hours of education accepted by that jurisdiction.

3.16 To be acceptable for pre-licensing real estate appraisal education, distance education courses must meet the other requirements of this chapter 3, and must include a written, closed book final examination proctored by an independent third party, or other final examination testing procedure acceptable to the Board. Examples of acceptable examination proctors include public officials who do not supervise the student, secondary and higher education school officials, and public librarians. Failure to observe this requirement may result in rejection of the course and/or course provider by the board for that applicant, and may result in the board refusing or withdrawing
approval of any courses offered by the provider.

3.17 All pre-licensing courses in appraisal ethics and the Uniform Standards of Professional Appraisal Practice begun on and after January 1, 2003 shall be in the form of a course approved under the course approval program of the Appraiser Qualifications Board of The Appraisal Foundation, and taught by an instructor certified by the Appraiser Qualifications Board of The Appraisal Foundation. This rule shall apply to the appraisal ethics and Uniform Standards of Professional Appraisal Practice portion of courses where the Uniform Standards of Professional Appraisal Practice are a part of an overall larger course.

3.18 Course providers must provide each student who successfully completes a pre-licensing real estate appraisal education course in the manner prescribed in Board Rule 3.7 a course completion certificate. The Board will not mandate the exact form of course certificates, however, the following information must be included:

a. Name of course provider;

b. Course title, which must describe topical content;

c. Course number, if any;

d. Course dates;

e. Number of classroom hours;

f. Course location, which for distance education modalities shall be the principal place of business of the course provider;

g. Name of student; and

h. For all Uniform Standards of Professional Appraisal Practice courses begun on and after January 1, 2003, the name and Appraiser Qualifications Board Uniform Standards of Professional Appraisal Practice instructor certification number of the instructor.

3.19 The provisions of Board Rule 3.3 notwithstanding, real estate appraisal prelicensing courses begun on and after January 1, 2004 and offered through distance education modalities must be approved through the course approval program of the appraisal foundation. The Board will not accept distance education courses begun on and after January 1, 2004 that have not been approved through the course approval program of the appraisal foundation.

Guidance comment: the effect of this rule is to require all distance education offerings to be approved through the course approval program of the appraisal foundation, including courses previously accepted by the Board.

CHAPTER 4 STANDARDS FOR REAL ESTATE APPRAISAL EXAMINATIONS

4.1 Effective January 1, 2003, any person wishing to apply for any appraiser's license shall register for and achieve a passing score on the appropriate level of examination with the testing service designated by the Board. No other examination results will be accepted.

The appropriate levels of examination for the respective levels of licensure are as follows:

<table>
<thead>
<tr>
<th>License Level</th>
<th>Examination</th>
</tr>
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<tbody>
<tr>
<td>Registered Appraiser</td>
<td>Licensed Real</td>
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<td></td>
<td>Property Appraiser</td>
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</tbody>
</table>
4.2 Examinees shall comply with the standards of test administration established by the Board and the testing service.

4.3 A passing score on an examination shall be valid for 1 year from the examination date. Failure to file a complete application within the 1 year period will result in the examination grade being void.

4.4 Examinations will be given only to duly qualified applicants for an appraiser's license; however, one instructor from each appraisal pre-licensing and training course provider approved pursuant to Rule 3.3 may take the examination one time during any 12-month period.

4.5 Each examination for a license may, as determined by the Board, be a separate examination.

4.6 Examinations developed or purchased by the board for licensed and certified appraisers shall comply with Title XI, FIRREA.

4.7 Repealed

4.8 Examinees may use financial calculators during the examination process. The memory functions of any such calculator shall be cleared by the testing service staff prior to the beginning and after the conclusion of the examination.

CHAPTER 5 STANDARDS FOR REAL ESTATE APPRAISAL EXPERIENCE

5.1 A. The following areas of appraisal activity may constitute potentially acceptable evidence of appraisal experience under this Chapter:

   a. Fee and staff appraisal;
   b. Ad valorem tax appraisal;
   c. Review appraisal;
   d. Appraisal analysis;
   e. Real estate counseling;
   f. Highest and best use analysis;
   g. Feasibility analysis/study; and
   h. Such other experience as the Board may accept upon petition by the applicant on a form provided by the Board.
B. The following areas of appraisal related activity shall not be considered potentially accepted evidence of real estate experience unless demonstrable real estate appraisal related judgments are part of the activity:

1. Gathering of physical, sales, income, expense, construction cost, development status or other similar data about properties;

2. Incorporation of data into information management systems of any type;

3. Other real estate appraisal activities where real estate appraisal related judgments are not involved.

5.2 An applicant must have made a substantial contribution to the appraisal analysis and arrived at a conclusion of value in any appraisal claimed as evidence of meeting experience requirements.

5.3 Reports or file memoranda claimed as evidence of meeting experience requirements should:

a. As to reports or file memoranda completed prior to July 1, 1991, such reports or file memoranda must have been prepared in conformance with the generally accepted standards of professional appraisal practice for the type of real estate as of the time the work was completed; and,

b. As to reports or file memoranda completed on or after July 1, 1991, such reports or file memoranda must have been prepared in conformance with the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Standards Board of The Appraisal Foundation on April 27, 1987 and amended through the date of completion of the report or file memoranda.

5.4 Each applicant shall provide a statement signed under penalty of perjury, attesting to acceptable completion of the required appraisal experience on a form provided by the Board.

5.5 The Board reserves the right to verify an applicant's or licensee's evidence of appraisal experience by such means as it deems necessary, including, but not limited to requiring the following:

a. Submission of a detailed log of appraisal activity;

b. Submission of appraisal reports, files or file memoranda;

c. Employer affidavits or interviews;

d. Client affidavits or interviews; and

e. Submission of appropriate business records.

5.6 When the Board requires an applicant or licensee to verify appraisal experience under Rule 5.5, or otherwise, the Board shall comply with the provisions regarding such disclosures in compliance with applicable law.

5.7 On and after January 1, 2005, to be acceptable for licensing purposes, real estate appraisal experience gained by an unlicensed person or a person licensed at the Registered Appraiser level shall be gained under the following conditions:

A. The unlicensed person or registered appraiser must be under the active, diligent and personal supervision of a supervising appraiser who has been a Licensed Appraiser as defined by Board Rule 1.13 for at least two years, or a Certified Residential Appraiser as defined by
Board Rule 1.14, or a Certified General Appraiser as defined by Board Rule 1.15. The provisions of this Rule 5.7 shall not apply to an unlicensed person or Registered Appraiser employed in the office of a Colorado county assessor when appraising real estate in fulfillment of their official duties.

B. The Licensed Appraiser, Certified Residential Appraiser or Certified General Appraiser acting as supervisor shall not have received any disciplinary action under Section 12-61-710 (5) (a), (b), or (c), C.R.S., during the preceding two (2) years, and

C. An unlicensed person or Registered Appraiser may petition the Board in writing for a variance from the provisions of this Rule 5.7.

CHAPTER 6 - APPLICATION FOR INITIAL REGISTRATION, LICENSE OR CERTIFICATE

6.1 An applicant for license must complete all requirements prior to filing the application, including education, experience (if required) and examination.

6.2 Each applicant shall submit original documentary evidence of a passing score on the examination with the application.

6.3 An application is deemed complete at the time all proper supporting documents and fees are received at the Board offices.

6.4 Applicants for an initial license as a registered, licensed or certified appraiser whose applications are received prior to December 1 of the year of application will be issued a license immediately upon approval of the application. Applicants whose applications are received on and after December 1 of the year of application may elect immediate issue of the license, or delayed issue with an effective date of January 1 of the following year, or as soon thereafter as possible. If an applicant eligible for delayed issue does not elect this option, the license will be issued upon approval of the application. Applicants electing delayed issue may not represent themselves as being licensed at the level applied for until the license is issued.

6.5 Licenses shall be issued by the Board as soon as practicable after receipt of a complete application and all supporting documentation. The Board reserves the right to require additional information and documentation from an applicant, and to verify any information and documentation submitted.

6.6 Submission of an application does not guarantee issuance of a license, or issuance of a license within a specific period of time. Applicants must observe the provisions of Section 12-61-714, C.R.S. and Board Rules Chapter 12. Applicants may not represent themselves as being licensees of the Board until receipt of the board issued license documents.

6.7 Pursuant to Section 12-61-709(1), C.R.S., an applicant who has been convicted of, entered a plea of guilty to, or entered a plea of nolo contendere to any crime in Article 3 of Title 18, C.R.S. (offenses against persons), in Parts 1, 2, 3 and 4 of Article 4 of Title 18, C.R.S. (offenses against property), in Parts 1, 2, 3, 4, 5, 7, or 8 of Article 5 of Title 18, C.R.S. (fraud offenses), in Part 3 of Article 8 of Title 18, C.R.S. (bribery), in Article 15 of Title 18, C.R.S. (illegal lending practices), in Article 17 of Title 18, C.R.S. (racketeering), or any other like crime under Colorado law, federal law, or the laws of another state within the ten (10) years preceding application shall file with his or her application an addendum to the application in a form prescribed by the Board. Such addendum shall be supported and documented by, without limitation, the following:

A. Court documents, including original charges, disposition, presentencing report and certification of completion of terms of sentence;
B. Police officer's report;

C. Probation or parole officers report;

D. A written statement explaining the circumstances surrounding each violation, and including the statement "I have no other violations either past or pending;"

E. Letters of recommendation; and

F. Employment history for the preceding five years.

6.8 Prior to application for licensure a person who has been convicted of, entered a plea of guilty to, or entered a plea of nolo contendere to any crime in Article 3 of Title 18, C.R.S. (offenses against persons), in Parts 1, 2, 3 and 4 of Article 4 of Title 18, C.R.S. (offenses against property), in Parts 1, 2, 3, 4, 5, 7 or 8 of Article 5 of Title 18, C.R.S. (fraud offenses), in Part 3 of Article 8 of Title 18, C.R.S. (bribery), in Article 15 of Title 18, C.R.S. (illegal lending practices), in Article 17 of Title 18, C.R.S. (racketeering), or any other like crime under Colorado law, federal law, or the laws of another state within the preceding ten (10) years may request the Board to issue a preliminary advisory opinion regarding the possible effect of such conduct on an application for licensure. A person requesting such an opinion is not an applicant for licensure. The Board may, at its sole discretion, issue such an opinion, which shall not be binding on the Board or limit the authority of the Board to investigate a later application for licensure. A person requesting such an opinion shall do so in a request form prescribed by the Board. Such request form shall be supported and documented by, without limitation, the following:

A. Court documents, including original charges, disposition, presentencing report and certification of completion of terms of sentence;

B. Police officer's report;

C. Probation or parole officers report;

D. A written statement explaining the circumstances surrounding each violation, and including the statement "I have no other violations either past or pending;"

E. Letters of recommendation; and

F. Employment history for the preceding five years.

CHAPTER 7 - CONTINUING EDUCATION REQUIREMENTS

7.1 There shall be no continuing education requirement as a condition of renewal of an initial license as defined in Board Rule 1.8.

7.2 Except as provided under Board Rule 7.1, each applicant for renewal of a license shall complete at least 42 classroom hours of real estate appraisal continuing education during the three year licensing period. All licensees renewing a license at the end of a three-year licensing period must complete update course(s) in the Uniform Standards of Professional Appraisal Practice. For licensees renewing licenses that expire December 31, 2003 or December 31, 2004 the Board will accept completion of either a 4 hour or a 7 hour update course in the Uniform Standards of Professional Appraisal Practice, provided that any 4 hour course was completed prior to January 1, 2003. All Uniform Standards of Professional Appraisal Practice update courses begun on and after January 1, 2003 must comply with Board Rule 7.19. Continuing education requirements must be completed after the effective date of the license to be renewed and prior to the expiration of such license. Guidance comment: Licensees renewing in December 2002 for the 2003
through 2005 period, in December 2003 for the 2004 through 2006 period and in December 2004 for the 2005 through 2007 period are cautioned to take care to comply with Board Rule 7.19 regarding completion of a 7 or more classroom hour update course in appraisal ethics and the Uniform Standards of Professional Appraisal Practice approved by the Appraiser Qualifications Board of The Appraisal Foundation and taught by an instructor certified by the Appraiser Qualifications Board of The Appraisal Foundation every other year, and any event no later than December 31, 2005.

7.3 Continuing appraisal education programs and courses must be taken from providers approved by the Board. In order to be approved by the Board, programs must meet the following standards:

a. The program must have been developed by persons qualified in the subject matter and instructional design;

b. The program must be current;

c. The instructor must be qualified with respect to course content and teaching methods;

d. The number of participants and the physical facilities are consistent with the teaching method(s).

7.4 The following may be approved as providers of continuing appraisal education and training provided the standards set forth in Rule 7.3 are maintained and provided they have complied with all other requirements of the State of Colorado:

a. Universities, colleges, junior colleges or community colleges accredited by a regional accrediting body accredited by the Council on Post-Secondary Accreditation;

b. Professional appraisal and real estate-related organizations;

c. State or federal government agencies;

d. Proprietary schools holding valid certificates of approval from the Colorado Division of Private Occupational Schools, Department of Higher Education;

e. As to courses completed in other jurisdictions, providers approved by such other jurisdiction, provided that the jurisdiction's appraiser regulation program has been determined to be in compliance with FIRREA;

f. As to courses approved under the course approval program of The Appraisal Foundation, the providers of such courses; and

g. Such other providers as the Board may approve upon petition of the course provider or the applicant on a form acceptable to the Board.

7.5 In order to be approved by the Board, each continuing education provider must at its expense maintain, and provide to the Board on request, information regarding the program offerings including, but not limited to the following:

a. Course outline or syllabus;

b. All texts, workbooks, hand-outs or other course materials;

c. Instructors and their qualifications, including selection, training and evaluation criteria;
d. Course examinations (if any);
e. Dates of course offerings;
f. Location of course offerings;
g. Record of participation; and
h. History of the provider.

7.6 In order to be approved as continuing appraisal education a program or course must be at least 2 classroom hours in duration including examination time (if any). A program or course may be comprised of segments of not less than one classroom hour. Continuing appraisal education programs and courses are intended to maintain and improve the appraisers' skill, knowledge and competency. Continuing appraisal education courses and programs may include, without limitation, these real estate and real estate appraisal related topics:

a. Ad valorem taxation;
b. Arbitration;
c. Business courses related to practice of real estate appraisal;
d. Construction cost estimating;
e. Ethics and standards of professional practice;
f. Land use planning, zoning and taxation;
g. Management, leasing, brokerage and timesharing;
h. Property development;
i. Real estate appraisal (valuation/evaluation);
j. Real estate law;
k. Real estate litigation;
l. Real estate financing and investment;
m. Real estate appraisal related computer applications;
n. Real estate securities and syndication;
o. Real property exchange; and
p. Such other topics as the Board may approve, upon its own motion or upon petition by the course provider or the licensee on a form acceptable to the Board.

7.8 The Board may consider alternatives to continuing appraisal education programs and courses such as teaching, authorship of textbooks or articles, educational programs development or similar activities. Licensees desiring continuing appraisal education credit for alternative activities must petition the Board for approval on a form provided by the Board. Such petition for approval of alternatives to continuing appraisal education programs and courses shall be submitted to the
Board in writing for review and possible approval prior to commencement of the alternative activity.

7.9 The act of applying for renewal or reinstatement shall constitute a statement under penalty of perjury in the second degree that the licensee had the present intent of affirmatively stating the licensee had complied with the continuing education requirements of Colorado statutes and Board Rules. The Board reserves the right to require a renewal applicant or licensee to provide satisfactory documentary evidence of completion of continuing appraisal education requirements.

7.10 Applicants for renewal of a license may complete the required hours of continuing appraisal education at any time during the licensing period preceding expiration.

7.11 Continuing appraisal education courses and programs must be successfully completed by the holder of the license to be renewed. Successful completion means attendance at the class or program and participation in class activities. Successful completion of courses undertaken through distance education requires compliance with the provisions of Board Rule 7.14. Teaching of continuing appraisal education courses and programs shall constitute successful completion.

7.12 Continuing appraisal education courses and programs must be successfully completed by the holder of the license to be renewed. Successful completion means attendance at the class or program and participation in class activities. Successful completion of courses undertaken through distance education requires compliance with the provisions of Board Rule 7.14. Teaching of continuing appraisal education courses and programs shall constitute successful completion, however, credit shall be given for only one presentation of a particular course or program during each three-year renewal period.

7.13 The number of hours credited shall be equivalent to the actual number of contact hours of in-class instruction and testing. An hour of appraisal education and training is defined as at least 50 minutes of instruction out of each 60 minute segment. For distance education courses, the number of hours credited shall be that number of hours allowed by the higher education accrediting body, professional organization, state or federal government agency, or private occupational school regulatory agency.

7.14 To be acceptable for real estate appraisal continuing education, distance education offerings must include methods and activities which promote active student engagement and participation in the learning process. Among those methods and activities acceptable are written exercises which are graded and returned to the student, required responses in cd-rom, disk and on-line computer based presentations, provision for students to submit questions during teleconferences, and examinations proctored by an independent third party. Simple reading, viewing or listening to materials is not sufficient engagement in the learning process to satisfy the requirements of this rule.

7.15 As to continuing education courses and programs completed in other jurisdictions with appraiser regulatory programs established in conformance with Title XI, FIRREA, the Board will accept the number of classroom hours of continuing education accepted by that jurisdiction.

7.16 REPEALED.

7.17 Prior to enrolling in a continuing education course presenting topics other than those listed in Board Rule 7.6.a-o, a licensee shall request Board approval of such course or topic. Failure to request and receive approval of such course or topic prior to commencement of the course may result in Board refusal to accept the course for continuing education credit.

7.18 To be acceptable for continuing education credit, continuing education course content must have a clear application to real estate appraisal practice. The following topics or types of courses are not

...
acceptable for satisfaction of the continuing education requirements established by these rules: motivational courses, personal growth or self-improvement courses, general business courses and general computing courses.

7.19 Beginning on, and continuing after, January 1, 2003, all licensees shall complete not less than seven (7) classroom hours of continuing education in the area of appraisal ethics and the Uniform Standards of Professional Appraisal Practice every other year. Such continuing education in appraisal ethics and the Uniform Standards of Professional Appraisal Practice shall be in the form of a 7 or more classroom hour course approved by the Appraiser Qualifications Board of The Appraisal Foundation, and taught by an instructor certified by the Appraiser Qualifications Board of The Appraisal Foundation.

The license renewal schedule established pursuant to Section 12-61-707(1)(a), C.R.S., and effectuated by Chapter 8 of these rules notwithstanding, each licensee holding a license other than an initial license shall complete an approved 7 or more classroom hour course in appraisal ethics and the Uniform Standards of Professional Appraisal Practice taught by a certified instructor no later than December 31, 2005.

All licensees renewing a license at the end of a three-year licensing period must complete update course(s) in the Uniform Standards of Professional Appraisal Practice. For licensees renewing licenses that expire December 31, 2003 or December 31, 2004 the Board will accept completion of either a 4 hour or a 7 hour update course in the Uniform Standards of Professional Appraisal Practice, provided that any 4 hour course was completed prior to January 1, 2003.

Guidance comment: Licensees renewing in December 2002 for the 2003 through 2005 period, in December 2003 for the 2004 through 2006 period and in December 2004 for the 2005 through 2007 period are cautioned to take care to comply with Board Rule 7.19 regarding completion of a 7 or more classroom hour update course in appraisal ethics and the Uniform Standards of Professional Appraisal Practice approved by the Appraiser Qualifications Board of the Appraisal Foundation and taught by an instructor certified by the Appraiser Qualifications Board of The Appraisal Foundation every other year, and any event no later than December 31, 2005.

7.20 A licensee who is a resident of a jurisdiction other than the State of Colorado may comply with the continuing education requirements of this Chapter 7 by documenting, at the request of the Board, compliance with the continuing education requirements of their jurisdiction of residence. In the event the jurisdiction of residence does not impose continuing education requirements consistent with the criteria promulgated by the Appraiser Qualifications Board of The Appraisal Foundation, the licensee shall comply with the continuing education requirements established by this Chapter 7.

7.21 A licensee who renews a license subject to a continuing education requirement shall retain documentary evidence of compliance with these continuing education requirements for a period of not less than five (5) years after the expiration of the license being renewed.

7.22 Course providers must provide each student who successfully completes a continuing education course in the manner prescribed in Board Rule 7.12 a course completion certificate. The Board will not mandate the exact form of course certificates, however, the following information must be included:

a. Name of course provider;

b. Course title, which must describe topical content;

c. Course number, if any;
d. Course dates;

e. Number of classroom hours;

f. Course location, which for distance education modalities shall be the principal place of business of the course provider;

g. Name of student; and

h. For Uniform Standards of Professional Appraisal Practice courses begun on and after January 1, 2003, the name and Appraiser Qualifications Board Uniform Standards of Professional Appraisal Practice instructor certification number of the instructor.

7.23 The provisions of Board Rule 7.4 notwithstanding, real estate appraisal continuing education courses begun on and after January 1, 2004 and offered through distance education modalities must be approved through the course approval program of The Appraisal Foundation. The Board will not accept distance education courses begun on and after January 1, 2004 that have not been approved through the course approval program of The Appraisal Foundation.

Guidance comment: the effect of this rule is to require all distance education offerings to be approved through the course approval program of The Appraisal Foundation, including courses previously accepted by the Board.

Chapter 8 Renewal, Reinstatement, Surrender Of Registration, Licensure And Certification

8.1 Prior to the expiration of any license the holder thereof shall make application for renewal of same in the form and manner provided by the Board, and pay the specified fees. The act of applying for renewal shall constitute a statement under penalty of perjury in the second degree that the licensee had the present intent of affirmatively stating the licensee had complied with the continuing education requirements of Colorado statutes and Board Rules.

8.2 After expiration of an unrenewed license but before February 1 of the year following the year of expiration, the holder of such license may reinstate same by applying for reinstatement in the form and manner provided by the Board, and paying the specified renewal fees. Such reinstated license shall be valid for the balance of the three year licensing period for which licensure was not timely renewed. The act of applying for reinstatement shall constitute a statement under penalty of perjury in the second degree that the licensee had the present intent of affirmatively stating the licensee had complied with the continuing education requirements of Colorado statutes and Board Rules.

Example: a license expiring on December 31, 2000 may be reinstated without penalty through January 31, 2001. This reinstated license would expire on December 31, 2003.

8.3 On and after February 1 of the year following the year of expiration and before January 1 of the second year following expiration the holder of an expired license may reinstate same by applying in the form and manner provided by the Board, and paying the specified fees plus a late payment penalty equal to one third of the renewal fee. Such reinstated license shall be valid for the balance of the three year licensing period for which licensure was not timely renewed. The act of applying for reinstatement shall constitute a statement under penalty of perjury in the second degree that the licensee had the present intent of affirmatively stating the licensee had complied with the continuing education requirements of Colorado statutes and Board Rules.

Example: a license expiring on December 31, 2000 may be reinstated with a one-third penalty from February 1, 2001 through December 31, 2001. This reinstated license would expire on December 31, 2003.
8.4 On and after January 1 of the second year following the year of expiration, and before January 1 of the third year following the year of expiration the holder of an expired license may reinstate same by applying in the form and manner provided by the Board, and paying the specified fees plus a late payment penalty equal to two thirds of the renewal fee. Such reinstated license shall be valid for the balance of the three year licensing period for which licensure was not timely renewed. The act of applying for reinstatement shall constitute a statement under penalty of perjury in the second degree that the licensee had the present intent of affirmatively stating the licensee had complied with the continuing education requirements of Colorado statutes and Board Rules.

Example: a license expiring on December 31, 2000 may be reinstated with a two-thirds penalty from January 1, 2002 through December 31, 2002. This reinstated license would expire on December 31, 2003.

8.5 No holder of an expired license which may be reinstated may apply for a new license of the same type. Such person shall reinstate the expired license as provided in these rules. Nothing in this Rule 8.5 shall act to prevent a person from applying for and receiving a license with higher qualification requirements than those of the expired license.

8.6 Each holder of an unexpired license shall inform the Board within fourteen (14) days of any change of residence or business address.

8.7 The holder of a license in good standing may petition the board for authorization to renew at a lower level. Such petition shall specifically acknowledge that the petitioner may not later reinstate at the former level, but shall reapply and meet the current requirements for licensure at the former level. A license renewed at a lower level shall not be considered to be an initial license as described in Board Rule 1.8, and shall be subject to continuing education requirements established in Board Rules Chapter 7.

8.8 The holder of a license or temporary practice permit may surrender such to the Board. Such surrender shall not remove the holder from the jurisdiction of the Board for acts committed while holding a license or temporary practice permit. A person who surrenders a license or temporary practice permit may not reinstate same, but must reapply and meet the current requirements for initial licensure.

8.9 Upon revocation, suspension, surrender or expiration of a license or temporary practice permit the holder shall:

(a) Immediately cease all activities requiring licensure or a temporary practice permit;

(b) In the instance of revocation, suspension or surrender, immediately return the license document and identification card or temporary practice permit to the Board;

(c) Immediately cease all actions which represent the holder to the public as being licensed, or being the holder of a temporary practice permit, including, without limitation, the use of advertising materials, forms, letterheads, business cards and the like.

8.10 A licensee who has not completed continuing education requirements established pursuant to Chapter 7 of these rules may renew or reinstate licensure on inactive status. A licensee desiring to renew or reinstate licensure on inactive status must submit their renewal or reinstatement application directly to the Board at the designated offices of the Board together with a written request for renewal or reinstatement on inactive status. Failure to submit the renewal or reinstatement application and written request for renewal or reinstatement on inactive status directly to the Board at the designated offices of the Board shall result in renewal or reinstatement on active status, and fully subject to the continuing education requirements for renewal or reinstatement of licensure.
8.11 A licensee may, without limitation, renew or reinstate licensure on inactive status for subsequent license renewal periods by complying with the requirements of Rule 8.10.

8.12 Renewal or reinstatement of licensure on inactive status may only be elected at the time of application for renewal or reinstatement. A licensee may not renew or reinstate licensure on active status and then change to inactive status. A licensee who has renewed on active status is subject to the continuing education requirements for renewal or reinstatement of licensure.

8.13 A licensee who has renewed or reinstated licensure on inactive status may change from inactive status to active status by submitting a written request to the Board. The act of requesting a change from inactive status to active status shall constitute a statement under penalty of perjury in the second degree that the licensee had the present intent of affirmatively stating the licensee had complied with the continuing education requirements of Colorado statutes and Board rules. The Board may require any licensee requesting a change from inactive status to active status to document completion of continuing education before implementing the change.

Chapter 9 Licensure And Certification By Endorsement

9.1 Pursuant to Section 12-61-708(1), C.R.S. (as amended), licensure by endorsement shall be subject to the following restrictions and requirements:

a. The Board may issue licenses by endorsement only to those persons holding a license from another jurisdiction which is substantially equivalent to those described in Board Rules 1.13, 1.14 or 1.15, with qualification requirements substantially equivalent to those in Board Rules 2.2, 2.3 or 2.4, respectively.

b. The applicant must be the holder of a license in good standing under the laws of another jurisdiction;

c. The appraiser regulatory program of the jurisdiction where the applicant holds a license in good standing must not have been disapproved by the appropriate authority under 12 U.S.C.A., Section Section 3347. FIRREA;

d. The applicant must apply for licensure by endorsement on a form provided by the Board, pay the specified fees and meet all other Board requirements;

e. The applicant must apply for and be issued by the Board a license by endorsement prior to undertaking appraisal activities in Colorado that would require licensure or certification in Colorado; and

f. A license issued by endorsement shall be subject to the same renewal requirements as a license or certificate issued pursuant to Section 12-61-706, C.R.S. (as amended), and Board Rules Chapters 7 and 8.

CHAPTER 10 TEMPORARY PRACTICE IN COLORADO

10.1 Pursuant to Sections 12-61-701, 12-61-704(1)(a), 12-61-708(1), 12-61-715(1)(c), C.R.S. (as amended) and in conformance with 12 U.S.C.A. Section 3351(a), FIRREA, a Temporary Practice Permit may be issued to the holder of an appraiser's license from another state. Such Temporary Practice Permit shall be subject to the following restrictions and requirements:

a. The applicant must apply for and be issued a Temporary Practice Permit prior to undertaking appraisal activities in Colorado that would require licensure or certification in Colorado;

b. The applicant shall identify in writing the appraisal assignment(s) to be completed under the
Temporary Practice Permit prior to being issued a Temporary Practice Permit;

c. The Temporary Practice Permit shall be valid only for the appraisal assignment(s) listed thereon;

d. The applicant must be the holder of a license in good standing under the laws of another state;

e. The state in which the applicant holds a license in good standing must impose licensure requirements which are in conformance with FIRREA;

f. The appraiser regulatory program of the state where the applicant holds a license in good standing must not have been disapproved by the appropriate authority under the provisions of 12 U.S.C.A. Section 3347, FIRREA;

g. The applicant must apply for a Temporary Practice Permit on a form provided by the Board, pay the specified fees, and meet all other Board requirements.

10.2 No person may be issued more than two temporary practice permits in any rolling twelve month period.

10.3 A temporary practice permit issued pursuant to this Chapter 10 shall be valid for the period of time necessary to complete the original assignments listed thereon, including time for client conferences and expert witness testimony. A temporary practice permit issued pursuant to this Chapter 10 shall not be valid for completion of additional or update assignments involving the same property or properties. Additional or update assignments involving the same property or properties are new assignments, requiring a new temporary practice permit or licensure by endorsement as provided in Chapter 9 of these rules.

Chapter 11 - Standards of Professional Appraisal Practice

11.1 Pursuant to Section 12-61-710(l)(g), C.R.S. (as amended), the Board adopts, and incorporates by reference in compliance with Section 24-4-103(12.5), C.R.S., as the generally accepted standards of professional appraisal practice the definitions, preamble, rules, standards and standards rules, statements and advisory opinions of the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Standards Board of The Appraisal Foundation on January 30, 1989 and amended through June 27, 2003, and known as the 2004 edition. Amendments to the Uniform Standards of Professional Appraisal Practice subsequent to June 27, 2003 are not included in this Rule. A certified copy of the Uniform Standards of Professional Appraisal Practice is on file and available for public inspection with the Program Administrator at the offices of the Board of Real Estate Appraisers at 1900 Grant Street, Suite 600, Denver, Colorado. Copies of the Uniform Standards of Professional Appraisal Practice adopted under this Rule may be examined at any state publications depository library. The 2004 edition of the Uniform Standards of Professional Appraisal Practice may be examined at the Internet website of The Appraisal Foundation at www.appraisalfoundation.org, and copies maybe ordered through that mechanism. The Appraisal Foundation may also be contacted at 1029 Vermont Avenue, NW, Suite 900, Washington, DC 20005, or by telephone at (202) 347-7722 or by telefax at (202) 347-7727. The effective date of this rule shall be January 1,2004. The 2003 edition of the Uniform Standards of Professional Appraisal Practice, incorporating amendments made through June 11,2002 shall remain in effect through December 31,2003.

11.2 A licensee appraiser using the services of an unlicensed assistant under the provisions of Section 12-61-716, C.R.S. (as amended), or the services of another licensee in the preparation of appraisals or other work products shall, consistent with the Uniform Standards of Professional Appraisal practice, supervise each such assistant or licensee in an active, diligent and personal manner, and acknowledge the research, analysis and reporting contributions of each such
assistant or other licensee in each such report or other work product.

Guidance comment: Merely mentioning that another person provided assistance is not sufficient to comply with this rule. The name of the person providing assistance and the specific contributions must be clearly stated.

11.3 When disclosing a contingent fee arrangement pursuant to Section 12-61-702(2.5), Section 12-61-710(l)(g), and Section 12-61-712(l)(b), (c) and (d), C.R.S. (as amended), Board Rule 1.20, and the ETHICS RULE and Standards 4 and 5 of the Uniform Standards of Professional Appraisal Practice, a licensee shall do so in a clear and unequivocal manner in any oral report, and in the letter of transmittal, summary of salient facts and conclusions, statement of limiting conditions, and certifications of any written report.

The Board of Real Estate Appraisers has chosen not to require specific contingent fee disclosure language, believing that licensees will use language appropriate to each situation. However, the Board recommends the following language as being a “safe harbor”:

“[name of firm and/or individual] has been retained to provide consulting services and is being compensated in whole or part on the basis of [state the basis of the contingency, such as achieving a property tax saving through a reduction in valuation for assessment, achieving a change in zoning, approval of a development plan, etc.]. This disclosure of a contingent fee is intended to comply with the requirements of Colorado law, Rules of the Colorado Board of Real Estate Appraisers and the Uniform Standards of Professional Appraisal Practice.

CHAPTER 12 - USE OF TITLES

12.1 The descriptive terms used in Board Rules 1.12, 1.13, 1.14, 1.15 and 1.18 shall only be used by persons who hold such a Board issued license or permit in good standing.

12.2 The descriptive terms used in Board Rules 1.12, 1.13, 1.14, 1.15 and 1.18 may only be used to refer to the individual holder of a license or permit in good standing, and shall not be used in such manner as to create the impression that any other person or group of persons, including a corporation, partnership or other business entity, holds such a license or permit.

12.3 No person shall use any title, designation or abbreviation issued by a private professional appraisal organization in a manner which creates the impression of licensure by the Board. Where such titles, descriptions or abbreviations issued by a private professional appraisal organization are used, the name of the organization is to be clearly stated immediately following the title, designation or abbreviation.

12.4 In each appraisal report or other appraisal related work product the license held by the appraiser(s) shall be clearly identified by using the terms defined in Board Rules 1.12, 1.13, 1.14 and 1.15 and including the license number. Such license titles and numbers shall be identified wherever the licensee signs, by any means or method, the report or other work product, including, but not limited to the:

a. Letter of transmittal;

b. Certification of the appraiser(s);

c. Appraisal or other work product report form or document, including addenda thereto.

12.5 Each holder of an appraiser's license shall prominently display their license document at their principal place of business.
12.6 An appraiser practicing in Colorado under authority of a Temporary Practice Permit shall identify the state where they hold licensure, the type of license and the license number, and shall further state they hold a Temporary Practice Permit and state the permit number in all instances where license type and number are required under this Chapter 12.

12.7 The real estate appraiser license or temporary practice permit document and identification card issued to an initial or renewal applicant shall remain the property of the Board. Such document and card shall be surrendered to the Board immediately upon demand. The reasons for such demand may include, but are not limited to, suspension, revocation, stipulated settlement or failure to pay required fees.

12.8 When complying with Rule 12.4 an appraiser may use the abbreviations listed below, followed by the license or permit number.

<table>
<thead>
<tr>
<th>Type</th>
<th>Abbreviation(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered Appraiser</td>
<td>Reg. App. or Reg. Appr.</td>
</tr>
<tr>
<td>Licensed Appraiser</td>
<td>Lic. App. or Lic. Appr.</td>
</tr>
<tr>
<td>Certified Residential</td>
<td>Crt. Res. App. or Cert.</td>
</tr>
<tr>
<td>Appraiser</td>
<td>Res. Appr.</td>
</tr>
<tr>
<td>Certified General</td>
<td>Crt. Gen. App. or Cert.</td>
</tr>
<tr>
<td>Appraiser</td>
<td>Genl. Appr.</td>
</tr>
</tbody>
</table>

12.9 When complying with Rule 12.4 an appraiser must state the full title of the license or permit held or use one of the abbreviations in Rule 12.8. Use of initials only, such as ra, la, cr, cra, cg, or cga, to identify the type of license or permit is prohibited.

12.10 When stating the type of license or permit held, and the number thereof, an appraiser may make use of an impression, provided such impression is legible on each copy of the appraisal or other work product.

12.11 Where appraisal report forms or other work product forms do not allow space for placing the information required by Rule 12.4 immediately following the name and signature of the appraiser the required information may be placed in the closest reasonable available space on the same page.

12.12 The holder of a license or permit in good standing may copy the license or permit document for inclusion in an appraisal report or other appraisal work product. Such copy shall have the word “COPY” boldly marked across the face of the copy, in letters at least two inches in height, at least one inch in width, and with a stroke width of at least one-eighth inch. The word “COPY” marked on such copy shall be placed so as to substantially overlay the preprinted portions of the license or permit document.

12.13 The requirements of this chapter shall be complied with in any electronic copy or transmittal of an appraisal report or other appraisal related work product.

12.14 No holder of a license or temporary practice permit, or any other person, shall make or cause to be made or allow to be made, any alteration to a board-issued license or temporary practice permit document or copy thereof, other than as provided in Board Rule 12.12.

12.15 No licensee or other person may affix or cause to be affixed the name or signature of a licensee to an appraisal report or other appraisal related work product without the express permission of the
licensee to do so for that assignment, report or other work product.

12.16 No licensee shall permit, through action or inaction, their name or signature to be affixed to an appraisal report or other appraisal related work product without their first personally examining and approving the final version of such report or other work product.

12.17 No person whose license has expired may represent themselves in any manner which creates the impression of holding inactive licensure.

Chapter 13 Disciplinary Procedures

13.1 Complaints alleging violation of Section 12-61-701, et seq., C.R.S. or the Rules of the Board of Real Estate Appraisers shall be in writing in a form acceptable to the Board. Nothing in this rule shall act to prevent the Board from acting upon its own motion.

13.2 Pursuant to Section 12-61-704(1)(d), C.R.S., and Section 24-4-105(3), C.R.S., any disciplinary-hearing conducted on behalf of the Board shall be conducted by an administrative law judge from the Division of Administrative Services.

13.3 Pursuant to Section 12-61-710(7), C.R.S., complaints of record in the offices of the Board and the results of staff investigations shall be closed to public inspection, except as provided by court order, during the investigatory period and until notice of hearing and charges are served on a licensee. Pursuant to Section 12-61-710(7), C.R.S., Section 24-72-203, C.R.S., and Section 24-72-204 C.R.S., complaints of record that are dismissed by the Board and the results of investigation of such complaints shall be closed to public inspection, except as provided by court order.

13.4 When an appraiser licensed under the provisions of Section 12-61-701, et seq. C.R.S. (as amended) has been sent written notification from the Board that a complaint has been filed against the appraiser, such appraiser shall submit to the Board a written answer. Mailing by first class mail to the last known address in the records of the Board shall constitute such written notification. Failure to submit a written answer within the time set by the Board in its notification shall be grounds for disciplinary action unless the Board has granted a written extension of time for the answer.

13.5 The holder of a Board-issued license shall inform the Board in writing within ten (10) days of any disciplinary action taken by any other state, district or territory or province real estate appraiser or real estate brokerage licensing authority. For purposes of this rule, disciplinary action shall include, without limitation, actions such as fines, required education, probation, suspension, revocation, letters or censure, debarrment, required supervision, and the like.

13.6 When a licensee is required to complete real estate appraisal education as part of a disciplinary action, no portion of any such courses or programs completed to satisfy the terms of a disciplinary action shall be creditable toward future pre-licensing or continuing education requirements.

13.7 The holder of a Board-issued license or permit shall inform the Board in writing within ten days of conviction of entering a plea of guilty to, or entering a plea of nolo contendere to any crime in Article 3 of Title 18, C.R.S. (offenses against persons). in Parts 1, 2, 3 and 4 of Article 4 of Title 18, C.R.S. (offenses against property). in parts 1, 2, 3, 4, 5, 7 or 8 of Article 5 of Title 18, C.R.S. (fraud offenses), in Part 3 of Article 8 of Title 18, C.R.S. (bribery), in Article 15 of Title 18, C.R.S. (illegal lending practices), in Article 17 of Title 18, C.R.S. (racketeering), or any other like crime under Colorado law, federal law, or the laws of other states. A certified copy of the judgment of a court of competent jurisdiction of such conviction or other official record indicating that such plea was entered shall be conclusive evidence of such conviction or plea in any hearing under Section
12-61-701, et seq., C.R.S., or these Rules.

Chapter 14 Declaratory Orders Pursuant To 24-4-105(11), C.R.S.

14.1 Any person may petition the Board for a declaratory order to terminate controversies or to remove uncertainties as to the applicability to the petitioner of any statutory provisions or of any rule or order of the Board.

c. A concise statement of all of the facts necessary to show the nature of the controversy or uncertainty and the manner in which the statute, rule or order in question applies or potentially applies to the petitioner.

14.5 If the Board determines that it will rule on the petition, the following procedures shall apply:

a. The Board may rule upon the petition based solely upon the facts presented in the petition. In such a case:

1. Any ruling of the Board will apply only to the extent of the facts presented in the petition and any amendment to the petition.

2. The Board may order the petitioner to file a written brief, memorandum or statement of position.

3. The Board may set the petition, upon due notice to the petitioner, for a non-evidentiary hearing.

4. The Board may dispose of the petition on the sole basis of the matters set forth in the petition.

5. The Board may request the petitioner to submit additional facts, in writing. In such event, such additional facts will be considered as an amendment to the petition.

6. The Board may take administrative notice of facts pursuant to the administrative procedure act Section 24-4-105(8), C.R.S., (as amended) and may utilize its experience, technical competence and specialized knowledge in the disposition of the petition.

7. If the Board rules upon the petition without a hearing, it shall promptly notify the petitioner of its decision.

b. The Board may, in its discretion, set the petition for hearing, upon due notice to petitioner, for the purpose of obtaining additional facts or information or to determine the truth of any facts set forth in the petition or to hear oral argument on the petition. The notice to the petitioner setting such hearing shall set forth, to the extent known, the factual or other matters into which the board intends to inquire. For the purpose of such a hearing, to the extent necessary, the petitioner shall have the burden of proving all of the facts stated in the petition, all of the facts necessary to show the nature of the controversy or uncertainty and the manner in which the statute, rule or order in question applies or potentially applies to the petitioner and any other facts the petitioner desires the Board to consider.

14.6 The parties to any proceeding pursuant to this rule shall be the Board and the petitioner. Any other person may seek leave of the Board to intervene in such a proceeding, and leave to intervene will be granted at the sole discretion of the Board. A petition to intervene shall set forth the same matters as required by section 14.4 of this Rule. Any reference to a “petitioner” in this Rule also refers to any person who has been granted leave to intervene by the Board.
14.7 Any declaratory order or other order disposing of a petition pursuant to this Rule shall constitute agency action subject to judicial review pursuant to Section 24-4-106, C.R.S., (as amended).

Chapter 15 Written Notices - Banking Exemptions

15.1 Pursuant to Section 12-61-702(1), C.R.S., (as amended), any appraisal, analysis, valuation, opinion, conclusion, notation or compilation prepared by an officer, director or regular salaried employee of a financial institution as defined in Section 12-61-702(6), C.R.S., (as amended), who is not a registered, licensed or certified appraiser under the provisions of Section 12-61-701, et seq., C.R.S., (as amended), shall contain the following written notice:

NOTICE: The preparer of this appraisal is not registered, licensed or certified as a real estate appraiser under the laws of the State of Colorado.”

15.2 Pursuant to Section 12-61-718(1), C.R.S., (as amended), any appraisal prepared for a financial institution as defined in Section 12-61-702(6), C.R.S. (as amended), where the real estate related transaction or loan made or to be made is excepted from appraisal regulations established by the primary federal regulator of the defined financial institution, by any person who is not a registered, licensed or certified appraiser under the provisions of Section 12-61-701, et seq., C.R.S. (as amended) shall contain the following written notice:

“NOTICE: The preparer of this appraisal is not registered, licensed or certified as a real estate appraiser under the laws of the State of Colorado.”

15.3 The notices required under Section 12-61-702(1) and Section 12-61-718(1), C.R.S. (as amended), and Board Rules 15.1 and 15.2 shall:

a. Be placed on the first or cover page of each such appraisal, analysis, valuation, opinion, conclusion, notation or compilation, and on any page containing a value conclusion, signature or certification of the preparer;

b. Be placed on each copy of each such appraisal, analysis, valuation, opinion, conclusion, notation or compilation;

c. Be clearly legible in any xerographic or other reproduction of each such appraisal, analysis, valuation, opinion, conclusion, notation or compilation; and

d. Be in a type size not smaller than the type size used in the body of any such appraisal, analysis, valuation, opinion, conclusion, notation or compilation.

15.4 The notices required under Section 12-61-702(1) and Section 12-61-718(1), C.R.S. (as amended) and Board Rules 15.1 and 15.2 may be provided through use of a rubber stamped impression, provided such impression meets the requirements of Board Rule 15.3.

15.5 The notice requirements established under Section 12-61-702(1) and Section 12-61-718(1), C.R.S. (as amended) and Board Rules 15.1 and 15.2 shall be complied with in any electronic copy or transmittal of any such appraisal, analysis, valuation, opinion, conclusion, notation or compilation.