

REDLINE

**DEPARTMENT OF REGULATORY AGENCIES
DIVISION OF REAL ESTATE
BOARD OF REAL ESTATE APPRAISERS
4 CCR 725-2**

**NOTICE OF PROPOSED PERMANENT RULEMAKING HEARING
November 1, 2018**

CHAPTER 10: TEMPORARY PRACTICE IN COLORADO

Pursuant to and in compliance with Title 12, Article 61 and Title 24, Article 4, C.R.S. as amended, notice of proposed rulemaking is hereby given, including notice to the Attorney General of the State of Colorado and to all persons who have requested to be advised of the intention of the Colorado Board of Real Estate Appraisers (the "Board") to promulgate rules, or to amend, repeal or repeal and re-enact the present rules of the Board.

STATEMENT OF BASIS

The statutory basis for the rules titled Rules of the Board of Real Estate Appraisers is Part 7 of Title 12, Article 61, Colorado Revised Statutes, as amended.

STATEMENT OF PURPOSE

The purpose of this rule is to effectuate the legislative directive to promulgate necessary and appropriate rules in conformity with the statute and the provisions of the federal Financial Institutions Reform, Recovery and Enforcement Act of 1989.

SPECIFIC PURPOSE OF THIS RULEMAKING

The specific purpose of this rule is to amend or repeal existing rules with respect to the continuing education requirements for licensed and certified appraisers.

Proposed New, Amended and Repealed Rules

[Deleted material shown ~~struck through~~, new material shown ALL CAPS. Rules, or portions of rules, which are unaffected are reproduced. Readers are advised to obtain a copy of the complete rules of the Board at www.dora.state.co.us/real-estate/rulemaking/BOREA/index.htm]

CHAPTER 10: TEMPORARY PRACTICE IN COLORADO

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- ~~10.0~~ Pursuant to section 12-61-711(2) and (3), C.R.S., as amended, a Temporary Practice Permit may be issued to the holder of an active appraiser's license or certificate from another jurisdiction. Such Temporary Practice Permit must be subject to the following restrictions and requirements:
- A. The applicant must apply for and be issued a Temporary Practice Permit prior to his or her commencement of a real property appraisal in Colorado that is part of a federally related transaction;
 - B. The applicant's business is temporary in nature and the applicant must 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 will be valid only for the appraisal assignment(s) listed thereon;

- D. The applicant must be the holder of an active license or certificate in good standing under the laws of another jurisdiction;
- E. ~~The jurisdiction in which the applicant holds an active license or certificate in good standing has requirements that are substantially equivalent to those licensure requirements described in Board Rules 1.13, 1.14 or 1.15, and maintains qualification requirements substantially equivalent to those in Board Rules 2.2, 2.3 or 2.4, respectively;~~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; AND
- F. ~~The appraiser regulatory program of the jurisdiction where the applicant holds a license or certificate in good standing must be in compliance with Title XI, FIRREA, as determined by the ASC as defined in Board Rule 1.42;~~PURSUANT TO SECTION 12-61-711(2) AND (3), C.R.S., TEMPORARY PRACTICE PERMITS ARE AVAILABLE ONLY TO PERSONS HOLDING ACTIVE LICENSURE IN ANOTHER JURISDICTION AT LEVELS SUBSTANTIALLY EQUIVALENT TO THOSE DEFINED IN BOARD RULES 1.13, 1.14, OR 1.15. TEMPORARY PRACTICE PERMITS ARE NOT AVAILABLE TO PERSONS HOLDING LICENSURE IN ANOTHER JURISDICTION AT A TRAINEE, APPRENTICE, ASSOCIATE, INTERN, OR OTHER ENTRY LEVEL.
- 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; and~~
- H. ~~Pursuant to section 12-61-711(2) and (3), C.R.S., Temporary Practice Permits are available only to persons holding active licensure in another jurisdiction at levels substantially equivalent to those defined in Board Rules 1.13, 1.14 and 1.15. Temporary Practice Permits are not available to persons holding licensure in another jurisdiction at a trainee, apprentice, associate, intern, or other entry level.~~

A hearing on the above subject matter will be held on Thursday, November 1, 2018, at the Colorado Division of Real Estate, 1560 Broadway, Suite 1250C, Denver, Colorado 80202 beginning at 9:00 a.m.

Any interested person may participate in the rule making through submission of written data, views and arguments to the Division of Real Estate. Persons are requested to submit data, views and arguments to the Division of Real Estate in writing no less than ten (10) days prior to the hearing date and time set forth above. However, all data, views and arguments submitted prior to or at the rulemaking hearing or prior to the closure of the rulemaking record (if different from the date and time of hearing), shall be considered.

Please be advised that the rule being considered is subject to further changes and modifications after public comment and formal hearing.