

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

**NOTICE OF PROPOSED PERMANENT RULEMAKING HEARING
November 3, 2011**

CHAPTER 9: LICENSURE AND CERTIFICATION BY ENDORSEMENT

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 Chapter 7 of Title 12, Article 61, Colorado Revised Statutes, as amended. The General Assembly passed Senate Bill 90-34, effective July 1, 1990, which created the Board and mandated the licensing of real estate appraisers under the statutory terms and conditions. The General Assembly has variously amended the statutes by passing House Bill 92-1177, House Bill 96-1080, Senate Bill 97-90, House Bill 97-1056, House Bill 00-1137 and House Bill 02-1130.

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 appraiser reciprocal licensure.

Proposed New, Amended and Repealed Rules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 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 REGISTRATIONS, licenses OR CERTIFICATIONS by endorsement only to those persons holding an active REGISTRATION, license OR CERTIFICATE from another jurisdiction which is substantially equivalent to those described in Board Rules 1.12, 1.13, 1.14 or 1.15, with qualification requirements substantially equivalent to those in Board Rules 2.1, 2.2, 2.3 or 2.4, respectively. ~~Licensure by endorsement is not available to persons holding licensure in another~~

~~jurisdiction at a trainee, apprentice, associate, intern or other entry level similar to that defined in Board Rule 1.12.~~

- B. The applicant must be the holder of an active REGISTRATION, license OR CERTIFICATE in good standing under the laws of another jurisdiction;
- C. The appraiser regulatory program of the jurisdiction where the applicant holds an active REGISTRATION, license OR CERTIFICATE in good standing must not have been disapproved by the appropriate authority under 12 U.S.C.A., 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 REGISTRATION, license OR CERTIFICATE by endorsement prior to undertaking appraisal activities in Colorado that would require licensure in Colorado; and
- F. A REGISTRATION, license OR CERTIFICATE issued by endorsement shall be subject to the same renewal requirements as a REGISTRATION, license OR CERTIFICATE issued pursuant to Section 12-61-706, C.R.S. (as amended), and Board Rules Chapters 7 and 8.

A hearing on the above subject matter will be held on Thursday, November 3, 2011, 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.