

APPRAISER'S CERTIFICATION BOARD

BY-LAWS

APPRAISER CERTIFICATION AND CONTINUING EDUCATION

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TO BE UPDATED UPON FINAL APPROVAL

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APPRAISER CERTIFICATION AND CONTINUING EDUCATION

DEFINITIONS

Terms as used herein are defined as follows:

1. **CERTIFIED** - Refers to an individual who has successfully passed the Appraiser Certification Examination given by the Department of Taxation and who is in compliance with the continuing education requirements of NRS 361.223.
2. **CONTACT HOURS** -The actual hours credited towards an appraiser's educational requirements. It is the number of hours in a learning situation.
3. **DEPARTMENT** - Refers to the Department of Taxation.
4. **INDEPTENDENT CONTRACTOR**- Refers to an appraiser in private enterprise who is authorized to perform the duties of an appraiser for property tax purposes.
5. **MILESTONE** – The 5 year period of time when an Appraiser is earning their initial 180 hours of continued education and each 3 year period thereafter.

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SECTION I ADMINISTRATION

1. Policy Statement - Nevada Revised Statute 361 provides the authority for the establishment of the Appraiser's Certification Board, and provides therein its authority regarding the certification and continuing education of appraisers who perform the duties of an appraiser for property tax purposes. (NRS, See Annex A)
2. If any section, subsection, sentence, clause or phrase of these Rules and Regulations is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portion of said Rules and Regulations. The Appraiser's Certification Board hereby declares that it would have passed and adopted these Rules and Regulations in each section, subsection, sentence, clause or phrase thereof separately and irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases is invalid.
3. Any interested person may petition the Board requesting the adoption, amendment or repeal of any policy or procedure. Such petition shall be in written form and shall clearly and intelligibly set forth the policy or procedure requested to be adopted, amended or repealed. The petition shall be accompanied with relevant data, views and arguments. The petition may be submitted to the Board for inclusion on the Board's agenda for its next scheduled meeting. The Board shall within 30 calendar days following its meeting respond to the petitioner in writing of its treatment of the petition, stating its reasons.
4. Herein, necessary documents of verification are made a requirement in order for the Certification Board to make certain determinations on behalf of the appraiser. In these instances the responsibility to provide such documents and/or information is incumbent upon the individual appraiser.
5. The Coordinator, and Deputy Director of the Division of Local Government Services shall provide for the development and maintenance of, but not limited to, individual certification and training records for each appraiser registered with the Department and forms and processes related to the administration of those records. The Department shall also assign a person to be called "Secretary, Certification Board" whose responsibilities include the support and coordination of Board activities. The Secretary will initiate and respond to correspondence and matters relating to the certification of appraisers consistent with this manual.

6. The members of the Board shall select a chairman. The term of the chairman expires in the meeting immediately following two years of tenure. At such time, a new chairman will be selected with such chairmanship alternating between representatives of the Department and the assessors.

7. All communications may be directed to:
 - Department of Taxation
 - Attention: Division of Local Government Services
 - Secretary, Appraiser's Certification Board
 - 1550 College Parkway, Suite 115
 - Carson City, Nevada 89706

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SECTION II

APPRAISER'S CERTIFICATION BOARD REPRESENTATION

1. The Appraiser's Certification Board shall consist of representatives as approved for in NRS 361.221(2), as may be amended by the legislature and shall perform all duties and functions as required by Nevada State Statute.
2. The Appraiser's Certification Board shall have an organization structure which is to consist of the following:
 - a. Chairperson – The Chairperson shall be elected by a majority vote of membership present during a regular meeting. The Chairperson, upon being elected, shall immediately assume the office. The Chairperson shall serve for a two year period. The election will be held during the winter meeting of the Appraiser's Certification Board in even-numbered years. The Chairperson may serve in that position for as many times as the members of the Appraiser's Certification Board chooses to elect that person to office.
 - b. Vice-Chairperson – The Vice-Chairperson shall be elected by a majority vote of memberships present during a regular meeting. The Vice-Chairperson shall immediately assume office upon being elected and shall serve for a period of two years. The election will be held during the winter meeting of the Appraiser's Certification Board in even-numbered years. The Vice-Chairperson may service in that position for as many times as the members of the Appraiser's Certification Board chooses to elect that person to office.
3. Those persons service in the capacity of Chairperson and Vice Chairperson shall have the following duties:
 - a. Chairperson – The Chairperson shall preside at all meetings of the Appraiser's Certification Board and, when called upon, shall represent the Appraiser's Certification Board at various legislative functions, hearings and other activities to convey the official polices and recommendations as adopted by the Appraiser's Certification Board.
 - b. Vice-Chairperson – The Vice-Chairperson shall preside at regular meetings of the Appraiser's Certification Board at such time that the Chairperson may be unavailable and may represent the Appraiser's Certification Board and at such times when the Chairperson is unavailable, represent the Appraiser's Certification Board at various legislative functions, hearings and other activities to convey the official polices and recommendations as adopted by the Appraiser's Certification Board.
4. The Appraiser's Certification Board shall meet at least once semiannually and more often as necessary at the call of the Chairperson. All meetings shall be posted in accordance with the provisions of NRS 241. Agenda's and Exhibit Packets shall be provided to members of the Board at least one week prior to the date of any meeting for review.

5. In the event of an elected office (member) of the Appraiser's Certification Board shall cease to hold office during their elected term, a successor shall be appointed to service the remainder of the term at the next meeting of the Appraiser's Certification Board. In the case of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson until the successor is elected.
6. Appointed Appraiser's Certification Board members cannot designate individuals to make motions or vote in the absence of the appointed member at a meeting.

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SECTION III CERTIFICATION OF APPRAISERS

1. Temporary Certificate-
 - a. Temporary Certificates shall only be reissued in the case of an appraiser leaving employment and returning as a new employee.
 - b. Independent contractors can apply for a temporary certificate. They shall apply on the form provided by the Department and shall obtain the signature of the Assessor of the County they are providing work in. They shall perform work under the oversight of the Assessor until they pass the certificate examination as required by NAC 361.559(4). They will need to re-apply yearly renewal for the Temporary Certificate with only one renewal period allowed.
2. Reinstatement - Except as otherwise stated in statute, application for reinstatement may be made within three years of the establishment of an inactive file. The Secretary will supply any status concerning the individual's past certification to the Board. Once three years have lapsed, new applications must be made to the Board.
3. Inactive Status -The appraiser or contractor will have reinstatement privileges for a period of three years. Correct application and continuing education certificates must be provided to the Board for consideration on reinstatements. Inactive status exceeding three years will require new application to the Board. Examinations will need to be re-taken to re-active licensure.
4. Passing - To be certified, an examinee must pass both portions of the certification examination, the General Examination and the appropriate property portion, either Real or Personal. A passing score is a score of 70% or greater
5. Appraiser's Certification Files - Per State of Nevada Library and Archives Retention Schedule #2014195 Appraiser Certification Files:

2014195 Appraiser Certification Files

Description: This record series documents the certification of property tax appraisers (see NRS 361.221 et seq. and NAC 361.555 et seq.). It may include, but is not limited to: appraisal examination test scores; continuing education; classes taken and number of credits awarded; hearings and decisions of the Appraiser Certification Board regarding suspension and revocation; related documentation.

Retention: Retain these records for a period of ten (10) calendar years from the date the appraiser was no longer employed as a property tax appraiser.

Disposition: Destroy Securely

SECTION IV
APPRAISER CERTIFICATION EXAMINATION

Examination Review Examinees wishing to know in what area(s) of the examination they are in error may direct their request to any member of the Board to:

Division of Local Government Services
Deputy Director
1550 College Parkway, Suite 115
Carson City, Nevada 89706

Responses will be limited to providing the category of appraisal knowledge in which there was a lack of knowledge demonstrated and/or information as to the correct application of formulas and mathematical computations. In no case shall specific answers or examination questions be compromised.

Challenging the result-The challenge must be in writing and be postmarked not later than 10 calendar days after the receipt by the applicant of the results of the examination. Upon receipt of challenge the Secretary of the Board shall schedule the specific challenge for discussion at the next Appraiser Certification Board.

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SECTION V APPRAISER TRAINING

1. Approved training for credit towards the continuing education requirements of appraisers.
 - a. Appraisal courses, workshops or seminars conducted or sponsored by:
 - 1) The Department of Taxation.
 - 2) A national organization or subchapter thereof, recognized by the Board, i.e., International Association of Assessing Officers (IAAO), Society of Real Estate Appraisers (SREA), American Institute of Real Estate Appraisers(AIREA), Appraisal Institute (AI).
 - 3) Property tax agencies of other states.
 - 4) Nevada county assessor's offices, with the approval of the Board.
 - 5) Nevada Assessor's Association (NAA), with the approval of the Board
 - b. College and university courses relative to the duties of an appraiser in a taxing agency.
 - c. Other courses approved by the Board - based on its determination that the primary content of such courses shall be applicable to appraisal for property tax purposes. In order to receive credit for a course the description or summary of the course must be submitted to the Board.

Contact hours shall be awarded for real estate courses, or portions thereof, when the primary content has been determined by the Board to be applicable to the performance of property appraisers for tax purposes.

In no case will credit be awarded for any portion of a real estate course where the primary objective of the course is to prepare the student to take and pass a real estate examination for licensing.
 - d. The Department will not award any contact hours to an appraiser for any course completed within a three year training cycle that was previously awarded contact hours in the immediately preceding three year annual training cycle; unless the Department in conjunction with the ACB, deems that the course materials have been significantly changed or updated, unless;

1. No other training is available to comply with the 36 contact hour requirement with the Board's prior approval.
 2. Due to extenuating circumstances - with the Board's prior approval.
- e. In order to meet the requirements of milestone one (180 hours within 5 years), education hours will be allowed for prior courses that meet the requirements of NAC 361.565, however no education hours will be accepted that were obtained more than 10 years prior to the receipt of the appraisers temporary certificate.

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SECTION VI

CRITERIA FOR REVIEW OF CLASSES OR WORKSHOPS AND ACCEPTANCE OF CONTINUING EDUCATION CREDITS BY THE APPRAISER'S CERTIFICATION BOARD

Board approval is required for all courses not previously approved by the Appraiser's Certification Board.

Course or workshop offerings can be divided into three general broad categories.

The first category includes courses offered by appraisal organizations such as International Association of Assessing Officers, Society of Real Estate Appraisers or American Institute of Real Estate Appraisers and other providers. These courses offer general appraisal techniques or appraisal theory which is not necessarily aimed at addressing unique appraisal questions which arise due to Nevada's system of property valuation. The criteria for evaluating courses which fall into this category must be evaluated separately and differently by the Appraiser's Certification Board than courses which deal specifically with Nevada's statutes, regulations and Division of Local Government Services policies

Each course in this category must be reviewed for the following:

1. Adherence to standards set by the commonly accepted appraisal organizations. The course contents must be evaluated for correctness, applicability to mass appraisal and its attention to current appraisal questions or trends.

The second category includes courses which fall into another broad category which covers topics specific to appraisals done in Nevada.

Examples of the criteria for consideration are:

1. Adherence to Nevada Statutes and Regulations.
2. Pertinence to the job of mass appraisal and applied statistics.
3. Practicality for application in counties of varying sizes with varying degrees of technology.
4. Adherence to Local Government Services policies and interpretations.
5. Laws relating to real estate, water and mining or administrative procedures in the State of Nevada.

The third category includes courses offered which cover topics relevant to the understanding of concepts of mass appraisal, including the application of technology, Geographic Information Systems (GIS), mapping and computer assisted mass appraisal systems.

SECTION VII CREDITS

1. General - Credit shall be awarded for contact hours of training approved by the Board for the (fiscal) year milestone which enrollment in the training program was made, providing the individual appraiser presents to the Board sufficient verification to determine:

- a. Title(s) of the course or portions thereof for which credit is requested.
- b. Course outline or summary.
- c. Name of conducting and/or sponsoring organization.
- d. Location and dates.
- e. Actual training hours scheduled.

NOTE: Except for common courses where an experience history is available to the Board, course dates alone will not be considered adequate for determining training hours.

- f. Successful attendance. See Paragraph 2a.

2. Course credit allowance - Credit shall be awarded by the Board on the basis of successful attendance at approved courses, seminars or workshops.

- a. To be credited for successful attendance requires providing adequate verification of course attendance and having taken any examinations that are included as part of the course program. Hours shall be awarded for the number of hours on the certificate. The instructor or sponsoring agency shall determine and be responsible for attendance and shall make determinations if an attendee met attendance requirements.
- b. University and college courses shall be awarded 12 contact hours for each one (I) semester credit earned.
- c. Full credit for contact hours shall be awarded upon successfully passing the examination at the conclusion of a course or challenge.
- d. Half credit shall be awarded for contact hours to individuals failing the examination who meet the successful attendance criteria.
- e. Half credit for the training shall be awarded for contact hours upon successfully passing any reexamination, but no credit shall be awarded for fails.

3. Instructor's Credit - Upon approval by the Board of a submitted course outline, instructors approved by the Board shall be awarded contact hours equal to the actual hours spent in a group teaching situation. Credit will not be awarded for course preparation time or for time spent by the student on projects or assignments outside the class. Contact hours will be awarded one time only per fiscal year milestone courses taught during that particular milestone.

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SECTION VIII

SUSPENSION, REVOCATION OF CERTIFICATE

1. Authority - Upon the recommendation of the Board, the Department may suspend or revoke the Certificate of any person who fails to complete or forward the minimum number of contact hours for the preceding (fiscal) year.

2. Notice - Persons whose certificate is subject to suspension or revocation shall be notified in writing of the recommended action and of their right to a hearing scheduled by the Department.

The effective date of action shall not be earlier than the scheduled date of the hearing by the Department.

3. Hearing - A hearing shall be provided by the Department following 20 calendar days advance notice to the person of the hearing, unless requested earlier by the individual.

a. Individuals may elect to make personal appearances or provide written summaries and/or documents, or both.

b. The Department shall notify the person in writing of the decision within seven calendar days following the hearing.

c. Insofar as administrative procedures are available, the decision of the Department shall be final.

4. Inactive Status - An inactive file will be established once suspension, revocation of certificate is finalized in accordance with Section II, 2.

SECTION IX

POLICY AND PROCEDURE FOR PRESENTATION OF CLASS OR WORKSHOP

Purpose: The purpose of this policy and procedure is to establish a method by which anyone including Assessors, the Division of Local Government Services, Nevada Assessors Association, and appraisal organizations may sponsor a class or workshop; the credit for which will qualify as continuing education required by NRS 361.223 and 360.215.

1. Sponsoring agency advises the Department in writing of its intent to present a class or workshop. This information should be submitted on the New Course Application Form at least 90 days prior to anticipated class dates.
2. The Appraiser's Certification shall meet to review all classes or workshops for adherence to the criteria set by the Appraisers Certification Board for acceptance as continuing education credit.
3. If changes in the proposed presentation are requested by the Appraiser's Certification Board and are submitted by the sponsoring agency, the Appraiser's Certification Board approval or disapproval must be completed and will be placed on the agenda for review at the next scheduled meeting.
 - a. If approved notification shall be provided by the Appraiser Certification Board's Secretary will within 30 days of the Board's approval.
 - b. If denied with 30 days the Appraiser Certification Board's Secretary will provide notification as to the reasons why the course was denied
 - c. If the Board requires further information the Appraiser Certification Board's Secretary shall contact the sponsoring agency within 30 days. The sponsoring agency shall provide clarification within 30 days of receipt of request and the course will be brought forth at the next meeting for approval or denial.
4. The Appraiser's Certification Board will accomplish the following on any course or workshop approved for continuing education credit:
 - a. One member of the Appraiser's Certification Board or a designee will monitor the course and complete all necessary record keeping functions pertaining to attendance, examinations, etc.
 - b. The Appraisers Certification Board or designee will submit a list of attendees and course credit hours to the Appraiser's Certification Board for approval or disapproval.
 - c. Advertise course through use of assessor contacts, newsletter or any other method deemed appropriate.

SECTION X
APPLICATION FOR ACCREDITATION OF CONTINUED EDUCATION
COURSES

1. The course must meet the specifications outlined in "Course Criteria" specified by the Appraiser's Certification Board.
2. Credit for class attendance will be authorized by the Appraiser's Certification Board only if the course has the approval of the Appraiser's Certification Board.
3. Each course will be reviewed by the Department and the Appraiser's Certification Board to insure that all standards of criteria have been met including adherence to Nevada Statutes and Regulations.

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ANNEX A
NEVADA REVISED STATUTE
NEVADA ADMINISTRATIVE CODE
REFERENCE

NRS 361.221	Certification required; Appraiser’s Certification Board; examinations.
NRS 361.222	Temporary certificate.
NRS 361.223	Continuing education: Annual training requirement; waiver.
NRS 361.224	Effect of failure to meet requirements for continuing education.
NAC 361.537	“Appraiser” defined. (<u>NRS 360.090</u>, <u>361.221</u>)
NAC 361.557(4)	Appraisers certificate:
NAC 361.559(5)	Independent contractor’s appraiser’s certification.

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