

Periodic Review of Existing Rules

During its 2013 legislative session, the North Carolina General Assembly enacted N.C. Session Law 2013-413, which created N.C.G.S. § 150B-21.3A, captioned “Periodic Review and Expiration of Existing Rules”. This law requires all state agencies and commissions to review all of their existing rules at least once every 10 years. “Existing rules” are those that were in place on April 1, 2014. A rule adopted after that date is not considered in this process.

Pursuant to this law, the Appraisal Board has made a preliminary review of its existing rules to make a determination whether each rule is:

- “Necessary with substantive public interest,” meaning that the agency has determined that the rule is needed and that: (a) the agency has received public comments on the rule within the past two years; or (b) the rule affects the property interest of the regulated public and the agency knows or suspects that someone may object to the rule; or
- “Necessary without substantive public interest,” meaning that the agency has determined that the rule is needed and that the agency has not received public comments on the rule within the past two years. This category includes rules that provide information that is readily available to the public, such as an address or telephone number; or
- “Unnecessary,” meaning that the agency has determined that the rule is obsolete, redundant or otherwise not needed.

As defined in N.C.G.S. § 150B-21.3A(a)(5) and as used above, the term “public comment” means “written comments objecting to the rule, in whole or in part, received by an agency from any member of the public, including an association or other organization representing the regulated community or other members of the public.”

The results of the Board’s initial review are listed in a separate document and have been posted online. They can be viewed at www.ncappraisalboard.org and at the NC Office of Administrative Hearings website at <http://www.ncoah.com/rules>. The Board hereby invites and encourages you to review and comment on the existing rules and the results of the Board’s preliminary review. You may send your comments to:

Roberta Ouellette
NC Appraisal Board
5830 Six Forks Road
Raleigh, NC 27609

Email: Roberta@ncab.org Fax: 919-870-4859

When commenting on the rule, please specify the number and title of the rule. The Board will not send responses to each commenter; however, a response will be sent to the Rules Review Commission with the final report. Written comments will be accepted until May 1, 2017. The law requires that a comment must address the content of the rule in question to be considered by the Rules Review Commission.

“Public comment” is defined as a written objection to all or part of a rule. In order for the Rules Review Commission to determine whether the public comment has merit, the comment must address the specific substance of the rule and address any of the standards of Commission review, as set forth in G.S. 150B-21.9(a).

Comments submitted to the Board are public record and may be disclosed to parties requesting such records, including any identifiable information provided.



**PERIODIC REVIEW AND EXPIRATION OF
EXISTING RULES REPORT FOR
PUBLICATION ON THE OAH WEBSITE**
[G.S. 150B-21.3A(c)(1)]

OFFICE USE ONLY

Published on the OAH
website:

1. Rule-Making Agency: North Carolina Appraisal Board

2. Citation to NCAC Title & Chapter/Subchapter: 21 NCAC 57A, 57B, 57C, 57D

3. Comments should be directed to:

Name: Roberta Ouellette

Address: 5830 Six Forks Road
Raleigh, NC 27609

E-Mail (optional): Roberta@ncab.org

4. Agency website link: www.ncappraisalboard.org

5. Comment Period Begins: March 1, 2017

Comment Period Ends: May 1, 2017

6. Scheduled month and year for RRC review: August 2017

7. Rule-making Coordinator: Roberta Ouellette

Address: 5830 Six Forks Road
Raleigh, NC 27609

Phone: 919-870-4854

E-Mail: Roberta@ncab.org

8. The Agency made initial determination on:

Date: February 22, 2017

Please Note - Notice Required by Rule 26 NCAC 05 .0207 on the agency website: The agency must post instructions on how a person may comment on the determinations and to whom the comment must be directed. In addition, the agency's posting is required to include notice that states the language below, or similar language:

"Public comment" is defined by G.S. 150B-21.3A(a)(5) as a written objection to all or part of a rule. Additionally, pursuant to G.S. 150B-21.3A(c)(2), in order for the Rules Review Commission to determine whether the public comment has merit, the public comment must address the specific substance of the rule and address any of the standards of Commission review, as set forth in G.S. 150B-21.9(a).

G.S. 150B-21.3A Report for 21 NCAC 57, APPRAISAL BOARD

Agency - North Carolina Appraisal Board

Comment Period - March 1 - May 1, 2017

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
SUBCHAPTER 57A – REGISTRATION, LICENSING, CERTIFICATION AND PRACTICE	SECTION .0100 – APPLICATION FOR REAL ESTATE APPRAISER LICENSE OR CERTIFICATION	21 NCAC 57A .0101	FORM	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0102	FILING AND FEES	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
	SECTION .0200 – TRAINEE REGISTRATION AND APPRAISER LICENSING AND CERTIFICATION	21 NCAC 57A .0201	QUALIFICATIONS FOR TRAINEE REGISTRATION AND APPRAISER LICENSURE AND CERTIFICATION	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0202	FITNESS FOR REGISTRATION, LICENSURE, OR CERTIFICATION	Amended Eff. February 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0203	REGISTRATION, LICENSE AND CERTIFICATE RENEWAL	Amended Eff. January 1, 2013	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0204	CONTINUING EDUCATION	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0206	EXPIRED REGISTRATION, LICENSE OR CERTIFICATE	Amended Eff. September 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0207	PAYMENT OF REGISTRATION, LICENSE AND CERTIFICATE FEES	Amended Eff. August 1, 2002	Necessary without substantive public interest	No		Select One	Select One
		21 NAC 57A .0208	REPLACEMENT REGISTRATION, LICENSE AND CERTIFICATE FEES	Amended Eff. January 1, 2008	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0209	NATIONAL APPRAISER REGISTRY	Amended Eff. January 1, 2008	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0210	TEMPORARY PRACTICE	Amended Eff. July 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	12 USC 3351(a)	Select One	Select One
		21 NCAC 57A .0211	APPLICANTS CERTIFIED IN ANOTHER STATE	Amended Eff. July 1, 2016	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	12 USC 3351(a)	Select One	Select One
	SECTION .0300 – APPRAISER EXAMINATIONS	21 NCAC 57A .0301	TIME AND PLACE	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0302	SUBJECT MATTER AND PASSING SCORES	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0303	RE-EXAMINATION	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0304	CHEATING AND RELATED MISCONDUCT	Amended Eff. January 1, 2013	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0306	EXAMINATION REVIEW	Amended Eff. April 1, 1999	Necessary without substantive public interest	No		Select One	Select One
	SECTION .0400 – GENERAL APPRAISAL PRACTICE	21 NCAC 57A .0401	USE OF TITLES	Amended Eff. January 1, 2008	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0402	DISPLAY OF REGISTRATIONS, LICENSES AND CERTIFICATES	Amended Eff. March 1, 2006	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0403	ADVERTISING	Amended Eff. January 1, 2008	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0404	CHANGE OF NAME OR ADDRESS	Amended Eff. August 1, 2002	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0405	APPRAISAL REPORTS	Amended Eff. July 1, 2011	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0406	BUSINESS PRACTICES	Amended Eff. July 1, 2005	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0407	SUPERVISION OF TRAINEES	Amended Eff. January 1, 2015	Necessary without substantive public interest	No		Select One	Select One

G.S. 150B-21.3A Report for 21 NCAC 57, APPRAISAL BOARD

Agency - North Carolina Appraisal Board

Comment Period - March 1 - May 1, 2017

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
		21 NCAC 57A .0409	REPORTING REQUIRED ACTIONS	Eff. August 1, 2002	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57A .0410	APPRAISAL MANAGEMENT COMPANIES	Eff. January 1, 2011	Necessary without substantive public interest	No		Select One	Select One
	SECTION .0500 - STANDARDS OF APPRAISAL PRACTICE	21 NCAC 57A .0501	APPRAISAL STANDARDS	Amended Eff. July 1, 2016	Necessary without substantive public interest	No		Select One	Select One
SUBCHAPTER 57B - REAL ESTATE APPRAISAL EDUCATION	SECTION .0100 - COURSES REQUIRED FOR REGISTRATION, LICENSURE AND CERTIFICATION	21 NCAC 57B .0101	REGISTERED TRAINEE COURSE REQUIREMENTS	Amended Eff. January 1, 2015	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0102	LICENSED RESIDENTIAL AND CERTIFIED RESIDENTIAL REAL ESTATE APPRAISER COURSE REQUIREMENTS	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0103	CERTIFIED GENERAL REAL ESTATE APPRAISER COURSE REQUIREMENTS	Amended Eff. January 1, 2013	Necessary without substantive public interest	No		Select One	Select One
	SECTION .0200 - COURSE SPONSOR STANDARDS FOR PRELICENSING AND PRECERTIFICATION EDUCATION	21 NCAC 57B .0201	PURPOSE AND APPLICABILITY	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0202	APPLICATION FOR APPROVAL	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0203	CRITERIA FOR APPROVAL	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0204	FACILITIES AND EQUIPMENT	Amended Eff. January 1, 2008	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0205	ENROLLMENT CONTRACTS	Eff. July 1, 1994	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0206	ADMISSIONS POLICY AND PRACTICE	Amended Eff. August 1, 2002	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0207	ADMINISTRATION	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0208	ACCOMMODATIONS FOR PERSONS WITH DISABILITIES	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0209	CERTIFICATION OF COURSE COMPLETION	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0210	COURSE RECORDS	Amended Eff. January 1, 2013	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0211	PROGRAM CHANGES	Amended Eff. March 1, 2006	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0212	WITHDRAWAL OR DENIAL OF BOARD APPROVAL	Eff. July 1, 1994	Necessary without substantive public interest	No		Select One	Select One
	SECTION .0300 - COURSE STANDARDS FOR PRELICENSING AND PRECERTIFICATION EDUCATION	21 NCAC 57B .0301	PURPOSE	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0302	COURSE CONTENT	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0303	COURSE COMPLETION STANDARDS	Amended Eff. July 1, 2016	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0304	COURSE SCHEDULING	Amended Eff. July 1, 2016	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0305	TEXTBOOKS	Eff. July 1, 1994	Necessary without substantive public interest	No		Select One	Select One

G.S. 150B-21.3A Report for 21 NCAC 57, APPRAISAL BOARD

Agency - North Carolina Appraisal Board

Comment Period - March 1 - May 1, 2017

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
		21 NCAC 57B .0306	INSTRUCTOR REQUIREMENTS	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0307	CRITERIA FOR COURSE RECOGNITION	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
	SECTION .0400 – COURSE SPONSOR FEES FOR PRELICENSING AND RECERTIFICATION EDUCATION	21 NCAC 57B .0401	APPLICABILITY	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0402	ORIGINAL COURSE APPROVAL FEE	Amended Eff. January 1, 2008	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0403	FEE FOR RENEWAL OF COURSE APPROVAL	Amended Eff. January 1, 2008	Necessary without substantive public interest	No		Select One	Select One
	SECTION .0600 - CONTINUING EDUCATION COURSES	21 NCAC 57B .0601	PURPOSE AND APPLICABILITY	Amended Eff. August 1, 2002	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0602	APPLICATION AND FEE	Amended Eff. January 1, 2008	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0603	CRITERIA FOR COURSE APPROVAL	Amended Eff. January 1, 2015	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0604	QUALIFYING COURSES	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0605	CONTINUING EDUCATION CREDIT HOURS	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0606	COURSE OPERATIONAL REQUIREMENTS	Amended Eff. January 1, 2013	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0607	CERTIFICATION OF COURSE COMPLETION	Amended Eff. January 1, 2013	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0608	SPONSOR REPORTING OF CONTINUING EDUCATION CREDIT	Amended Eff. July 1, 2010	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0609	CHANGES DURING THE APPROVAL PERIOD	Amended Eff. March 1, 2006	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0610	COURSE RECORDS	Eff. July 1, 1994	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0611	RENEWAL OF APPROVAL AND FEES	Amended Eff. January 1, 2013	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0612	WITHDRAWAL OR DENIAL OF APPROVAL	Amended Eff. January 1, 2008	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0613	PAYMENT OF FEE REQUIRED BY G.S. 93E-1-7(C)	Eff. September 1, 2008	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57B .0614	INSTRUCTORS FOR THE TRAINEE/SUPERVISOR COURSE REQUIRED BY G.S. 93E-1-6.1	Amended Eff. July 1, 2016	Necessary without substantive public interest	No		Select One	Select One
SUBCHAPTER 57C – ADMINISTRATIVE LAW PROCEDURES	SECTION .0100 – APPRAISAL BOARD HEARINGS	21 NCAC 57C .0101	FORM OF COMPLAINTS AND OTHER PLEADINGS	Amended Eff. July 1, 2014	Necessary with substantive public interest	No		Select One	Select One
		21 NCAC 57C .0102	PRESIDING OFFICER	Amended Eff. July 1, 2003	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57C .0103	SUBPOENAS	Eff. July 1, 1994	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57C .0104	PETITION TO REOPEN PROCEEDING	Eff. July 1, 1994	Necessary without substantive public interest	No		Select One	Select One
	SECTION .0200 - PETITIONS FOR RULES	21 NCAC 57C .0201	PETITION FOR RULEMAKING HEARINGS	Eff. July 1, 1994	Necessary without substantive public interest	No		Select One	Select One
	SECTION .0300 - RULE-MAKING	21 NCAC 57C .0301	WRITTEN SUBMISSIONS	Eff. July 1, 1994	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57C .0302	PRESIDING OFFICER	Amended Eff. August 1, 2002	Necessary without substantive public interest	No		Select One	Select One

G.S. 150B-21.3A Report for 21 NCAC 57, APPRAISAL BOARD

Agency - North Carolina Appraisal Board

Comment Period - March 1 - May 1, 2017

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
		21 NCAC 57C .0303	RECORD OF PROCEEDINGS	Eff. July 1, 1994	Necessary without substantive public interest	No		Select One	Select One
	SECTION .0400 - DECLARATORY RULINGS	21 NCAC 57D .0401	REQUESTS FOR RULINGS: DISPOSITION OF REQUESTS	Eff. July 1, 1994	Necessary without substantive public interest	No		Select One	Select One
SUBCHAPTER 57D - APPRAISAL MANAGEMENT COMPANIES	SECTION .0100 - APPLICATION FOR APPRAISAL MANAGEMENT REGISTRATION	21 NCAC 57D .0101	FORM	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57D .0102	FILING AND FEES	Amended Eff. January 1, 2013	Necessary without substantive public interest	No		Select One	Select One
	SECTION .0200 - APPRAISAL MANAGEMENT COMPANY REGISTRATION	21 NCAC 57D .0201	FITNESS FOR REGISTRATION	Eff. February 1, 2011	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57D .0202	REGISTRATION RENEWAL	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57D .0203	EXPIRED REGISTRATION	Eff. January 1, 2011	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57D .0204	PAYMENT OF FEES TO THE BOARD	Eff. January 1, 2011	Necessary without substantive public interest	No		Select One	Select One
	SECTION .0300 - APPRAISAL MANAGEMENT COMPANY PROCEDURES	21 NCAC 57D .0301	USE OF REGISTRATION NUMBER	Eff. January 1, 2011	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57D .0302	CHANGE OF NAME OR CONTACT INFORMATION	Eff. January 1, 2011	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57D .0303	COMPLIANCE MANAGER	Amended Eff. July 1, 2014	Necessary with substantive public interest	No		Select One	Select One
		21 NCAC 57D .0304	APPRAISER QUALIFICATIONS	Eff. January 1, 2011	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57D .0305	APPRAISER COMPETENCY	Eff. January 1, 2011	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57D .0306	APPRAISAL REVIEW	Eff. January 1, 2011	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57D .0307	RECORDS	Eff. January 1, 2011	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57D .0308	PRODUCTION OF RECORDS	Eff. January 1, 2011	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57D .0309	COMPLAINTS AGAINST APPRAISERS	Amended Eff. July 1, 2016	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57D .0310	PAYMENT OF FEES TO APPRAISERS	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		Select One	Select One
		21 NCAC 57D .0311	REMOVAL OF AN APPRAISER FROM AN APPRAISAL PANEL	Amended Eff. January 1, 2013	Necessary with substantive public interest	No		Select One	Select One
		21 NCAC 57D .0312	REQUESTING ADDITIONAL INFORMATION FROM AN APPRAISER	Amended Eff. January 1, 2013	Necessary without substantive public interest	No		Select One	Select One
	SECTION .0400 - APPRAISAL MANAGEMENT COMPANY GENERAL PRACTICES	21 NCAC 57D .0401	BUSINESS PRACTICES	Eff. January 1, 2011	Necessary without substantive public interest	No		Select One	Select One