

BEFORE THE BOARD OF REAL ESTATE APPRAISERS
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of ARM) NOTICE OF AMENDMENT
24.207.401 fees, 24.207.402 adoption of)
USPAP, 24.207.403 regulatory reviews,)
24.207.501 examination, 24.207.502)
application requirements, 24.207.504)
through 24.207.507 education)
requirements, 24.207.508 and)
24.207.509 experience, 24.207.510)
scope of practice, 24.207.517 trainee)
requirements, 24.207.518 mentor)
requirements, 24.207.520 renewals, and)
24.207.2101 continuing education)

TO: All Concerned Persons

1. On July 17, 2008, the Board of Real Estate Appraisers (board) published MAR Notice No. 24-207-29 regarding the amendment of the above-stated rules, at page 1402 of the 2008 Montana Administrative Register, issue no. 13.

2. On August 12, 2008, a public hearing was held on the proposed amendment of the above-stated rules in Helena. Two comments were received by the August 20, 2008, deadline.

3. The board has thoroughly considered the comments and testimony received. A summary of the comments and the board's responses are as follows:

COMMENT 1: One commenter stated that by removing "or its equivalent" from ARM 24.207.505, 24.207.506, 24.207.507, and 24.207.517, the board would limit Montana real estate appraisers to taking only the AQB developed 15-hour national USPAP course and eliminate the opportunity to take a course developed by another provider but submitted to the AQB for review and approval as equivalent.

RESPONSE 1: The board has determined that the courses offered in this area are not equivalent to the 15-hour national USPAP course. The board is amending ARM 24.207.505, 24.207.506, 24.207.507, and 24.207.517 exactly as proposed.

COMMENT 2: A commenter questioned the proposed amendment to scope of practice in ARM 24.207.510, stating that it differs from that found in the AQB criteria and will confuse appraisers and users of appraisal services. The commenter recommended the board use the scope of practice found in the AQB.

RESPONSE 2: The board agrees that the proposed amendment may cause confusion and has decided to not amend this rule at this time.

4. The board has amended ARM 24.207.401, 24.207.402, 24.207.403, 24.207.501, 24.207.502, 24.207.504, 24.207.505, 24.207.506, 24.207.507, 24.207.508, 24.207.509, 24.207.517, 24.207.518, 24.207.520, and 24.207.2101 exactly as proposed.

5. The board is not amending ARM 24.207.510 as proposed based on comment received.

BOARD OF REAL ESTATE APPRAISERS
KRAIG KOSENA, CHAIRPERSON

/s/ DARCEE L. MOE
Darcee L. Moe
Alternate Rule Reviewer

/s/ KEITH KELLY
Keith Kelly, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State October 14, 2008