

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

In the matter of the amendment of)	NOTICE OF AMENDMENT AND
ARM 24.207.401 fees, 24.207.403)	ADOPTION
regulatory reviews, 24.207.404)	
appraisal review, 24.207.406)	
definitions, 24.207.408 military)	
training or experience, 24.207.501)	
examination, 24.207.502 application)	
requirements, 24.207.503 experience)	
- number of hours required,)	
24.207.504, 24.207.505, 24.207.506,)	
and 24.207.507 qualifying education)	
course requirements, 24.207.508 ad)	
valorem tax appraisal experience,)	
24.207.509 qualifying experience,)	
24.207.510 scope of practice,)	
24.207.517 trainee requirements,)	
24.207.518 mentor requirements,)	
24.207.1507 appraisal management)	
record keeping, 24.207.1509 AMC)	
audit requirements, 24.207.2101)	
continuing education, 24.207.2102)	
continuing education noncompliance,)	
and the adoption of NEW RULES I)	
and II unprofessional conduct)	

TO: All Concerned Persons

1. On November 6, 2014, the Board of Real Estate Appraisers (board) published MAR Notice No. 24-207-38 regarding the public hearing on the proposed amendment and adoption of the above-stated rules, at page 2714 of the 2014 Montana Administrative Register, Issue No. 21.

2. On December 1, 2014, a public hearing was held in Helena on the proposed amendment and adoption of the above-stated rules. Comments were received by the December 5, 2014, comment deadline.

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

COMMENT: Several commenters suggested that the language in New Rule II be revised to limit the types of requests for which an appraisal management company could face disciplinary action to requests that are related to the board's statutory

authority under Title 37, chapter 54, MCA, regarding audits, investigations, or complaints.

RESPONSE: The board acknowledges that the language of proposed New Rule II is broad. However, the board understands it cannot stray beyond the regulatory authority granted to the board by the legislature. The proposed language is necessarily broad to allow the board to collect information required to complete routine administrative tasks associated with licensing appraisal management companies. Any appraisal management company responding to a request from the board will have an opportunity to request clarification of the request and may challenge the basis for the request as part of the complaint process.

4. The board has amended ARM 24.207.401, 24.207.403, 24.207.404, 24.207.406, 24.207.408, 24.207.501, 24.207.502, 24.207.503, 24.207.504, 24.207.505, 24.207.506, 24.207.507, 24.207.508, 24.207.509, 24.207.510, 24.207.517, 24.207.518, 24.207.1507, 24.207.1509, 24.207.2101, and 24.207.2102 exactly as proposed.

5. The board has adopted NEW RULE I (ARM 24.207.2301) AND NEW RULE II (ARM 24.207.2305) exactly as proposed.

BOARD OF REAL ESTATE APPRAISERS
THOMAS STEVENS, CERTIFIED
GENERAL APPRAISER, CHAIRPERSON

/s/ DARCEE L. MOE

Darcee L. Moe
Rule Reviewer

/s/ PAM BUCY

Pam Bucy, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State December 15, 2014