

<h1 style="margin: 0;">Regulatory Analysis Form</h1> <p style="margin: 0;">(Completed by Promulgating Agency)</p>		<p><b>INDEPENDENT REGULATORY REVIEW COMMISSION</b></p>
<p>(All Comments submitted on this regulation will appear on IRRC's website)</p>		<p><b>RECEIVED</b></p>
<p>(1) Agency Department of State, Bureau of Professional and Occupational Affairs, State Board of Certified Real Estate Appraisers</p>		<p>Independent Regulatory Review Commission  December 13, 2023</p>
<p>(2) Agency Number: 16A Identification Number: 7031</p>		<p>IRRC Number: 3393</p>
<p>(3) PA Code Cite: 49 Pa. Code §§ 36.41, 36.91 and 36.412.</p>		
<p>(4) Short Title: Federally Mandated Revisions</p>		
<p>(5) Agency Contacts (List Telephone Number and Email Address):</p> <p>Primary Contact: Ronald K. Rouse, Board Counsel, State Board of Certified Real Estate Appraisers, P.O. Box 69523, Harrisburg, PA 17106-9523 (phone 717-783-7200) (fax 787-0251) <a href="mailto:rorouse@pa.gov">rorouse@pa.gov</a>.</p> <p>Secondary Contact: Jacqueline A. Wolfgang, Regulatory Counsel, Department of State, P.O. Box 69523, Harrisburg, PA 17106-9523 (phone 717-783-7200) (fax 787-0251) <a href="mailto:jawolfgang@pa.gov">jawolfgang@pa.gov</a>.</p>		
<p>(6) Type of Rulemaking (check applicable box):</p> <p><input type="checkbox"/> Proposed Regulation</p> <p><input type="checkbox"/> Final Regulation</p> <p><input checked="" type="checkbox"/> <b>Final Omitted Regulation</b></p>		<p><input type="checkbox"/> Emergency Certification Regulation</p> <p><input type="checkbox"/> Certification by the Governor</p> <p><input type="checkbox"/> Certification by the Attorney General</p>
<p>(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)</p> <p>This rulemaking amends the Board's regulations to require a continuing education on valuation bias and fair housing laws and regulations as a condition of renewal of certification or licensure. The amendments are needed to be consistent with Federal criteria that are binding on the Board under Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA) (Pub. L. No. 101-73, 103 Stat. 183) (relating to Real Estate Reform Amendments), as amended, 12 U.S.C. §§ 3331-3356.</p> <p>Beginning with the 2025-2027 biennial renewal period, this final-omitted regulation amends § 36.41 (relating to continuing education requirement) to require completion of an Appraiser Qualification Board (AQB)-compliant 7-hour course on valuation bias and fair housing laws and regulations as a condition of renewal of certification or licensure. After the 7-hour course requirement is satisfied, appraisers will be required to take a valuation bias and fair housing laws and regulations course that is at least 4 hours in length as a condition of renewal.</p> <p>The AQB also adopted a name change for the 7-hour National USPAP Update Course; it is now the 7-hour National USPAP Continuing Education Course. This final-omitted rulemaking updates the Board's regulation to reflect this change.</p>		

This rulemaking also amends its appraisal management company (AMC) regulations regarding the qualifications of owners and key persons to be in compliance with Federal regulations. Section 36.412 (b) (relating to qualifications of owners and key persons) of the Board’s AMC regulations currently provides that an individual may not be an owner or key person of an AMC if the individual had a license or certificate refused, denied, cancelled, suspended or revoked or if they voluntarily surrendered a license or certificate, unless the license or certificate was subsequently granted or reinstated to the individual. Under 12 CFR 34.215(b)(2), however, an individual is not disqualified from becoming an owner or key person of an AMC if the Board determines that the individual’s license or certificate was not revoked, suspended, refused, or surrendered *for substantive cause* and the individual’s license or certificate was granted or reinstated by the State in which the individual was licensed or certified. The AMC Final Rule on Minimum Requirements for Appraisal Management Companies, 80 Federal Register 32658 (June 9, 2015) (AMC Final Rule) addresses the difference between a substantive and technical licensing violation. A substantive cause is a non-technical violation that would include license violations such as fraud, violations of the Truth in Lending Act (15 U.S.C. §§ 1601-1667f) and failure to perform an appraisal in compliance with USPAP. Technical violations are procedural or administrative in nature and would not be related to the quality of appraisals or fraudulent conduct, but rather, would include violations such as lapsed licenses and non-payment of fees or penalties.

(8) State the statutory authority for the regulation. Include specific statutory citation.

Section 5(1) of the Real Estate Appraisers Certification Act (act) (63 P.S. § 457.5(1)) authorizes the Board to “pass upon the qualifications and fitness of applicants for certification or licensure and to adopt and revise rules and regulations requiring applicants for certification to pass examinations relating to qualifications for certification.” Under section 5(2) of the act, the Board is empowered “[t]o adopt and, from time to time, revise such rules and regulations as may be necessary to carry out the provisions of this act.” Under section 6 of the act (63 P.S. § 457.6), the Board is authorized to issue certificates to real estate appraisers that meet the minimum education and experience requirements established by the Appraiser Qualifications Board (AQB) under FIRREA. Under Section 10(b), (b.1), and (b.2) of the act (63 P.S. § 457.10(b), (b.1), (b.2)), continuing education is a condition of biennial renewal for certified residential and general appraisers, certified broker/appraisers, and licensed appraiser trainees if, and only to the minimum extent, required pursuant to FIRREA.

Section 4(a) of the Appraisal Management Company Registration Act (AMCRA) (63 P. S. § 457.24(a)) authorizes the Board to implement, administer, and enforce the act, including the power to adopt rules and regulations consistent with the act. Title XI of the FIRREA requires the Office of the Comptroller of the Currency (OCC), the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation (FDIC), the National Credit Union Administration (NCUA), the Bureau, and Federal Housing Finance Agency (FHFA), to establish minimum requirements to be applied by States in the registration and supervision of AMCs at 12 U.S.C. § 3353, regarding appraisal management company minimum requirements. Under this authority, these Federal agencies jointly adopted regulations establishing the minimum requirements for appraisal management companies at 12 CFR 34.210—34.216, 12 CFR 225.190—225.196, 12 CFR 323.8—323.14 and 12 CFR 1222.20—1222.26.

The Appraisal Subcommittee (ASC) was created as a result of Title XI of FIRREA. The ASC provides Federal oversight for all appraiser and AMC programs of every state appraiser regulatory agency in the United States. [The Appraisal Foundation](#) is an organization authorized by Congress to set standards and qualifications for real estate appraisers and provides voluntary guidance on recognized valuation methods

and techniques for all valuation professionals. Through the Appraisal Foundation, all State appraiser programs must meet the minimum Federal standards that are established by the AQB, for appraiser education, experience, and examination, as well as Federal standards established by the Appraisal Standards Board (ASB), for uniform standards of professional appraisal practice (USPAP). The AQB publishes the Federal minimum requirements for real property appraisers in the *Real Property Appraiser Qualification Criteria (Criteria)* (AQB Qualification Criteria).

Under section 204(3) of the Commonwealth Documents Law (CDL) (45 P.S. § 1204(3)), the Board is authorized to omit the procedures for proposed rulemaking in section 201 and 202 of the CDL (45 P.S. §§ 1201 and 1202) if the Board finds that the specified procedures are impracticable, unnecessary or contrary to the public interest.

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

Yes. The amendments are mandated by FIRREA, AQB Qualification Criteria and jointly adopted regulations establishing the minimum requirements for appraisal management companies at 12 CFR 34.210—34.216, 12 CFR 225.190—225.196, 12 CFR 323.8—323.14 and 12 CFR 1222.20—1222.26.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

The Board is required to comply with and implement AQB Qualification Criteria. Requiring valuation bias and fair housing laws and regulations continuing education will have a positive impact because the continuing education courses will ensure that appraisers are educated on forms of bias that could impact property valuation and will provide guidance and information on advancing equity in the appraisal process. The amended AMC regulations are needed to comply with Federal law. The AMC amendment prevents an individual from being disqualified from becoming an owner or key person of an AMC if the Board determines that discipline was due to a technical violation (i.e. lapsed license or non-payment of fees or penalties) as opposed to a substantive violation such as fraud or failure to perform an appraisal in compliance with USPAP. This amendment has a positive impact because it removes an unnecessary barrier to licensure.

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

No. The amendments are necessary to comply with Federal law.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

The final-omitted regulations at § 36.41 reflect minimum qualification requirements for continuing education mandated by Federal law and the AQB Qualification Criteria; therefore, because other states are also required to comply with these Federal standards, Pennsylvania's ability to compete will not be impacted. Regarding AMCs, all States that elect to participate in the AMC program must comply with

FIRREA. Therefore, the regulations will not affect Pennsylvania’s ability to compete with other States because other States have implemented or will be required to implement the minimum requirements for appraisal management companies.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

No, the regulation will not affect other regulations of the Board or the Department. These regulations will not affect regulations of other State agencies.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. (“Small business” is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

The Board did not solicit input through an exposure draft because the scope of this rulemaking is extremely narrow and is only necessary to comply with Federal law. Because the amendments are Federally mandated, the Board does not have discretion and must implement these amendments. The Board discussed the final-omitted rulemaking in its September 7, 2023 board meeting. All board meetings are open to the public and are attended by individuals and organizations representing the regulated community of appraisers and AMCs.

The Board notes, however, that significant communications to the regulated community took place at the Federal level. The AQB engaged the appraiser community nationwide by releasing exposure drafts and soliciting written and verbal comments. On January 31, 2023, the AQB released the [\*First Exposure Draft of Proposed Changes to the Real Property Appraiser Qualification Criteria\*](#). The proposed changes included valuation bias and fair housing as a required component of an appraiser's qualifying and continuing education. The written comment period was open between January 31, 2023, through March 13, 2023. At its virtual public meeting on March 22, 2023, the AQB discussed the written comments received and entertained additional verbal comments. For the most part, the commentators expressed support for the changes. There was concern that the implementation date for the valuation bias and fair housing course did not provide sufficient time for States to implement it because of various rulemaking processes of each State. Additionally, some appraisers questioned why the course was required for all appraisers and suggested that the course only be required for appraisers who performed residential appraisal assignments and for appraisers that have been identified as being deficient understanding in valuation bias and fair housing laws and regulations.

At the conclusion of the March 22, 2023 public meeting, the AQB voted to release a second exposure draft. In drafting the Second Exposure Draft, the AQB considered comments received in response to the First Exposure Draft, recognizing that the First Exposure Draft did not take into consideration the rulemaking processes of the different states. Regarding the question as to why everyone had to take the course, the AQB emphasized the importance for all appraisers being trained on valuation bias and fair housing issues. The [\*Second Exposure Draft of Proposed Changes to the Criteria\*](#) (Second Exposure Draft) was released on May 17, 2023. The written comment period was open from May 17, 2023, through June 17, 2023. At its virtual public meeting on June 22, 2023, the AQB discussed the written comments received and entertained additional verbal comments. At the conclusion of the June 22, 2023 public meeting, the AQB voted to adopt the Second Exposure Draft. The AQB announcement regarding the adoption of the Changes to the AQB Criteria was posted on the Board’s website on June 27, 2023, was

sent out to all licensees as an email blast on June 27, 2023, and was announced at the July 27, 2023 Board meeting as required under § 36.2 (f) (relating to application process) of the Board's regulations.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

There are currently 3,369 appraisers and appraiser trainees and 137 AMCs registered in this Commonwealth. All AMCs will be affected by the regulation whether they qualify as small businesses or not.

Small businesses are defined in Section 3 of the Regulatory Review Act, (71 P.S. § 745.3) which provides that a small business is defined by the SBA's Small Business Size Regulations under 13 CFR Ch. 1 Part 121. These size standards have been established for types of businesses under the North American Industry Classification System (NAICS). In applying the NAICS standards to appraisers and AMCs, the standard set for offices of Real Estate Appraisers (NAICS Code 531320) to qualify as a small business is \$9.5 million or less in average annual receipts. For mortgage loan brokers (NAICS Code 522310) to qualify as a small business is \$15 million or less in average annual receipts. For miscellaneous intermediation (NAICS Code 523910) and generally those financial investment and related activities (NAICS Subsector 523) a small business is one with \$47 million or less in average annual receipts.

According to the Small Business Administration (SBA), there are approximately 1,103,558 businesses in Pennsylvania; of which 1,099,158 are small businesses. Of the 1,099,158 small businesses, 226,511 are small employers (those with fewer than 500 employees) and the remaining 872,647 are non-employers. Thus, the vast majority of businesses in Pennsylvania are considered small businesses. Based upon the foregoing, the Board proceeds on the assumption that most of the 137 registered AMCs are small businesses.

The amendments are Federally mandated. The Board does not anticipate a negative fiscal impact and anticipates a positive impact for both small and large businesses. The continuing education courses will ensure that appraisers are educated on forms of bias that could impact property valuation and will provide guidance and information on advancing equity in the appraisal process. The AMC amendments prevent an individual from being disqualified from becoming an owner or key person of an AMC if the Board determines that discipline was due to a technical violation (i.e., lapsed license or non-payment of fees or penalties) as opposed to a substantive violation such as fraud or failure to perform an appraisal in compliance with USPAP. This amendment has a positive impact because it removes an unnecessary barrier to licensure.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

Approximately 3,369 appraisers and appraiser trainees and 137 registered AMCs will be required to comply with the regulation.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

The amendments are Federally mandated. The Board does not anticipate a negative fiscal impact and anticipates a positive impact for individuals, small businesses, labor communities and other public and private organizations. The continuing education courses will ensure that appraisers are educated on forms of bias that could impact property valuation and will provide guidance and information on advancing equity in the appraisal process. The AMC amendments prevent an individual from being disqualified from becoming an owner or key person of an AMC if the Board determines that discipline was due to a technical violation (i.e., lapsed license or non-payment of fees or penalties) as opposed to a substantive violation such as fraud or failure to perform an appraisal in compliance with USPAP. This amendment has a positive impact because it removes an unnecessary barrier to licensure.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

There are not any adverse effects of this regulation.

(19) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

There are not any costs or savings associated with compliance. Appraisers will be required to provide evidence of completion of the valuation bias and fair housing laws and regulations course, but appraisers already have that obligation under § 36.44 (relating to reporting of continuing education credit hours).

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

There are no costs or savings to local governments associated with these regulations.

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

There will not be any costs or savings to state government.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

Appraisers will be required to provide evidence of completion of the valuation bias and fair housing laws and regulations course, but appraisers already have that obligation under § 36.44 (relating to reporting of continuing education credit hours). No measures have been taken to minimize these requirements because this requirement already exists.

(22a) Are forms required for implementation of the regulation? Yes. To implement the Federal mandates and the final-omitted regulations, the Board will modify the biennial renewal applications for certified residential real estate appraisers, certified general real estate appraisers, certified broker/appraisers, and licensed appraiser trainees.

(22b) If forms are required for implementation of the regulation, attach copies of the forms here. If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported. Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.

The Board has attached the forms required for implementation of the regulation. (See Attachment A)

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	<b>Current FY 23-24</b>	<b>FY +1 24-25</b>	<b>FY +2 25-26</b>	<b>FY +3 26-27</b>	<b>FY +4 27-28</b>	<b>FY +5 28-29</b>
<b>SAVINGS:</b>	\$	\$	\$	\$	\$	\$
<b>Regulated Community</b>	0	0	0	0	0	0
<b>Local Government</b>	0	0	0	0	0	0
<b>State Government</b>	0	0	0	0	0	0
<b>Total Savings</b>	N/A	N/A	N/A	N/A	N/A	N/A
<b>COSTS:</b>						
<b>Regulated Community</b>	0	0	0	0	0	0
<b>Local Government</b>	0	0	0	0	0	0
<b>State Government</b>	0	0	0	0	0	0
<b>Total Costs</b>	0	0	0	0	0	0
<b>REVENUE LOSSES:</b>						
<b>Regulated Community</b>	0	0	0	0	0	0
<b>Local Government</b>	0	0	0	0	0	0

<b>State Government</b>	0	0	0	0	0	0
<b>Total Revenue Losses</b>	N/A	N/A	N/A	N/A	N/A	N/A

(23a) Provide the past three-year expenditure history for programs affected by the regulation.

<b>Program</b>	<b>FY -3 20-21 (Actual)</b>	<b>FY -2 21-22 (Actual)</b>	<b>FY -1 22-23 (Actual)</b>	<b>Current FY 23-24 (Budgeted)</b>
State Board of Certified Real Estate Appraisers	\$553,112.87	\$665,465.78	\$664,000	\$685,000

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.
  - (b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.
  - (c) A statement of probable effect on impacted small businesses.
  - (d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.
- 
- (a) The Board does not track where appraisers or trainees work or whether the businesses for which they work are small businesses. The Board registers AMCs; currently there are 137 AMCs registered with the Board. The Board believes that most of the AMCs are small businesses.
  - (b) There are no additional reporting, recordkeeping or administrative costs associated with this regulation.
  - (c) The Board does not anticipate any negative impact, fiscal or otherwise, but anticipates a positive impact for individuals, small businesses, labor communities and other public and private organizations. The continuing education courses will ensure that appraisers are educated on forms of bias that could impact property valuation and will provide guidance and information on advancing equity in the appraisal process. The AMC amendments prevent an individual from being disqualified from becoming an owner or key person of an AMC if the Board determines that discipline was due to a technical violation (i.e. lapsed license or non-payment of fees or penalties) as opposed to a substantive violation such as fraud or failure to perform an appraisal in compliance with USPAP. This amendment has a positive impact because it removes an unnecessary barrier to licensure.



(d) No less intrusive or less costly alternatives were identified; the amendments are Federally mandated and do not have a negative fiscal impact.

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

The Board has not perceived any particular needs of these groups that need to be accommodated.

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

No alternative regulatory proposals were considered. The amendments are Federally mandated; therefore, other alternatives are not appropriate.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;
- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
- c) The consolidation or simplification of compliance or reporting requirements for small businesses;
- d) The establishment of performing standards for small businesses to replace design or operational standards required in the regulation; and
- e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

The amendments are Federally mandated. The Board did not consider establishing less stringent compliance or reporting requirements, or less stringent schedules or deadlines for small businesses. The Board did not consider any changes to the reporting requirements for small businesses. There are no design or operational standards in the regulations. The Board did not consider exempting small business from all or any part of the requirements because to do so would be inconsistent with the mandates under Federal and State law relating to the oversight of the appraisal industry and would undermine the consumer protections provided by the regulations.

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be

accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

No data was the basis for this regulation.

(29) Include a schedule for review of the regulation including:

- |  |                  |
|--|------------------|
| A. The length of the public comment period:  | N/A              |
| B. The date or dates on which public meetings or hearings will be held:<br>Public meetings will be held on the following dates in 2024:<br>January 18, February 29, April 11, May 23, June 27, August 1, September 12, October 24, and December 5. |                  |
| C. The expected date of promulgation of the proposed regulation as a final-form regulation:  | N/A              |
| D. The expected effective date of the final-form regulation:   | Upon publication |
| E. The expected date by which compliance with the final-form regulation will be required:  | Upon publication |
| F. The expected date by which required permits, licenses or other approvals must be obtained:  | N/A              |

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

The Board examines and reviews any applicable regulation on an ongoing basis. The examination and review determine whether the regulation in question continues to meet the requirements of the Regulatory Review Act, the act itself and Federal law; and whether the regulation could be modified for a less burdensome alternative.

# ATTACHMENT “A”

1. 2025-2027 Renewal Application- Certified General Appraiser
2. 2025-2027 Renewal Application- Certified Residential Appraiser
3. 2025-2027 Renewal Application- Certified Broker/Appraiser
4. 2025-2027 Renewal Application- Licensed Appraiser Trainee

COMMONWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF STATE  
 BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
 STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS  
 717-783-4866  
[WWW.DOS.PA.GOV/REAL](http://www.dos.pa.gov/REAL)

CERTIFIED GENERAL APPRAISER  
 RENEWAL APPLICATION  
 EXPIRATION DATE: JUNE 30, 2027

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

RETURN ADDRESS:

State Board of Certified Real Estate Appraisers  
 PO Box 8420  
 Harrisburg, PA 17105-8420

Your license will expire on June 30, 2027. To process your online renewal, click on [www.pals.pa.gov](http://www.pals.pa.gov). For security purposes you have been assigned (My License Number) which is located on your wallet card. If you have previously renewed online, your User ID and Password are still valid. You will need a valid credit card (VISA, Mastercard, Discover or American Express). Follow all instructions, and you will have immediate confirmation that your renewal is being processed. You will receive your updated license indicating an expiration date of June 30, 2029 within seven to ten days. For assistance email [st-my-license-helpdesk@pa.gov](mailto:st-my-license-helpdesk@pa.gov). Online renewal is not available after June 30, 2027. After June 30, 2027, you must complete an online reactivation application.

CERTIFICATION NO: RENEWAL FEE – \$225.00 National Registry Fee - \$80.00 <b><u>TOTAL RENEWAL: \$305.00</u></b>  ONE CHECK PAYABLE TO “COMMONWEALTH OF PENNSYLVANIA” WRITE CERTIFICATION NUMBER ON CHECK. A \$20.00 FEE WILL BE CHARGED FOR PAYMENT RETURNED BY BANK. <b>LICENSES <u>CANNOT BE FORWARDED</u> BY THE POSTAL SERVICE.</b>	LAST NAME: <b>WARNING: PRACTICING ON AN EXPIRED LICENSE MAY RESULT IN DISCIPLINARY ACTIONS AND ADDITIONAL MONETARY PENALTIES.</b>  <b>THIS FORM IS INVALID AFTER JUNE 30, 2027. AFTER JUNE 30, 2027, YOU MUST COMPLETE AN ONLINE REACTIVATION APPLICATION.</b>
--	---

- I will not be practicing this profession in Pennsylvania after **June 30, 2027** and request inactive status. **No fee is required.**
- I have a change of name and/or address. **Complete only if name and/or address differs from above information. NOTE: Your renewal will not be processed until you have complied with the below requirements for Name Change**

Name Change	Address Change
Submit an 8 ½ X 11 photocopy of a legal document verifying your name change (i.e., marriage certificate, divorce decree, or court order). <b>Copies of driver’s license or Social Security cards are not acceptable. Failure to submit required document will result in your license being renewed in the name as shown on our records.</b>	
<b>New Name:</b>	

**THE FOLLOWING QUESTIONS MUST BE ANSWERED:**

<b>CERTIFICATION NUMBER:</b>		<b>LAST NAME:</b>		
<b>If you answer YES to questions 3 through 8 – provide details AND attach certified copies of legal document(s). Certified copies of legal documents are not required if disciplinary action was taken against your PA license to practice this profession.</b>			<b>YES</b>	<b>NO</b>
1. Do you hold, or have you ever held, a license, certificate, permit, registration or other authorization to practice a profession or occupation in any state or jurisdiction?				
2. If you answered yes to the above question, please provide the profession and state or jurisdiction. Please do not abbreviate the profession.				
3. Do you currently have any criminal charges pending and unresolved in any state or jurisdiction?				
4. Do you currently have any disciplinary charges pending against your professional or occupational license, certificate, permit or registration in any state or jurisdiction?				
5. <b>Since your initial application or your last renewal, whichever is later,</b> have you had disciplinary action taken against a professional or occupational license, certificate, permit, registration or other authorization to practice a profession or occupation issued to you in any state or jurisdiction or have you agreed to voluntary surrender in lieu of discipline?		<input type="checkbox"/>	<b>Check here if action was taken in PA. Certified Copies Not Required</b>	
6. <b>Since your initial application or your last renewal, whichever is later,</b> have you withdrawn an application for a professional or occupational license, certificate, permit or registration, had an application denied or refused, or for disciplinary reasons agreed not to apply or reapply for a professional or occupational license, certificate, permit or registration in any state or jurisdiction?				
7. <b>Since your initial application or last renewal, whichever is later,</b> have you been convicted, found guilty or pleaded nolo contendere, or received probation without verdict or accelerated rehabilitative disposition (ARD) as to any criminal charges, felony or misdemeanor, including any drug law violations? Note: You are not required to disclose any ARD or other criminal matter that has been expunged by order of a court.				
8. <b>Since your initial application or your last renewal, whichever is later,</b> have you been found by a civil court of competent jurisdiction to have performed a fraudulent appraisal?				
9. Have you completed the 28 hour continuing education requirements within the biennial reporting period (July 1, 2025, through June 30, 2027), including the required 2-hour PA Law Course, 7-hour USPAP continuing education course, and AQB-compliant course on valuation bias and fair housing laws and regulations?  <b>NOTE:</b> The _____ USPAP continuing education course will be available beginning December _____. You are encouraged to take your 7-hour USPAP course for your _____ renewal as early as possible to ensure you are aware of all USPAP updates.				
10. Are you exempt from continuing education? If you became certified after January 1, 2027, you are exempt from continuing education requirements.				

I verify that this form is in the original format as supplied by the Department of State and has not been altered or otherwise modified in any way. I am aware of the criminal penalties for tampering with public records or information pursuant to 18 Pa. § C.S. 4911. I verify that the statements in this application are true and correct to the best of my knowledge, information, and belief. I understand that false statements are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities) and may result in suspension, revocation or denial of my license, certificate, or registration. I further understand that practicing on an expired license may result in disciplinary actions and additional monetary penalties.

**Signature (Mandatory):** \_\_\_\_\_ **Date:** \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF STATE  
 BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
 STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS  
 717-783-4866  
[WWW.DOS.PA.GOV/REAL](http://WWW.DOS.PA.GOV/REAL)

CERTIFIED BROKER APPRAISER  
 RENEWAL APPLICATION  
 EXPIRATION DATE: JUNE 30, 2027

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

RETURN ADDRESS:

State Board of Certified Real Estate Appraisers  
 PO Box 8420  
 Harrisburg, PA 17105-8420

Your license will expire on June 30, 2027. To process your online renewal, click on [www.pals.pa.gov](http://www.pals.pa.gov). For security purposes you have been assigned a Renewal ID#, which is located on your wallet card. If you have previously renewed online, your User ID and Password are still valid. You will need a valid credit card (VISA, Mastercard, Discover, or American Express). Follow all instructions, and you will have immediate confirmation that your renewal is being processed. You will receive your updated license indicating an expiration date of June 30, 2029, within seven to ten days. After June 30, 2027, you must complete an online reactivation application.

<b>LICENSE NO:</b> <b>RENEWAL FEE – \$225.00</b> <b>PAYABLE TO “COMMONWEALTH OF PENNSYLVANIA”</b> <b>WRITE CERTIFICATION NUMBER ON CHECK. A \$20.00 FEE</b> <b>WILL BE CHARGED FOR PAYMENT RETURNED BY BANK.</b>	<b>LAST NAME:</b> <b>WARNING: PRACTICING ON AN EXPIRED LICENSE MAY</b> <b>RESULT IN DISCIPLINARY ACTIONS AND ADDITIONAL</b> <b>MONETARY PENALTIES.</b>
<b>LICENSES <u>CANNOT BE FORWARDED</u> BY THE POSTAL</b> <b>SERVICE.</b>	<b>THIS FORM IS INVALID AFTER JUNE 30, 2027. AFTER</b> <b>JUNE 30, 2027, YOU MUST COMPLETE AN ONLINE</b> <b>REACTIVATION APPLICATION.</b>

- I will **not** be practicing this profession in Pennsylvania after **June 30, 2027** and request inactive status. **No fee is required.**
- I have a change of name and/or address. **Complete only if name and/or address differs from above information. NOTE: Your renewal will not be processed until you have complied with the below requirements for Name Change**

Name Change	Address Change
Submit an <b>8 ½ X 11</b> photocopy of a legal document verifying your name change (i.e., marriage certificate, divorce decree, or court order). <b>Copies of driver's license or Social Security cards are not acceptable. Failure to submit required document will result in your license being renewed in the name as shown on our records.</b>	
<b>New Name:</b>	

**THE FOLLOWING QUESTIONS MUST BE ANSWERED:**

<b>LICENSE NUMBER:</b>		<b>LAST NAME:</b>		
<b>If you answer YES to questions 3 through 8 – provide details AND attach certified copies of legal document(s). Certified copies of legal documents are not required if disciplinary action was taken against your PA license to practice this profession.</b>			<b>YES</b>	<b>NO</b>
1. Do you hold, or have you ever held, a license, certificate, permit, registration or other authorization to practice a profession or occupation in any state or jurisdiction?				
2. If you answered yes to the above question, please provide the profession and state or jurisdiction. Please do not abbreviate the profession.				
3. Do you currently have any criminal charges pending and unresolved in any state or jurisdiction?				
4. Do you currently have any disciplinary charges pending against your professional or occupational license, certificate, permit or registration in any state or jurisdiction?				
5. Since your initial application or your last renewal, whichever is later, have you had disciplinary action taken against a professional or occupational license, certificate, permit, registration or other authorization to practice a profession or occupation issued to you in any state or jurisdiction or have you agreed to voluntary surrender in lieu of discipline?		<input type="checkbox"/>	Check here if action was taken in PA. Certified Copies Not Required	
6. Since your initial application or your last renewal, whichever is later, have you withdrawn an application for a professional or occupational license, certificate, permit or registration, had an application denied or refused, or for disciplinary reasons agreed not to apply or reapply for a professional or occupational license, certificate, permit or registration in any state or jurisdiction?				
7. Since your initial application or last renewal, whichever is later, have you been convicted, found guilty or pleaded nolo contendere, or received probation without verdict or accelerated rehabilitative disposition (ARD) as to any criminal charges, felony or misdemeanor, including any drug law violations? Note: You are not required to disclose any ARD or other criminal matter that has been expunged by order of a court.				
8. Since your initial application or your last renewal, whichever is later, have you been found by a civil court of competent jurisdiction to have performed a fraudulent appraisal?				
9. Have you completed the 28 hour continuing education requirements within the biennial reporting period (July 1, 2025, through June 30, 2027), including the required 2-hour PA Law Course, 7-hour USPAP continuing education course, and AQB-compliant course on valuation bias and fair housing laws and regulations?				
<p><b>NOTE:</b> The _____ USPAP continuing education course will be available beginning _____. You are encouraged to take your 7-hour USPAP course for your _____ renewal as early as possible to ensure you are aware of all USPAP updates.</p>				

I verify that this form is in the original format as supplied by the Department of State and has not been altered or otherwise modified in any way. I am aware of the criminal penalties for tampering with public records or information pursuant to 18 Pa. § C.S. 4911. I verify that the statements in this application are true and correct to the best of my knowledge, information, and belief. I understand that false statements are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities) and may result in suspension, revocation or denial of my license, certificate, or registration. I further understand that practicing on an expired license may result in disciplinary actions and additional monetary penalties.

Signature (Mandatory): \_\_\_\_\_ Date: \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF STATE  
 BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
 STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS  
 717-783-4866  
[WWW.DOS.PA.GOV/REAL](http://WWW.DOS.PA.GOV/REAL)

CERTIFIED RESIDENTIAL APPRAISER  
 RENEWAL APPLICATION  
 EXPIRATION DATE: JUNE 30, 2027

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

RETURN ADDRESS:

State Board of Certified Real Estate Appraisers  
 PO Box 8420  
 Harrisburg, PA 17105-8420

Your license will expire on June 30, 2027. To process your online renewal, click on [www.pals.pa.gov](http://www.pals.pa.gov). For security purposes you have been assigned (My License Number) which is located on your wallet card. If you have previously renewed online, your User ID and Password are still valid. You will need a valid credit card (VISA, Mastercard, Discover or American Express). Follow all instructions, and you will have immediate confirmation that your renewal is being processed. You will receive your updated license indicating an expiration date of June 30, 2029 within seven to ten days. For assistance email [st-my-license-helpdesk@pa.gov](mailto:st-my-license-helpdesk@pa.gov). Online renewal is not available after June 30, 2027. After June 30, 2027, you must complete an online reactivation application.



CERTIFICATION NO: RENEWAL FEE – \$225.00 National Registry Fee - \$80.00 <b><u>TOTAL RENEWAL: \$305.00</u></b>  ONE CHECK PAYABLE TO “COMMONWEALTH OF PENNSYLVANIA” WRITE CERTIFICATION NUMBER ON CHECK. A \$20.00 FEE WILL BE CHARGED FOR PAYMENT RETURNED BY BANK.	LAST NAME: <b>WARNING: PRACTICING ON AN EXPIRED LICENSE MAY RESULT IN DISCIPLINARY ACTIONS AND ADDITIONAL MONETARY PENALTIES.</b>
<b>LICENSES <u>CANNOT BE FORWARDED</u> BY THE POSTAL SERVICE.</b>	<b>THIS FORM IS INVALID AFTER JUNE 30, 2027. AFTER JUNE 30, 2027, YOU MUST COMPLETE AN ONLINE REACTIVATION APPLICATION.</b>

- I will not be practicing this profession in Pennsylvania after **June 30, 2027** and request inactive status. **No fee is required.**
- I have a change of name and/or address. **Complete only if name and/or address differs from above information. NOTE: Your renewal will not be processed until you have complied with the below requirements for Name Change**

Name Change	Address Change
Submit an 8 ½ X 11 photocopy of a legal document verifying your name change (i.e., marriage certificate, divorce decree, or court order). <b>Copies of driver’s license or Social Security cards are not acceptable. Failure to submit required document will result in your license being renewed in the name as shown on our records.</b>	
<b>New Nam</b>	



**THE FOLLOWING QUESTIONS MUST BE ANSWERED:**

<b>CERTIFICATION NUMBER:</b>		<b>LAST NAME:</b>		
<b>If you answer YES to questions 3 through 8 – provide details AND attach certified copies of legal document(s). Certified copies of legal documents are not required if disciplinary action was taken against your PA license to practice this profession.</b>			<b>YES</b>	<b>NO</b>
1. Do you hold, or have you ever held, a license, certificate, permit, registration or other authorization to practice a profession or occupation in any state or jurisdiction?				
2. If you answered yes to the above question, please provide the profession and state or jurisdiction. Please do not abbreviate the profession.				
3. Do you currently have any criminal charges pending and unresolved in any state or jurisdiction?				
4. Do you currently have any disciplinary charges pending against your professional or occupational license, certificate, permit or registration in any state or jurisdiction?				
5. <b>Since your initial application or your last renewal, whichever is later,</b> have you had disciplinary action taken against a professional or occupational license, certificate, permit, registration or other authorization to practice a profession or occupation issued to you in any state or jurisdiction or have you agreed to voluntary surrender in lieu of discipline?			<input type="checkbox"/>	<b>Check here if action was taken in PA. Certified Copies Not Required</b>
6. <b>Since your initial application or your last renewal, whichever is later,</b> have you withdrawn an application for a professional or occupational license, certificate, permit or registration, had an application denied or refused, or for disciplinary reasons agreed not to apply or reapply for a professional or occupational license, certificate, permit or registration in any state or jurisdiction?				
7. <b>Since your initial application or last renewal, whichever is later,</b> have you been convicted, found guilty or pleaded nolo contendere, or received probation without verdict or accelerated rehabilitative disposition (ARD) as to any criminal charges, felony or misdemeanor, including any drug law violations? Note: You are not required to disclose any ARD or other criminal matter that has been expunged by order of a court.				
8. <b>Since your initial application or your last renewal, whichever is later,</b> have you been found by a civil court of competent jurisdiction to have performed a fraudulent appraisal?				
9. Have you completed the 28 hour continuing education requirements within the biennial reporting period (July 1, 2025, through June 30, 2027), including the required 2-hour PA Law Course, 7-hour USPAP continuing education course, and AQB-compliant course on valuation bias and fair housing laws and regulations?  <b>NOTE:</b> The _____ USPAP continuing education course will be available beginning December _____. You are encouraged to take your 7-hour USPAP course for your _____ renewal as early as possible to ensure you are aware of all USPAP updates.				
10. Are you exempt from continuing education? If you became certified after January 1, 2027, you are exempt from continuing education requirements.				

I verify that this form is in the original format as supplied by the Department of State and has not been altered or otherwise modified in any way. I am aware of the criminal penalties for tampering with public records or information pursuant to 18 Pa. § C.S. 4911. I verify that the statements in this application are true and correct to the best of my knowledge, information, and belief. I understand that false statements are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities) and may result in suspension, revocation or denial of my license, certificate, or registration. I further understand that practicing on an expired license may result in disciplinary actions and additional monetary penalties.

**Signature (Mandatory):** \_\_\_\_\_ **Date:** \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS  
717-783-4866  
[WWW.DOS.PA.GOV/REAL](http://WWW.DOS.PA.GOV/REAL)  
**LICENSED APPRAISER TRAINEE  
RENEWAL APPLICATION**  
**EXPIRATION DATE: JUNE 30, 2027**

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

\_\_\_\_\_

**RETURN ADDRESS:**  
State Board of Certified Real Estate Appraisers  
PO Box 8420  
Harrisburg, PA 17105-8420

Your license will expire on June 30, 2027. To process your online renewal, click on [www.pals.pa.gov](http://www.pals.pa.gov). For security purposes you have been assigned (My License Number) which is located on your wallet card. If you have previously renewed online, your User ID and Password are still valid. You will need a valid credit card (VISA, Mastercard, Discover or American Express). Follow all instructions, and you will have immediate confirmation that your renewal is being processed. You will receive your updated license indicating an expiration date of June 30, 2029 within seven to ten days. For assistance email [st-my-license-helpdesk@pa.gov](mailto:st-my-license-helpdesk@pa.gov). Online renewal is not available after June 30, 2027. After June 30, 2027, you must complete an online reactivation application.

LAT LICENSE NO:	LAST NAME:
RENEWAL FEE – \$150.00 ONE CHECK PAYABLE TO “COMMONWEALTH OF PENNSYLVANIA” WRITE CERTIFICATION NUMBER ON CHECK. A \$20.00 FEE WILL BE CHARGED FOR PAYMENT RETURNED BY BANK.	WARNING: PRACTICING ON AN EXPIRED LICENSE MAY RESULT IN DISCIPLINARY ACTIONS AND ADDITIONAL MONETARY PENALTIES.
LICENSES <u>CANNOT BE FORWARDED</u> BY THE POSTAL SERVICE.	THIS FORM IS INVALID AFTER JUNE 30, 2027. AFTER JUNE 30, 2027, YOU MUST COMPLETE AN ONLINE REACTIVATION APPLICATION.
YOU MAY NOT RENEW YOUR LICENSE MORE THAN 4 TIMES UNLESS THE STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS DETERMINES THAT YOU HAVE SHOWN GOOD CAUSE FOR 1 OR MORE ADDITIONAL RENEWALS.	

- I will not be practicing this profession in Pennsylvania after June 30, 2027 and request inactive status. No fee is required.
- I have a change of name and/or address. **Complete only if name and/or address differs from above information. NOTE: Your renewal will not be processed until you have complied with the below requirements for Name Change**

Name Change	Address Change
Submit an 8 ½ X 11 photocopy of a legal document verifying your name change (i.e., marriage certificate, divorce decree, or court order). <b>Copies of driver’s license or Social Security cards are not acceptable. Failure to submit required document will result in your license being renewed in the name as shown on our records.</b>	
New Name:	



LICENSE NUMBER:	LAST NAME:
-----------------	------------

I verify that this form is in the original format as supplied by the Department of State and has not been altered or otherwise modified in any way. I am aware of the criminal penalties for tampering with public records or information pursuant to 18 Pa. § C.S. 4911. I verify that the statements in this application are true and correct to the best of my knowledge, information, and belief. I understand that false statements are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities) and may result in suspension, revocation or denial of my license, certificate, or registration. I further understand that practicing on an expired license may result in disciplinary actions and additional monetary penalties.

Signature (Mandatory): \_\_\_\_\_ Date: \_\_\_\_\_

CDL-1

**FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU  
(Pursuant to Commonwealth Documents Law)**

**RECEIVED**

Independent Regulatory  
Review Commission

December 13, 2023

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to form and legality. Attorney General

BY: \_\_\_\_\_  
(DEPUTY ATTORNEY GENERAL)

\_\_\_\_\_  
DATE OF APPROVAL

Check if applicable  
Copy not approved. Objections  
attached.

Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:

State Board of Certified Real Estate Appraisers  
(AGENCY)


DOCUMENT/FISCAL NOTE NO. 16A-7031

DATE OF ADOPTION: \_\_\_\_\_

BY:   
Mark Smeltzer

TITLE: Chairman

Copy below is hereby approved as to form and legality. Executive or Independent Agencies.

BY:   
(Deputy General Counsel)  
~~(Chief Counsel, Independent Agency)~~  
(Strike inapplicable title)

12/4/2023  
DATE OF APPROVAL

Check if applicable. No Attorney General approval or objection within 30 days after submission.

**FINAL RULEMAKING (WITH PROPOSED OMITTED)**

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS**

**49 PA. CODE CHAPTER 36  
§§ 36.41, 36.91 and 36.412**

**FEDERALLY MANDATED REVISIONS**

The State Board of Certified Real Estate Appraisers (Board) proposes to amend Chapter 36, Subchapter A by amending § 36.41 (relating to continuing education requirement) and § 36.91 (relating to reactivation of lapsed certification), and to amend Chapter 36, Subchapter E by amending § 36.412 (relating to qualifications of owners and key persons) to read as set forth in Annex A.

#### *Effective date*

The final-omitted rulemaking will be effective upon publication in the *Pennsylvania Bulletin*.

#### *Statutory Authority*

Regarding the continuing education component of this rulemaking, section 5(1) of the Real Estate Appraisers Certification Act (act) (63 P.S. § 457.5(1)) authorizes the Board to “pass upon the qualifications and fitness of applicants for certification or licensure and to adopt and revise rules and regulations requiring applicants for certification to pass examinations relating to qualifications for certification.” Under section 5(2) of the act, the Board is empowered “[t]o adopt and, from time to time, revise such rules and regulations as may be necessary to carry out the provisions of this act.” Under section 6 of the act (63 P.S. § 457.6), the Board is authorized to issue certificates to real estate appraisers that meet the minimum education and experience requirements established by the Appraiser Qualifications Board (AQB) under the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA) (Pub. L. No. 101-73, 103 Stat. 183), as amended, 12 U.S.C. §§ 3331-3356. Under Section 10(b), (b.1), and (b.2) of the act (63 P.S. § 457.10(b), (b.1), (b.2)), continuing education is a condition of biennial renewal for certified residential and general appraisers, certified broker/appraisers, and licensed appraiser trainees if, and only to the minimum extent, required pursuant to FIRREA.

Regarding the qualifications of owners and key persons amendments to this rulemaking, section 4(a) of the Appraisal Management Company Registration Act (AMCRA) (63 P. S. § 457.24(a)) authorizes the Board to implement, administer, and enforce the act, including the power to adopt rules and regulations consistent with the act. Title XI of the FIRREA requires the Office of the Comptroller of the Currency (OCC), the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation (FDIC), the National Credit Union Administration (NCUA), the Bureau, and Federal Housing Finance Agency (FHFA), to establish minimum requirements to be applied by States in the registration and supervision of appraisal management companies (AMCs) at 12 U.S.C. § 3353, regarding AMC minimum requirements. Under this authority, these Federal agencies jointly adopted regulations establishing the minimum requirements for AMCs at 12 CFR 34.210—34.216, 12 CFR 225.190—225.196, 12 CFR 323.8—323.14 and 12 CFR 1222.20—1222.26.

#### *Omission of Proposed Rulemaking*

Under section 204(3) of the Commonwealth Documents Law (CDL) (45 P.S. § 1204(3)),

the Board is authorized to omit the procedures for proposed rulemaking in section 201 and 202 of the CDL (45 P.S. §§ 1201 and 1202) if the Board finds that the specified procedures are impracticable, unnecessary or contrary to the public interest. The Board has determined that publication of proposed rulemaking is unnecessary under the circumstances because the final-omitted rulemaking is needed to comply with recently adopted AQB requirements concerning appraiser training on valuation bias and fair housing laws and regulations, recently adopted name change of the 7-hour National USPAP Update Course, and applicable Federal law concerning AMC ownership limitations.

### *Background and Need for the Amendments*

FIRREA is the Federal legislation that established the broad framework by which State appraiser regulatory bodies are to credential real estate appraisers and licensed appraiser trainees. The Appraisal Subcommittee (ASC) was created as a result of Title XI of FIRREA to provide Federal oversight for all appraiser programs of every state appraiser regulatory agency in the United States. *See* 12 U.S.C. § 3310. As required by 12 U.S.C. § 3332(b), the ASC monitors and reviews the practices, procedures, activities, and organizational structure of the Appraisal Foundation. The AQB and the Appraisal Standards Board (ASB) are independent boards that are under the umbrella of the Appraisal Foundation. The Appraisal Foundation, through the AQB, is charged under FIRREA with establishing the minimum initial education, continuing education, examination and experience requirements for state-credentialed appraisers. These minimum qualification criteria are binding on the Board. Additionally, under Title IX of FIRREA, the ASB is responsible for writing, amending and interpreting the Uniform Standards of Professional Appraisal Practice (USPAP), which provides the generally recognized ethical and performance standards for the appraisal profession in the United States.

Regarding the continuing education component of this rulemaking, all State appraiser programs must meet the minimum Federal standards that are established by the AQB for continuing education, as well as the standards set forth in USPAP. The AQB publishes the Federal minimum requirements for real property appraisers in the *Real Property Appraiser Qualification Criteria (Criteria)* (AQB Qualification Criteria). The AQB Qualification Criteria can be found at: <https://appraisalfoundation.sharefile.com/share/view/s63f99dc2b9f241e0b3fd1645f7b63680>

In June of 2021, the Biden Administration created the Interagency Task Force on Property Appraisal and Valuation Equity (PAVE) which is dedicated to ending bias in property valuation. The PAVE Task Force is co-chaired by Marcia Fudge, Secretary of the U.S. Department of Housing and Urban Development (HUD), and Neera Tanden, Director, White House Domestic Policy Council (DPC). The PAVE Task Force is comprised of 13 federal agencies, including the ASC, HUD, DPC, Board of Governors of the Federal Reserve System, Consumer Financial Protection Bureau, FDIC, FHFA, NCUA, OCC, U.S. Department of Agriculture, U.S. Department of Justice, U.S. Department of Labor, and U.S. Department of Veterans Affairs. On March 31, 2022, the PAVE Task Force issued an action plan which outlined the historical role of racism in the valuation of residential property, examined the forms of bias that could impact property valuation, and described affirmative steps that Federal agencies should take to advance equity in the appraisal process.

The AQB engaged the appraiser community nationwide by releasing exposure drafts and soliciting written and verbal comments. On January 31, 2023, the AQB released the *First Exposure Draft of Proposed Changes to the Real Property Appraiser Qualification Criteria, which can be found at: <https://appraisalfoundation.sharefile.com/share/view/sad153ab0d1f94d208860a41be6268580/fo691e7b-5fc0-4a99-ac55-82dbcb621eba>*

The proposed changes included valuation bias and fair housing as a required component of an appraiser's qualifying and continuing education. The written comment period was open between January 31, 2023, through March 13, 2023. At its virtual public meeting on March 22, 2023, the AQB discussed the written comments received and entertained additional verbal comments. For the most part, the commentors expressed support for the changes. There was concern that the implementation date for the valuation bias and fair housing course did not provide sufficient time for States to implement it because of various rulemaking processes of each State. Additionally, some appraisers questioned why the course was required for all appraisers and suggested that the course only be required for appraisers who performed residential appraisal assignments and for appraisers that have been identified as being deficient understanding in valuation bias and fair housing laws and regulations.

At the conclusion of the March 22, 2023 public meeting, the AQB voted to release a second exposure draft. In drafting the Second Exposure Draft, the AQB considered comments received in response to the First Exposure Draft, recognizing that the First Exposure Draft did not take into consideration the rulemaking processes of the different states. Regarding the question as to why everyone had to take the course, the AQB emphasized the importance for all appraisers being trained on valuation bias and fair housing issues. The *Second Exposure Draft of Proposed Changes to the Criteria* (Second Exposure Draft) was released on May 17, 2023. The written comment period was open from May 17, 2023, through June 17, 2023. At its virtual public meeting on June 22, 2023, the AQB discussed the written comments received and entertained additional verbal comments. At the conclusion of the June 22, 2023 public meeting, the AQB voted to adopt the Second Exposure Draft. The AQB announcement regarding the adoption of the Changes to the AQB Criteria was posted on the Board's website on June 27, 2023, was sent out to all licensees as an email blast on June 27, 2023, and was announced at the July 27, 2023 Board meeting as required under § 36.2 (f) (relating to application process) of the Board's regulations. The Second Exposure Draft can be found at: <https://appraisalfoundation.sharefile.com/share/view/s4ba5a7c8327249059983bf116f2e0cdc>

The Second Exposure Draft makes training on valuation bias and fair housing laws and regulations a required component of every appraiser's qualifying and continuing education. All credentialed appraisers must successfully complete a course which meets the content requirements of the AQB's valuation bias and fair housing laws and regulations course outline every two calendar years. The first time an appraiser completes the continuing education course, it must be a 7-hour course. If an appraiser has successfully completed a 7-hour (plus 1 hour exam) course as part of their qualifying education, the 7-hour course length requirement is satisfied. After the 7-hour course length requirement is satisfied, appraisers are required to take a valuation bias and fair housing law and regulations course that is at least 4 hours in length as a condition of renewal.

The changes to the AQB Qualification Criteria will be effective as of January 1, 2026 to



ensure that each State appraiser regulatory agency has time to complete their respective rulemaking process to adopt these Federal requirements. The AQB is encouraging State regulatory agencies, however, to implement these changes as soon as their regulatory process is completed. The Board reviewed its current regulations; the AQB Qualification Criteria is adopted and incorporated by reference throughout the Board's regulations. Specifically, under § 36.42 (relating to subject matter and sources of continuing education), the Board's regulations require that continuing education subject matter and sources must comply with the requirements in the AQB Qualification Criteria. Heeding the advice of the AQB that State appraiser regulatory agencies should implement the changes as soon as possible, the Board determined that it should amend the regulations as soon as possible to ensure that the regulated community is aware of the specific time frame by which all Pennsylvania appraisers must complete their 7-hour continuing education course on valuation bias and fair housing. The regulations would be amended to reflect the AQB Criteria and would require Pennsylvania appraisers and licensed appraiser trainees to complete the 7-hour continuing education course beginning with the 2025-2027 biennial renewal period as a condition of renewal of certification or licensure. Every biennial renewal period thereafter, appraisers and trainees will be required to take the continuing education course that is at least 4 hours in length. The Board's amendments in this final-omitted rulemaking will put the Board in compliance with the Federally required continuing education requirements.

The AQB also adopted a name change for the 7-hour National USPAP Update Course; it is now the 7-hour National USPAP Continuing Education Course. This final-omitted rulemaking updates the Board's regulation to reflect this change.

Regarding the component of this rulemaking addressing qualifications of owners and key persons, during a recent audit, the ASC advised the Board that § 36.412(b) of the Board's AMC regulations is inconsistent with the Federal standard under 12 CFR 34.215(b)(1), (2) regarding AMC ownership limitations. Thus, the Board must amend its regulation regarding the qualifications of owners and key persons to be in compliance with Federal regulations. Section 36.412 (b) of the Board's AMC regulations currently states that an individual may not be an owner or key person of an AMC if the individual had a license or certificate refused, denied, cancelled, suspended or revoked or if they voluntarily surrendered a license or certificate, unless the license or certificate was subsequently granted or reinstated to the individual. Under 12 CFR 34.215(b)(2), however, an individual is not disqualified from becoming an owner or key person of an AMC if the Board determines that the individual's license or certificate was not revoked, suspended, refused, or surrendered *for substantive cause* and the individual's license or certificate was granted or reinstated by the State in which the individual was licensed or certified. The AMC Final Rule on Minimum Requirements for Appraisal Management Companies, 80 Federal Register 32658 (June 9, 2015) (AMC Final Rule) addresses the difference between a substantive and technical licensing violation. A substantive cause is a non-technical violation that would include license violations such as fraud, violations of the Truth in Lending Act (15 U.S.C. §§ 1601-1667f) and failure to perform an appraisal in compliance with USPAP. Technical violations are procedural or administrative in nature and would not be related to the quality of appraisals or fraudulent conduct, but rather, would include violations such as lapsed licenses and non-payment of fees or penalties.

### *Description of the Amendments*

The Board is amending § 36.41 to require completion of an AQB-compliant course on valuation bias and fair housing laws and regulations as a condition of renewal of certification or licensure, beginning with the 2025-2027 biennial renewal period. The first time certified real estate appraisers and licensed appraiser trainees take the AQB-compliant course on valuation bias and fair housing laws and regulations, the course length must be 7 hours. If the certified real estate appraiser or license appraiser trainee successfully completed a 7-hour (plus 1 hour exam) course as part of their qualifying education, they have satisfied this requirement.

Licenseses that have satisfied the 7-hour course length requirement shall complete an AQB-compliant continuing education course of at least 4 hours on valuation bias and fair housing laws and regulations as a condition of renewal of certification or licensure.

The Board is amending § 36.91 by deleting the term “7-hour National USPAP Update Course” and replacing it with “7-hour National USPAP Continuing Education Course.”

Section 36.412(a) of the Board’s regulations currently states that an individual may not be an owner or key person if they are disqualified from eligibility to be certified or licensed under the Real Estate Appraisers Certification Act (REACA). Section 36.412(b) states that a person is disqualified from eligibility to be certified or licensed under REACA if the individual had a license or certificate refused, denied, cancelled, suspended or revoked, or voluntarily surrendered a license or certificate, unless the license or certificate has been subsequently granted or reinstated to the individual. The Board is amending § 36.412(b) to reflect the Federal AMC ownership limitations under 12 CFR 34.215(b)(2). Therefore, under amended § 36.412(b), an individual is not disqualified from becoming an owner or key person of an AMC if the individual’s license or certificate was not revoked, suspended, refused, or surrendered *for substantive cause* and the individual’s license or certificate was granted or reinstated by the State in which the individual was licensed or certified.

### *Fiscal Impact and Paperwork Requirements*

The rulemaking will have no fiscal impact on the regulated community. Appraisers and appraiser trainees are required to complete 28 hours of continuing education every two years as a condition of biennial license renewal. The continuing education course on valuation bias and fair housing laws and regulations will fall within the 28 hours that are already required and, therefore, will not pose an additional cost to licensees. Additionally, the amendments to the AMC regulations will not have a fiscal impact.

The rulemaking will not have a fiscal impact and will not create additional paperwork to the general public or the Commonwealth’s political subdivisions.

### *Sunset Date*

The Board continuously monitors the effectiveness of the regulations. Therefore, no sunset date has been assigned.

### *Regulatory Review*

Under section 5.1(c) of the Regulatory Review Act (71 P.S. § 745.5a(c)), on December 13, 2023, the Board submitted copies of the regulation with proposed rulemaking omitted to the Independent Regulatory Review Commission (IRRC) and to the chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. On the same date, the Board submitted a copy of the regulation to the Office of Attorney General under the Commonwealth Attorneys Act (71 P.S. §§ 732-101 – 732-506).

Under sections 5.1(e) and (j.2) of the Regulatory Review Act (71 P.S. § 745.5a(e) and (j.2)), the regulations were deemed approved by the SPC/PLC and the HPLC on \_\_\_\_\_, 20\_\_\_\_, and approved by IRRC on \_\_\_\_\_, 20\_\_.

### *Additional Information*

Further information regarding this final-omitted regulation may be obtained by contacting Kristel Hennessy Hemler, Board Administrator, State Board of Certified Real Estate Appraisers, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105-2649. Please reference regulation No. 16A-7031 (Federally Mandated Revisions), when requesting information.

### *Findings*

The Board finds that:

- (1) Public notice of the Board's intention to amend the Board's regulations under the procedures in sections 201 and 202 of the Commonwealth Documents Law (45 P.S. §§ 1201 and 1202) has been omitted under section 204 of the CDL (45 P.S. § 1204) because publication of proposed rulemaking and public comment is unnecessary in that the rulemaking is needed to comply with recently adopted AQB Federal requirements concerning appraiser training on valuation bias and fair housing laws and regulations, to comply with the recently adopted name change of the 7-hour National USPAP Update Course, and to comply with applicable Federal law concerning AMC ownership limitations.
- (2) The promulgation of the regulations in the manner provided in this order is necessary to comply with Federal law and for the administration of the Real Estate Appraisers Certification Act and the Appraisal Management Company Registration Act.

### *Order*

The Board, acting under its authorizing statute, orders that:

- (a) The regulations of the Board at 49 Pa. Code §§ 36.41, 36.91, and 36.412 are hereby amended to read as set forth in Annex A.

- (b) The Board shall submit this final-omitted regulation to the Office of Attorney General and the Office of General Counsel for approval as required by law.
- (c) The Board shall submit this final-omitted regulation to the Independent Regulatory Review Commission, the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee as required by law.
- (d) The Board shall certify this final-omitted regulation and deposit it with the Legislative Reference Bureau as required by law.
- (e) The final-omitted rulemaking shall take effect upon publication in the *Pennsylvania Bulletin*.

Mark V. Smeltzer, Sr.  
Chairman  
State Board of Certified Real Estate Appraisers

**ANNEX A**

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

**PART I. DEPARTMENT OF STATE**

**Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**CHAPTER 36. STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS**

**Subchapter A. GENERAL PROVISIONS**

**GENERAL PROVISIONS**

\* \* \* \* \*

**CONTINUING EDUCATION**

**§ 36.41. Continuing education requirement.**

(a) Continuing education for certified real estate appraisers and licensed appraiser trainees is necessary to ensure that they maintain and increase their skill, knowledge and competency in real estate appraising. Except as provided in subsection (b), certified real estate appraisers and licensed appraiser trainees shall satisfy the continuing education requirements in the AQB Qualification Criteria, which must include at least 2 hours on the act, this chapter and the policies of the Board during each biennial renewal period as a condition of renewal of certification for the next biennial renewal period.

(a.1) Beginning with the renewal of certification or licensure for the 2025-2027 biennial renewal period, all certified real estate appraisers and licensed appraiser trainees shall provide evidence of completion of an AQB-compliant course on valuation bias and fair housing laws and regulations as a condition of renewal of certification or licensure.

(1) 7-hour course length requirement. The first time a certified real estate appraiser or licensed appraiser trainee completes the AQB-compliant course on valuation bias and fair housing laws and regulations referenced in subsection (a.1), the course length must be 7 hours. If a certified real estate appraiser or license appraiser trainee successfully completed a 7-hour (plus 1 hour exam) course as part of their qualifying education, the 7-hour course length requirement is satisfied.

(2) 4-hour course length requirement. A certified real estate appraiser or licensed appraiser trainee who has satisfied the 7-hour course length requirement shall, as a condition of renewal of certification or licensure, complete an AQB-compliant continuing education course of at least 4 hours on valuation bias and fair housing laws and regulations.

(b) A certified general real estate appraiser, residential real estate appraiser or licensed appraiser trainee whose initial certification or license becomes effective between January 1 and June 30 of a biennial renewal year will not be required to furnish proof of continuing education as a condition of renewal of certification in that biennial renewal year.

\* \* \* \* \*

## MISCELLANEOUS PROVISIONS

### § 36.91. Reactivation of lapsed certification.

A certified real estate appraiser whose certification has lapsed for failure to biennially renew certification may apply to the Board for reactivation of certification by paying the renewal fee required under § 36.6 (relating to fees) and providing documentation of having completed the continuing education hours that would have been required under § 36.41 (relating to continuing education requirement) if the certified real estate appraiser had maintained current certification,

except that only the most recent versions of the 7-hour National USPAP [Update] Continuing Education Course and the 2-hour course on the act, this chapter and Board policies must be completed. A certified real estate appraiser who performed an appraisal, or held himself out as an appraiser, during a period when his certification was lapsed shall be subject to disciplinary action by the Board under section 3 of the act (63 P. S. § 457.3) in addition to being required to pay late renewal fees under section 225 of the Bureau of Professional and Occupational Affairs Fee Act (63 P. S. § 1401-225).

\* \* \* \* \*

### **Subchapter E. APPRAISAL MANAGEMENT COMPANIES**

\* \* \* \* \*

#### **REGISTRATION**

\* \* \* \* \*

#### **§ 36.412. Qualifications of owners and key persons.**

- (a) A person who would be disqualified from eligibility to be certified or licensed under REACA as defined in subsection (b) may not be an owner or a key person.
- (b) An individual would be disqualified from eligibility to be certified or licensed under REACA, as provided in section 8(d)(1) of AMCRA (63 P.S. § 457.28(d)(1)), if the individual had a license or certificate refused, denied, cancelled, suspended or revoked, or voluntarily surrendered a license or certificate under any of the following provisions of REACA or CHRIA, or similar provision of another jurisdiction, unless the Board determines that the individual's license or certificate was not refused, denied, cancelled, suspended, revoked or voluntarily surrendered for a substantive cause and the license or certificate has been subsequently granted or reinstated to the individual:

(1) Section 3 of REACA (63 P.S. § 457.3).

(2) Section 6(c)(1) of REACA (63 P.S. § 457.6(c)(1)).

(3) Section 11 of REACA (63 P.S. § 457.11).

(4) Section 9124(c)(1) or (2) of CHRIA (18 Pa.C.S. § 9124(c)(1) and (2)) (relating to use of records by licensing agencies).

(c) Nothing in AMCRA or this subchapter may be construed as a requirement that an owner or a key person shall possess the education or experience required by the AQB or REACA for certification or licensure.

(d) A person who has been suspended or revoked, or has voluntarily surrendered a license under RELRA, 7 Pa.C.S. Chapter 61 (relating to Mortgage Licensing Act) or sections 301—318 of the Mortgage Bankers and Brokers and Consumer Equity Protection Act (63 P.S. § § 456.301—456.318) (repealed) may not be an owner or key person.

(e) The Board may consider a disqualifying violation described in subsection (b) if the individual's license or certificate has been subsequently reinstated or granted in determining whether the individual possesses good moral character as required under section 5(c)(4) of AMCRA (63 P.S. § 457.25(c)(4)).

\* \* \* \* \*





COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
**BOARD OF CERTIFIED REAL ESTATE APPRAISERS**

Post Office Box 2649  
Harrisburg, Pennsylvania 17105-2649  
(717) 772-8528

December 13, 2023

The Honorable George D. Bedwick, Chairman  
INDEPENDENT REGULATORY REVIEW COMMISSION  
14<sup>th</sup> Floor, Harristown 2, 333 Market Street  
Harrisburg, Pennsylvania 17101

Re: Final-Omitted Regulation  
Board of Certified Real Estate Appraisers  
16A-7031: Federally Mandated Revisions

Dear Chairman Bedwick:

Enclosed is a copy of a final rulemaking package of the Board of Certified Real Estate Appraisers pertaining to 16A-7031: Federally Mandated Revisions.

The Board will be pleased to provide whatever information the Commission may require during the course of its review of the rulemaking.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark V. Smeltzer, Sr.", written over a light gray rectangular background.

Mark V. Smeltzer, Sr.  
Board of Certified Real Estate Appraisers

DBM/cwf  
Enclosure

cc: Arion Claggett, Acting Commissioner of Professional and Occupational Affairs  
K. Kalonji Johnson, Deputy Secretary for Regulatory Programs  
Andrew LaFratte, Executive Policy Specialist, Department of State  
Cynthia Montgomery, Deputy Chief Counsel, Department of State  
Jacqueline A. Wolfgang, Regulatory Unit Counsel, Department of State  
Ronald K. Rouse, Counsel, Board of Certified Real Estate Appraisers  
Board of Certified Real Estate Appraisers

**From:** [Vazquez, Enid](#)  
**To:** [Bennetch, Erica](#); [Monoski, Jesse](#)  
**Subject:** RE: DELIVERY NOTICE: REGULATION 16A-7031 FEDERALLY MANDATED REVISIONS  
**Date:** Wednesday, December 13, 2023 9:20:14 AM  
**Attachments:** [image001.png](#)

---

Good morning,

Received.

Thank you.

RECEIVED

Independent Regulatory  
Review Commission

December 13, 2023

**Enid Vazquez**

State Senator Lisa M. Boscola  
One E. Broad Street – Suite 120  
Bethlehem, PA 18018  
O: 610-868-8667  
F: 610-861-2184  
[www.senatorboscola.com](http://www.senatorboscola.com)

---

**From:** Bennetch, Erica <erbennetch@pa.gov>  
**Sent:** Wednesday, December 13, 2023 9:15 AM  
**To:** Monoski, Jesse <jesse.monoski@pasenate.com>; Vazquez, Enid <Enid.Vazquez@pasenate.com>  
**Subject:** DELIVERY NOTICE: REGULATION 16A-7031 FEDERALLY MANDATED REVISIONS

**EXTERNAL EMAIL**

---

**Please provide a written (email) confirmation of receipt of delivery of the attached rulemaking.**

Please be advised that the Board of Certified Real Estate Appraisers is delivering the below final-omitted rulemaking.

**16A-7031 Appraiser and AMC Federally Mandated Revisions (Final-Omitted)**

- This final-omitted rulemaking amends the State Board of Certified Real Estate Appraisers Board regulations to require continuing education on valuation bias and fair housing laws and regulations as a condition of renewal of certification or licensure. The amendments are necessary to comply with Federal criteria that are binding on the Board under Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA) (Pub. L. No. 101-73, 103 Stat. 183), as amended, 12 U.S.C. §§ 3331-3355. This final-omitted rulemaking also amends § 36.412 (b) of its appraisal management company (AMC) regulations (relating to qualifications of owners and key persons) to comply with Federal regulations, which prohibit an individual from being owner or key person of an AMC if the individual had a license or certificate refused, denied, cancelled, suspended or revoked or if they voluntarily surrendered for a substantive cause. A substantive cause is a non-technical violation that would include license violations such as fraud, violations of the Truth in

Lending Act (15 U.S.C. §§ 1601-1667f) and failure to perform an appraisal in compliance with USPAP.

Thank you for your attention to this matter.

Erica L. Bennetch | Legal Assistant 2  
Office of Chief Counsel | Department of State  
Governor's Office of General Counsel  
P.O. Box 69523 | Harrisburg, PA 17106-9523  
Office Phone 717.775.8145 | Fax: 717.787.0251  
[erbennetch@pa.gov](mailto:erbennetch@pa.gov) | [www.dos.pa.gov](http://www.dos.pa.gov)  
(preferred pronouns: she, her, hers)

**PRIVILEGED AND CONFIDENTIAL COMMUNICATION**

**RECEIVED**

Independent Regulatory  
Review Commission

December 13, 2023

*The information transmitted is intended only for the person or entity to whom it is addressed and may contain confidential and/or privileged material. Any use of this information other than by the intended recipient is prohibited. If you receive this message in error, please send a reply e-mail to the sender and delete the material from any and all computers. Unintended transmissions shall not constitute waiver of the attorney-client or any other privilege.*



This message and any attachment may contain privileged or confidential information intended solely for the use of the person to whom it is addressed. If the reader is not the intended recipient then be advised that forwarding, communicating, disseminating, copying or using this message or its attachments is strictly prohibited. If you receive this message in error, please notify the sender immediately and delete the information without saving any copies.

**From:** [Barton, Jamie](#)  
**To:** [Bennetch, Erica](#); [Orchard, Kari L.](#); [Brett, Joseph D.](#)  
**Subject:** RE: DELIVERY NOTICE: REGULATION 16A-7031 FEDERALLY MANDATED REVISIONS  
**Date:** Wednesday, December 13, 2023 9:18:22 AM  
**Attachments:** [image001.png](#)

---

Received, thank you!

Ms. Jamie Barton  
Senior Legislative Assistant  
Office of State Rep. Frank Burns, Majority Chairman  
Professional Licensure Committee  
332 Main Capitol Building  
Harrisburg PA 17120-2072  
(717) 772-8056 - Phone  
(717) 772-9965 - Fax

RECEIVED

Independent Regulatory  
Review Commission

December 13, 2023

*The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this information in error, please contact the sender and delete the message and material from all computers.*

---

**From:** Bennetch, Erica <erbennetch@pa.gov>  
**Sent:** Wednesday, December 13, 2023 9:15 AM  
**To:** Orchard, Kari L. <KOrchard@pahouse.net>; Barton, Jamie <JBarton@pahouse.net>; Brett, Joseph D. <JBrett@pahouse.net>  
**Subject:** DELIVERY NOTICE: REGULATION 16A-7031 FEDERALLY MANDATED REVISIONS

**Please provide a written (email) confirmation of receipt of delivery of the attached rulemaking.**

Please be advised that the Board of Certified Real Estate Appraisers is delivering the below final-omitted rulemaking.

**16A-7031 Appraiser and AMC Federally Mandated Revisions (Final-Omitted)**

- This final-omitted rulemaking amends the State Board of Certified Real Estate Appraisers Board regulations to require continuing education on valuation bias and fair housing laws and regulations as a condition of renewal of certification or licensure. The amendments are necessary to comply with Federal criteria that are binding on the Board under Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA) (Pub. L.

No. 101-73, 103 Stat. 183), as amended, 12 U.S.C. §§ 3331-3355. This final-omitted rulemaking also amends § 36.412 (b) of its appraisal management company (AMC) regulations (relating to qualifications of owners and key persons) to comply with Federal regulations, which prohibit an individual from being owner or key person of an AMC if the individual had a license or certificate refused, denied, cancelled, suspended or revoked or if they voluntarily surrendered for a substantive cause. A substantive cause is a non-technical violation that would include license violations such as fraud, violations of the Truth in Lending Act (15 U.S.C. §§ 1601-1667f) and failure to perform an appraisal in compliance with USPAP.

Thank you for your attention to this matter.

Erica L. Bennetch | Legal Assistant 2  
Office of Chief Counsel | Department of State  
Governor's Office of General Counsel  
P.O. Box 69523 | Harrisburg, PA 17106-9523  
Office Phone 717.775.8145 | Fax: 717.787.0251  
[erbennetch@pa.gov](mailto:erbennetch@pa.gov) | [www.dos.pa.gov](http://www.dos.pa.gov)  
(preferred pronouns: she, her, hers)

**PRIVILEGED AND CONFIDENTIAL COMMUNICATION**

*The information transmitted is intended only for the person or entity to whom it is addressed and may contain confidential and/or privileged material. Any use of this information other than by the intended recipient is prohibited. If you receive this message in error, please send a reply e-mail to the sender and delete the material from any and all computers. Unintended transmissions shall not constitute waiver of the attorney-client or any other privilege.*



**RECEIVED**

Independent Regulatory  
Review Commission

December 13, 2023

## Shani Shenk

---

**From:** Nicole Sidle <Nsidle@pahousegop.com>  
**Sent:** Wednesday, December 13, 2023 12:47 PM  
**To:** Bennetch, Erica  
**Cc:** Francesca Summa  
**Subject:** RE: [EXTERNAL]: DELIVERY NOTICE: REGULATION 16A-7031 FEDERALLY MANDATED REVISIONS

Thanks Erica. This has been received.

**RECEIVED**

Independent Regulatory  
Review Commission

---

**From:** Bennetch, Erica <erbennetch@pa.gov>  
**Sent:** Wednesday, December 13, 2023 9:15 AM  
**To:** Nicole Sidle <Nsidle@pahousegop.com>  
**Cc:** Francesca Summa <Fsumma@pahousegop.com>  
**Subject:** [EXTERNAL]: DELIVERY NOTICE: REGULATION 16A-7031 FEDERALLY MANDATED REVISIONS

December 13, 2023

**Please provide a written (email) confirmation of receipt of delivery of the attached rulemaking.**

Please be advised that the Board of Certified Real Estate Appraisers is delivering the below final-omitted rulemaking.

**16A-7031 Appraiser and AMC Federally Mandated Revisions (Final-Omitted)**

- This final-omitted rulemaking amends the State Board of Certified Real Estate Appraisers Board regulations to require continuing education on valuation bias and fair housing laws and regulations as a condition of renewal of certification or licensure. The amendments are necessary to comply with Federal criteria that are binding on the Board under Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA) (Pub. L. No. 101-73, 103 Stat. 183), as amended, 12 U.S.C. §§ 3331-3355. This final-omitted rulemaking also amends § 36.412 (b) of its appraisal management company (AMC) regulations (relating to qualifications of owners and key persons) to comply with Federal regulations, which prohibit an individual from being owner or key person of an AMC if the individual had a license or certificate refused, denied, cancelled, suspended or revoked or if they voluntarily surrendered for a substantive cause. A substantive cause is a non-technical violation that would include license violations such as fraud, violations of the Truth in Lending Act (15 U.S.C. §§ 1601-1667f) and failure to perform an appraisal in compliance with USPAP.

Thank you for your attention to this matter.

Erica L. Bennetch | Legal Assistant 2  
Office of Chief Counsel | Department of State  
Governor's Office of General Counsel  
P.O. Box 69523 | Harrisburg, PA 17106-9523  
Office Phone 717.775.8145 | Fax: 717.787.0251  
[erbennetch@pa.gov](mailto:erbennetch@pa.gov) | [www.dos.pa.gov](http://www.dos.pa.gov)

(preferred pronouns: she, her, hers)

**PRIVILEGED AND CONFIDENTIAL COMMUNICATION**

*The information transmitted is intended only for the person or entity to whom it is addressed and may contain confidential and/or privileged material. Any use of this information other than by the intended recipient is prohibited. If you receive this*

message in error, please send a reply e-mail to the sender and delete the material from any and all computers. Unintended transmissions shall not constitute waiver of the attorney-client or any other privilege.



**Protecting public health and safety.**  
**Preserving the integrity of every vote.**  
**Promoting business excellence.**

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

*The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this information in error, please contact the sender and delete the message and material from all computers.*

**RECEIVED**

Independent Regulatory  
Review Commission

December 13, 2023

**From:** [Abelson, Addie](#)  
**To:** [Bennetch, Erica](#)  
**Cc:** [Worthington, Amber](#); [Rizzi, Alicia \(GC\)](#); [Keys, Jaclyn \(GC\)](#)  
**Subject:** FW: [ EXTERNAL ] DELIVERY CONFIRMATION REQUESTED: DOS Final-Omitted Regulation #16A-7031  
**Date:** Wednesday, December 13, 2023 4:03:21 PM

---

RECEIVED

**Addie A. Abelson** | Deputy General Counsel  
Governor's Office of General Counsel  
333 Market Street, 17<sup>th</sup> Floor | Harrisburg, PA 17101  
Phone: (717) 214-9535 | Fax: (717) 787-1788

Independent Regulatory  
Review Commission  
December 13, 2023

[adabelson@pa.gov](mailto:adabelson@pa.gov) | [www.ogc.pa.gov](http://www.ogc.pa.gov)

**PRIVILEGED AND CONFIDENTIAL COMMUNICATION**

The information transmitted is intended only for the person or entity to whom it is addressed and may contain confidential and/or privileged material. Any use of this information other than by the intended recipient is prohibited. If you receive this message in error, please send a reply e-mail to the sender and delete the material from any and all computers. Unintended transmissions shall not constitute waiver of the attorney-client or any other privilege.

---

**From:** Elliott, Amy M. <aelliott@attorneygeneral.gov>  
**Sent:** Wednesday, December 13, 2023 4:02 PM  
**To:** Rizzi, Alicia (GC) <arizzi@pa.gov>; Trotter, Carolyn <trotter@attorneygeneral.gov>  
**Cc:** Abelson, Addie <adabelson@pa.gov>; Keys, Jaclyn (GC) <jackey@pa.gov>; GC, Regulations <RA-GCREGULATIONS@pa.gov>  
**Subject:** RE: [ EXTERNAL ] DELIVERY CONFIRMATION REQUESTED: DOS Final-Omitted Regulation #16A-7031

Delivery confirmed.

Amy M. Elliott  
Chief Deputy Attorney General  
Legal Review Section  
717-783-6316 (w)  
717-941-0523 (c)  
[aelliott@attorneygeneral.gov](mailto:aelliott@attorneygeneral.gov)

---

**From:** Rizzi, Alicia (GC) <arizzi@pa.gov>  
**Sent:** Wednesday, December 13, 2023 2:02 PM  
**To:** Elliott, Amy M. <aelliott@attorneygeneral.gov>; Trotter, Carolyn <trotter@attorneygeneral.gov>  
**Cc:** Abelson, Addie <adabelson@pa.gov>; Keys, Jaclyn (GC) <jackey@pa.gov>; GC, Regulations <RA-GCREGULATIONS@pa.gov>  
**Subject:** [ EXTERNAL ] DELIVERY CONFIRMATION REQUESTED: DOS Final-Omitted Regulation #16A-7031  
**Importance:** High

**CAUTION:** This email originated from outside the organization. Do not click links or



open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Attached for your review please find the Department of State's final-omitted regulation #16A-7031.

**At your earliest convenience, please reply to this email with confirmation of receipt so that DOS can provide IRRC with the required proof of delivery.**

Thank you,

**Alicia C. Rizzi** | Legal Office Administrator  
Governor's Office of General Counsel  
Commonwealth of Pennsylvania  
333 Market Street Tower, 17th Floor | Harrisburg, PA 17101  
Phone: 717.787.9344 | Fax: 717.787.1788  
[arizzi@pa.gov](mailto:arizzi@pa.gov) | [www.ogc.pa.gov](http://www.ogc.pa.gov)

RECEIVED

Independent Regulatory  
Review Commission

December 13, 2023

**PRIVILEGED AND CONFIDENTIAL COMMUNICATION**

*The information transmitted is intended only for the person or entity to whom it is addressed and may contain confidential and/or privileged material. Any use of this information other than by the intended recipient is prohibited. If you receive this message in error, please send a reply e-mail to the sender and delete the material from any and all computers. Unintended transmissions shall not constitute waiver of the attorney-client or any other privilege.*

Click [here](#) to report this email as spam.

The information transmitted is intended only for the person or entity to whom it is addressed and may contain confidential and/or privileged material. Any use of this information other than by the intended recipient is prohibited. If you receive this message in error, please send a reply e-mail to the sender and delete the material from any and all computers. Unintended transmissions shall not constitute waiver of any applicable attorney-client or any other applicable privilege. PA-OAG

This message has been scanned for malware by Websense. [www.websense.com](http://www.websense.com)

## Shani Shenk

---

**From:** Smeltz, Jennifer <jmsmeltz@pasen.gov>  
**Sent:** Wednesday, December 13, 2023 9:34 AM  
**To:** Bennetch, Erica  
**Subject:** RE: DELIVERY NOTICE: REGULATION 16A-7031 FEDERALLY MANDATED REVISIONS

Received.

*Jen Smeltz*  
*Executive Director*  
*Office of Senator Pat Stefano*  
*Consumer Protection and Professional Licensure Committee*  
*Phone: (717) 787-7175*

**RECEIVED**

Independent Regulatory  
Review Commission

December 13, 2023

---

**From:** Bennetch, Erica <erbennetch@pa.gov>  
**Sent:** Wednesday, December 13, 2023 9:15 AM  
**To:** Smeltz, Jennifer <jmsmeltz@pasen.gov>  
**Subject:** DELIVERY NOTICE: REGULATION 16A-7031 FEDERALLY MANDATED REVISIONS

Ⓞ CAUTION : External Email Ⓞ

**Please provide a written (email) confirmation of receipt of delivery of the attached rulemaking.**

Please be advised that the Board of Certified Real Estate Appraisers is delivering the below final-omitted rulemaking.

### **16A-7031 Appraiser and AMC Federally Mandated Revisions (Final-Omitted)**

- This final-omitted rulemaking amends the State Board of Certified Real Estate Appraisers Board regulations to require continuing education on valuation bias and fair housing laws and regulations as a condition of renewal of certification or licensure. The amendments are necessary to comply with Federal criteria that are binding on the Board under Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA) (Pub. L. No. 101-73, 103 Stat. 183), as amended, 12 U.S.C. §§ 3331-3355. This final-omitted rulemaking also amends § 36.412 (b) of its appraisal management company (AMC) regulations (relating to qualifications of owners and key persons) to comply with Federal regulations, which prohibit an individual from being owner or key person of an AMC if the individual had a license or certificate refused, denied, cancelled, suspended or revoked or if they voluntarily surrendered for a substantive cause. A substantive cause is a non-technical violation that would include license violations such as fraud, violations of the Truth in Lending Act (15 U.S.C. §§ 1601-1667f) and failure to perform an appraisal in compliance with USPAP.

Thank you for your attention to this matter.

Erica L. Bennetch | Legal Assistant 2  
Office of Chief Counsel | Department of State  
Governor's Office of General Counsel  
P.O. Box 69523 | Harrisburg, PA 17106-9523  
Office Phone 717.775.8145 | Fax: 717.787.0251  
[erbennetch@pa.gov](mailto:erbennetch@pa.gov) | [www.dos.pa.gov](http://www.dos.pa.gov)

(preferred pronouns: she, her, hers)

**PRIVILEGED AND CONFIDENTIAL COMMUNICATION**

*The information transmitted is intended only for the person or entity to whom it is addressed and may contain confidential and/or privileged material. Any use of this information other than by the intended recipient is prohibited. If you receive this message in error, please send a reply e-mail to the sender and delete the material from any and all computers. Unintended transmissions shall not constitute waiver of the attorney-client or any other privilege.*



**Protecting public health and safety.**  
**Preserving the integrity of every vote.**  
**Promoting business excellence.**

**RECEIVED**

Independent Regulatory  
Review Commission

December 13, 2023