

Regulations of Connecticut State Agencies

TITLE 20. Professional & Occupational Licensing, Certification

Agency

Department of Consumer Protection

Subject

Real Estate Appraisers

Inclusive Sections

§§ 20-512-1—20-512-11

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Real Estate Appraisers

Sec. 20-512-1. Definitions

All terms defined in section 20-500 of the Connecticut General Statutes and in section 20-504-1 of the Regulations of Connecticut State Agencies shall have the same meaning for purposes of sections 20-512-1 to 20-512-11, inclusive, of the Regulations of Connecticut State Agencies.

(Effective December 23, 1994; Amended October 15, 1999; Amended December 7, 2004)

Sec. 20-512-2. School registration and requirements

(a) Each college, university, community college, junior college, real estate appraisal organization, real estate organization, state agency, federal agency, proprietary school or other provider of education shall obtain a registration as a real estate appraisal school from the commission before offering approved courses in real estate appraisal prerequisite education or continuing education. School registration shall be obtained before any courses will be considered for approval for the purpose of becoming a state certified general appraiser, state certified residential appraiser or state provisional appraiser in the state of Connecticut, or for the purpose of renewing or maintaining any such license or certification. Application for such school registration shall be made on forms prescribed by the Commissioner of Consumer Protection, and accompanied by such evidence in support of such application as is prescribed by the commission.

(b) All registered schools shall:

(1) Be responsible for keeping course material current and accurate;

(2) Permit the commission, without prior notice, to visit the school and observe the instruction given to insure proper standards as to method and content of any approved courses;

(3) Conduct each course of study in a classroom or other facility which is adequate to implement the offering. No course shall be conducted in a classroom location that is not approved by the local fire marshal for such use. Courses shall not be held on the premises of a real estate appraisal office, real estate brokerage office or real estate franchise; and

(4) Abide by the regulations established under the authority of section 20- 512 of the Connecticut General Statutes, including sections 20-512-1 to 20-512-11, inclusive, of the Regulations of Connecticut State Agencies.

(c) School registration or course approval may be withdrawn by the commission for failure by a school or its representatives to comply with the provisions of sections 20-512-1 to 20-512-11, inclusive, of the Regulations of Connecticut State Agencies.

(d) All registered schools or applicant schools shall cooperate with department staff if such school is contacted in connection with an inquiry or investigation performed by the Department of Consumer Protection concerning possible violations of real estate appraiser statutes or regulations. No representative of such school shall make any untruthful or misleading statements in connection with any Department of Consumer Protection or commission inquiry, investigation or hearing.

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(e) All real estate appraisal school registrations shall expire biennially and be subject to biennial renewal.

(Effective May 18, 1994; Amended October 15, 1999; Amended December 7, 2004; Amended January 5, 2011; Amended December 9, 2015)

Sec. 20-512-3. Prerequisite course approval

(a) All prerequisite courses, prior to submission to the commission, shall have received a Course Approval Program (CAP) certification by the Appraisal Qualifications Board. No courses shall commence, or be advertised as approved, without prior written approval of the commission.

(b) A separate application for commission approval shall be required for each course in real estate appraisal prerequisite education.

(c) The application for each prerequisite course shall include, but not be limited to, the following:

- (1) A detailed course outline or course syllabus;
- (2) A copy of the text or related teaching materials;
- (3) A copy of the affidavits or certificates to be issued by the school to each student upon successful completion of the course;
- (4) A copy of all proposed advertising;
- (5) The names, addresses, and qualifications of all instructors to be used;
- (6) The tuition, other related costs, cancellation and refund policy;
- (7) A copy of all tests, quizzes and exams with answer key; and
- (8) A description of the grading system to be used, and the policy regarding attendance.

(d) Applications for prerequisite courses which have been reviewed and approved by the AQB may be accepted with proof of such approval in lieu of any or all of the items included in subdivisions (2) through (8) of subsection (c) of this section as deemed appropriate by the commission.

(e) Each school shall issue an affidavit or certificate to each student successfully completing an approved prerequisite course, in such form as may be adopted by the school, attesting to the student having met the required minimum attendance and achieved a minimum passing grade of at least seventy five (75) percent, the course start and finish dates, and the number of classroom hours for which the course has been approved. Said affidavit is to be signed by an authorized official of the school.

(f) Each prerequisite course approval shall be effective for a three (3) year period from the date of approval. All courses shall require a renewal application after the three (3) year period has lapsed. USPAP course approvals shall be effective for a period of one (1) year from the date of approval, and the commission may grant approval for an additional one (1) year period upon the submission of an acceptable updated course filing containing all changes from the previous offering.

(Effective May 18, 1994; Amended October 15, 1999; Amended February 2, 2001; Amended May 31, 2007; Amended January 5, 2011; Amended December 9, 2015)

Sec. 20-512-4. Prerequisite course content

(a) Various courses may be credited toward the classroom hour requirement for licensure or certification. The contents of such prerequisite course programs shall provide meaningful education in real estate appraisal, standards of professional practice, real estate appraisal law, general real estate and related topics that are broad-based and essential to the role of a real estate appraiser as the appraiser acts in the best interests of the consumer.

(b) Prerequisite course content shall include, but not be limited to, the fundamentals expected to be obtained from such a course.

(c) For prerequisite courses, no course of less than fifteen (15) classroom hours, including examination, shall be approved. All prerequisite courses shall be CAP approved and require successful completion of an examination that is pertinent to that educational offering as a condition to granting prerequisite course credit.

(d) There shall be no change or alteration in any approved prerequisite course without prior written notice and approval of the commission.

(e) A distance education course as referred to in the Interpretations of the Appraiser Qualification Criteria of the AQB shall meet the classroom hour requirement specified in subsection (c) of this section or its equivalent, provided that the course is approved by the commission and meets at least one of the qualification criteria established by the AQB. Copies of the Interpretations of the Appraiser Qualification Criteria of the AQB are available for inspection at the office of the Real Estate Appraisal Commission, Room 110, State Office Building, 165 Capitol Avenue, Hartford, Connecticut, during regular business hours. Alternatively, copies may be obtained from The Appraisal Foundation located in Washington, D.C. or from The Appraisal Foundation's website at www.appraisalfoundation.org. All approved distance education courses shall be approved by the International Distance Education Certification Center (IDECC) prior to submission to the commission.

(f) Open book exams are not acceptable in prerequisite courses.

(g) At least one of the course instructors of the 15 hour USPAP Course or its equivalent must be an AQB Certified USPAP Instructor who is also a state certified appraiser.

(Effective May 18, 1994; Amended October 15, 1999; Amended December 7, 2004; Amended May 31, 2007; Amended January 5, 2011; Amended December 9, 2015)

Sec. 20-512-5. Continuing education course approval

(a) Approval of continuing education courses for the purpose of renewing or maintaining an appraiser license or certification in the state of Connecticut shall be obtained from the commission before a course is conducted. No courses shall commence, or be advertised as approved, without prior written approval of the commission.

(b) A separate application for commission approval shall be required for each course in real estate appraisal continuing education.

(c) The application for each continuing education course shall include, but not be limited to, the following:

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- (1) A detailed course outline;
- (2) A copy of the inside cover of the text and related teaching materials;
- (3) A copy of the affidavits or certificates to be issued by the school upon completion of the course;
- (4) A copy of all proposed advertising, internet advertising, and publicity;
- (5) The tuition, other related costs and the cancellation and refund policy;
- (6) A description of the policy regarding minimum attendance; and
- (7) The location of the classroom.

(d) Applications for continuing education courses which have been reviewed and approved by the Appraisal Qualifications Board may be accepted with proof of such approval in lieu of any or all of the items included in subdivisions (2) through (7) of subsection (c) of this section as deemed appropriate by the commission.

(e) Each school shall issue an affidavit to the student completing an approved continuing education course, in such form as may be adopted by the school, attesting to the required minimum attendance, the course start and finish dates, and the number of classroom hours for which the course has been approved. Said affidavit is to be signed by an authorized official of the school.

(f) Each continuing education course approval shall be effective for a three (3) year period from the date of approval. All courses shall require a renewal application after the three (3) year period has lapsed.

(Effective May 18, 1994; Amended January 5, 2011; Amended December 9, 2015)

Sec. 20-512-6. Continuing education course content

(a) The contents of continuing education programs shall consist of current real estate appraisal practices, real estate practices, laws and standards of professional practice that are broad-based and essential to the role of a real estate appraiser as the appraiser acts in the best interests of the consumer. These contents shall directly relate to real estate appraisal principles and practices such as described in Connecticut's real estate appraisal statutes and regulations and any overview text on real estate appraisal principles and practices, or to new developments in the field for which licensed or certified appraisers have a demonstrated need.

(b) Generally acceptable continuing education courses may include, but shall not be limited to:

- (1) Ad valorem taxation;
- (2) Arbitration;
- (3) Business courses related to real estate appraisal;
- (4) Construction estimating;
- (5) Ethics and standards of professional practice;
- (6) Land use planning, zoning and taxation;
- (7) Property development;
- (8) Real estate appraisal (valuation or evaluation, or both);

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- (9) Real estate appraisal laws and regulations;
- (10) Real estate appraisal related computer applications;
- (11) Real estate financing and investment;
- (12) Real estate law;
- (13) Real estate litigation;
- (14) Real estate management, leasing, brokerage or time-sharing;
- (15) Real estate securities and syndication;
- (16) Real estate taxes and liens;
- (17) Real estate principles and practices; and
- (18) Real property exchange.

(c) The commission shall not approve offerings in mechanical office and business skills such as typing, speed-reading, memory development, personal motivation, salesmanship, sales psychology, sales promotions, and shall not approve general business meetings.

(d) For continuing education courses, no course of less than two (2) classroom hours shall be approved. There is no examination requirement for continuing education courses.

(e) There shall be no change or alteration in any approved continuing education course without prior written notice and approval of the commission.

(f) A distance education course as referred to in the Interpretations of the Appraiser Qualification Criteria of the AQB shall meet the classroom hour requirement specified in subsection (d) of this section or its equivalent, provided that the course is approved by the commission and that it meets at least one of the qualification criteria established by the AQB. Copies of the Appraiser Qualification Criteria and the Interpretations of the Appraiser Qualification Criteria of the AQB are available for inspection at the office of the Real Estate Appraisal Commission, Room 110, State Office Building, 165 Capitol Avenue, Hartford, Connecticut, during regular business hours. Alternatively, copies may be obtained from The Appraisal Foundation located in Washington, D.C. or from The Appraisal Foundation's website at www.appraisalfoundation.org. All approved distance education courses shall be approved by the International Distance Education Certification Center (IDECC) prior to submission to the commission.

(g) The purpose of continuing education is to ensure that the appraiser participates in a program that maintains and increases his or her skill, knowledge and competency in real estate appraising.

(h) At least one of the course instructors of the seven (7) or fifteen (15) hour USPAP course shall be an AQB Certified USPAP Instructor who is also a state certified appraiser.

(Effective May 18, 1994; Amended October 15, 1999; Amended December 7, 2004; Amended May 31, 2007; Amended January 5, 2011; Amended December 9, 2015)

Sec. 20-512-7. Repealed

Repealed October 15, 1999.

Sec. 20-512-8. Notification of course offerings and locations

(a) Each school conducting an approved prerequisite or continuing education course shall, at least ten (10) days prior to the first scheduled session of each course, submit to the commission a schedule of the dates, hours, locations, tuition fees and instructors for each course to be offered.

(b) The name, address and qualifications for each instructor not previously submitted to the commission shall be included with the course notification.

(c) A local fire marshal certificate for each classroom location shall be included with the course notification, if not already on file with the commission.

(d) If the course is not held in a public building or place of public assembly, the facility must be adequate to hold such an offering and have been approved by the local fire marshal for such purpose.

(Effective May 18, 1994; Amended December 7, 2004; Amended January 5, 2011)

Sec. 20-512-9. Advertising

All schools advertising courses shall comply with the following requirements:

(1) All advertising materials shall be submitted to the commission prior to publication;

(2) All advertising and notices shall not be deceptive or misleading and shall reveal significant facts, the concealment of which would mislead the public;

(3) Advertisers and their agents shall substantiate claims made in an advertisement upon request of the commission;

(4) No advertising or written or oral statements shall use misleading or unprovable claims. In discussing the students' possible or potential economic future in the field of real estate appraisal, no misleading claims may be made;

(5) No unfounded guarantee shall be offered. All notices shall clearly and conspicuously disclose the full nature of services offered;

(6) False or misleading claims as to tuition and other course costs are prohibited;

(7) Material containing testimonials shall be clearly limited to those individuals reflecting their own personal experiences;

(8) In any advertising all schools are to refrain from using the wording "Approved by the Department of Consumer Protection and Real Estate Appraisal Commission" or other like wording. The following wording may be used: "This course meets the minimum requirements as set forth by the Department of Consumer Protection and Real Estate Appraisal Commission"; and

(9) The size of the type setting forth the wording in subdivision (8) of this section shall be no larger than the smallest type used on the advertisement.

(Effective May 18, 1994)

Sec. 20-512-10. Records

(a) All schools, institutions or organizations conducting approved courses shall:

(1) Furnish to the student, within thirty (30) days of satisfactory completion of any

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approved course, a certificate, as approved by the commission; and

(2) Keep and retain complete records of student attendance and evidence of completion for a period of at least six (6) years after the completion of each course. Such records shall be available for inspection by the commission.

(b) The burden of proof of completion of each course shall be upon the licensee. Documentation of such courses shall be submitted in such manner and at such times as prescribed by the commission.

(Effective May 18, 1994)

Sec. 20-512-11. Hearings on denial of school or course approval

(a) Upon the refusal of the commission to approve a school or a particular course, or upon the decision of the commission to withdraw such approval the commission shall notify the applicant of such denial or withdrawal and of the applicant's right to request a hearing within ten (10) days from the date of receipt of the notice of denial or withdrawal.

(b) In the event the applicant requests a hearing within such ten (10) days, the commission shall give notice of the grounds for the denial or withdrawal and shall conduct a hearing in accordance with the provisions of chapter 54 of the Connecticut General Statutes concerning contested matters.

(Effective May 18, 1994; Amended December 7, 2004)