



(PENDING FURTHER APPROVAL)

*Mississippi Real Estate Appraiser
Licensing and Certification Board*

**Mississippi Real Estate Appraiser
Licensing and Certification Act of 1990**

Title 30: Professions and Occupations

Part 1501: Mississippi Real Estate Appraiser Licensing and Certification Board

Part 1501 Chapter 1: Educational Requirements for Appraiser Trainee, Licensed Real Estate Appraiser, Certified Residential Real Estate Appraiser and Certified General Real Estate Appraiser.

Rule 1.1 Educational Requirements for Appraiser Trainee, Licensed Real Estate Appraiser, Certified Residential Real Estate Appraiser and Certified General Real Estate Appraiser.

Each applicant for an Appraiser Trainee credential shall have completed the required number of classroom hours of courses in subjects related to real estate appraisal as established by the AQB.

Each applicant for a credential as a State Licensed real estate appraiser, a State Certified Residential real estate appraiser or a State Certified General real estate appraiser shall have successfully completed the required number of classroom hours of appraisal courses as established by the AQB.

1. Class hours will be credited only for educational offerings with content that follows and complies with the specific required core curriculum as established by the AQB. The course content requirements may be general or specific to the property types.
2. Class hours may be obtained only where the minimum length of the Qualifying Education offering is at least 15 hours and the individual course participant successfully completes an

approved, proctored closed-book examination which is pertinent to that educational offering.

3. Where the Qualifying Education course includes multiple topics identified within the current Appraisal Qualification Board (AQB) Required Core Curriculum, there must be appropriate testing for each of the components.

Courses which are taken to satisfy the Qualifying Education requirements must not be repetitive. The Uniform Standards of Professional Appraisal Practice (USPAP) courses which are completed in different years (licensing periods) are not considered to be repetitive. All courses should be designed to foster problem-solving skills in the education process by utilizing case studies as a major teaching method, when applicable.

4. All applicants for a credential must complete the 15-Hour National USPAP Course, or its equivalent, and must pass the accompanying examination. At least one of the course instructors must be an AQB Certified USPAP Instructor who is also an active State Certified Appraiser and is in good standing with all Appraiser Licensing Boards where any appraisal credential is held. Equivalency shall be determined through the AQB Course Approval Program (CAP) or by an alternate method established by the AQB. The USPAP education presented in a distance education format must be designed to foster appropriate student-to-student, student-to-instructor and student-to-material interaction.
5. Distance Education courses:
 - (a) Any education process based on the geographical separation of student and instructor.
 - (b) Course(s) must provide for an interaction where the student is guaranteed verbal or written communication with the instructor.
 - (c) Content approval is to be obtained from the AQB, a state licensing jurisdiction, or an accredited college, community college, or university that offers distance education programs and is approved or accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the United States Secretary of Education. Non-academic credit from college or community college courses shall be approved by either the AQB or the state licensing jurisdiction.
 - (d) Course delivery mechanism approval is to be obtained from one of the following sources:
 - i. The AQB approved organizations providing approval of course design and delivery; or
 - ii. A college that qualifies for content approval as indicated in paragraph (c) above and that awards academic credit for the distance education course; or

- iii. A college that qualifies for content approval with a distance education delivery program that approves the course design and a delivery that incorporates interactivity.
6. A class hour is defined as 60-minutes, of which at least 50 minutes are instructional and are attended by the student. The prescribed number of class hours includes time for examinations.
 7. Experience may not be substituted for education.
 8. Credit for the class hour requirements may be obtained only from the following providers and only after being approved by the Mississippi Appraisal Board (Board):
 - (a) Colleges or universities
 - (b) Community or junior colleges
 - (c) Real estate appraisal or real estate related organizations
 - (d) State or federal agencies or commissions
 - (e) Proprietary schools
 - (f) The Appraisal Foundation or any of its affiliated boards
 - (g) Providers approved by state certification and licensing agencies

Source: Miss. Code Ann. §§ 73-34-9(1)(i), 73-34-9(2)(f), 73-34-33

Part 1501 Chapter 2: Experience Requirements for Licensed Appraiser, Certified Residential Appraiser and Certified General Appraiser Applicants.

Rule 2.1 Experience Hours for Licensed Appraiser, Certified Residential Appraiser and Certified General Appraiser.

1. Each applicant for a credential as a Licensed real estate appraiser, Certified Residential real estate appraiser, or Certified General real estate appraiser must meet all experience requirements established by the AQB.
 - (a) Acceptable appraisal experience includes the following: Fee and staff appraisal, review appraisal, appraisal analysis, feasibility analysis, and real estate consulting.
 - (b) The verification for experience credit which is claimed by an applicant shall be via a log sheet and/or affidavit on specific forms which are prescribed by the Board. Following the applicant's submission of the appraisal log, the Board will request a minimum of two (2) sample appraisals from among those reports which have been

documented by the applicant for experience credit. In addition, the applicant must agree to furnish other appraisal reports if deemed necessary by the Board. The sample appraisal reports must be USPAP compliant and must include at least one (1) complex appraisal from the category being applied for.

- (c) The appraiser is required to document the actual number of hours worked in the performance of each appraisal assignment and must report and record those specific hours on their Appraisal Board Experience Log. The Appraisal Board considers the experience credit work-hours allowed in Rule 2.2 and Rule 2.3 (below) to be the maximum number of acceptable hours per appraisal classification. The appraiser may request additional hours for an appraisal by submitting the proper supporting documentation to the Appraisal Board. This supporting documentation should be in the form of a Daily Log which is attached to the Appraisal Board Experience Log. All logs must have the Appraisal Board Appraiser's Affidavit attached to the log. All work-hours submitted are subject to Appraisal Board approval.

After being issued the Licensed Appraiser credential as required by Mississippi Code §73-34-5, the documented experience required for a credential in the State Certified General and the State Certified Residential categories shall be obtained as follows:

Source: Miss. Code Ann. §§ 73-34-5, 73-34-9(1)(i), 73-34-9(2)(f), 73-34-21

Rule 2.2 Certified General Real Estate Appraiser Experience Hours for Licensing.

1. An applicant for a State Certified General real estate appraiser credential must provide evidence satisfactory to the Board that the applicant has completed the minimum number of hours of appraisal experience over the minimum period of time as established by the AQB. Experience credits (work-hours) for the State Certified General real estate appraiser credential shall be awarded as follows:
 - (a) a complex, non-residential appraisal shall be limited to no more than 66 hours of credit;
 - (b) a complex, non-residential field review shall be limited to no more than 16 hours of credit;
 - (c) a complex, non-residential desk review shall be limited to no more than 8 hours of credit;
 - (d) a non-complex, non-residential appraisal shall be limited to no more than 16 hours of credit;
 - (e) a non-complex, non-residential field review shall be limited to no more than 8 hours of credit;
 - (f) a non-complex, non-residential desk review shall be limited to no more than 4 hours of credit.

Source: Miss. Code Ann. §§ 73-34-9(1)(i), 73-34-9(2)(f), 73-34-21

Rule 2.3 Certified Residential Real Estate Appraiser Experience Hours for Licensing.

An applicant for a State Certified Residential real estate appraiser credential must provide satisfactory evidence to the Board that the applicant has completed the minimum number of hours of appraisal experience over the minimum period of time as established by the AQB. The experience credits for the State Certified Residential real estate appraiser residential shall be awarded as follows:

1. Credits (hours) referred to as residential experience shall be derived from appraisals of one-to-four family residential properties.
2. a complex, residential appraisal shall be limited to no more than 24 hours of credit;
3. a complex, residential field review shall be limited to no more than 8 hours of credit;
4. a complex, residential desk review shall be limited to no more than 4 hours of credit;
5. a non-complex, residential appraisal shall be limited to no more than 12 hours of credit;
6. a non-complex, residential field review shall be limited to no more than 4 hours of credit;
7. a non-complex, residential desk review shall be limited to no more than 2 hours of credit.

Source: Miss. Code Ann. §§ 73-34-9(1)(i), 73-34-9(2)(f), 73-34-21

Rule 2.4 Licensed Appraiser Experience Hours for Licensing.

An applicant for a Licensed real estate appraiser credential must provide evidence satisfactory to the Board that the applicant has completed the minimum number of hours of appraisal experience over the minimum period of time as established by the AQB. The experience hours for the Licensed real estate appraiser credential shall be determined by the Board by evaluating the types and the variety of the individual appraisals which are documented in the experience log that is signed by both the applicant and the Certified Supervisory Appraiser and by determining the Appraiser Trainee's hours.

Source: Miss. Code Ann. §§ 73-34-9(1)(i), 73-34-9(2)(f), 73-34-21

Rule 2.5 Appraiser Trainee Experience Hours.

Appraiser Trainee experience hours which have been documented and verified by a Certified Supervisory Appraiser can be included as appraisal experience for either a State Certified General credential or a State Certified Residential credential. The verified experience work-hours must be compliant with all requirements established by the AQB and must have been obtained preceding the filing of the application.

Source: Miss. Code Ann. §§ 73-34-5, 73-34-9(1)(i), 73-34-9(2)(f), 73-34-21

Rule 2.6 Definition of a Non-Complex Appraisal.

A non-complex appraisal is one having the following characteristics;

1. there is an active market of essentially identical properties;
2. adequate data is available to the appraiser
3. adjustments to comparable sales are not large in the aggregate, specifically not exceeding the trading range found in the market of essentially identical properties; and
4. for residential property, the contract price falls within the market norm (Median sales price) of homes in the neighborhood.

Examples of a non-complex residential appraisal are those similar to Fannie Mae Form 1004 and Freddie Mac Form 70, not including the income approach (up to 12 hours credit); usage of Fannie Mae Forms 2055 and 2075 (up to 8 hours credit); valuation of vacant land or site appraisals using only the sales comparison approach or a narrative report (up to 4 hours credit). In all cases, compliance with the Uniform Standards of Professional Appraisal Practice (USPAP) is required.

Note: A non-complex, non-residential appraisal (up to 16 hours credit) is a report which does not include each of the three (3) approaches to value even though all three (3) approaches would be applicable for the classification of the property appraised and/or when sufficient market data was available to develop each of the three (3) approaches.

All credit hours for appraisals are subject to final determination and approval by the Appraisal Board.

Source: Miss. Code Ann. §§ 73-34-9(1)(i), 73-34-9(2)(f), 73-34-21

Rule 2.7 Definition of a Complex Appraisal.

A complex appraisal is one that relies to any significant degree on all three (3) approaches to value (cost, sales comparison and income approaches) or is an appraisal that has at least one of the following characteristics:

1. There is not an active market of properties similar to the property being appraised.
2. There is not adequate data available to the appraiser.
3. The adjustments to comparable sales are large and the aggregate adjustments exceed the trading range of the identified sales.
4. For residential property, the contract price does not fall within the market norm of houses in the market area.

No appraisal experience credit will be allowed for a complex appraisal unless all three (3) approaches to value are fully developed in the report.

Examples: a complex, non-residential appraisal (up to 66 hours of credit) may contain any of the following: income capitalization approach; income expense analysis; building-land residual technique; leased fee-leasehold interest; absorption rate; discounting to present value; highest and best use is not the current use; itemized accrued depreciation; unit-in-place method or quantity survey method in the cost approach; site or vacant land using the allocation method, abstraction method, subdivision development method, or land residual method; appraisal requires the appraiser's use of data obtained from a professional who is not an appraiser; a use of property that has no comparable sales with the same use; a property covered by the Environmental Protection Agency; a conservation easement; an appraisal that requires the before and after values. Other valuations may qualify as determined by the Appraisal Board.

Note: A complex residential appraisal (up to 24 hours of credit) is a 1 to 4 unit appraisal similar to Fannie Mae Form 1004/Freddie Mac Form 70 but it will include the GRM income approach; Fannie Mae Form 1025/Freddie Mac Form 72; Fannie Mae Form 1072/Freddie Mac Form 465; Fannie Mae Form 1075/Freddie Mac Form 466; or a narrative report. In all cases, compliance with the Uniform Standards of Professional Appraisal Practice (USPAP) is required.

Source: Miss. Code Ann. §§ 73-34-9(1)(i), 73-34-9(2)(f), 73-34-21

Rule 2.8 Accepting Responsibility for an Appraisal Report.

Each signer (co-author) of an appraisal report who is accepting responsibility for the report shall be awarded (experience) credit for the appraisal based on the actual number of documentable (work) hours that each appraiser contributed to the report as identified and indicated in the content of the report.

Source: Miss. Code Ann. §§ 73-34-9(1)(i), 73-34-9(2)(f), 73-34-21

Rule 2.9 Appraisals are subject to Verification by the Board.

All appraisals submitted or claimed for experience credit are subject of verification and authentication by the Board. Applicants may not claim experience credit for appraisals which are not supported by written reports or file memoranda or which were performed by the applicant at a time when the applicant lacked the legal authority to perform real estate appraisals. Upon request, the applicant shall furnish the Board with copies of two (2) specifically identified appraisal reports, file memoranda, or other data supporting the experience credit sought by the applicant. In addition, the experience credit will only be accepted when accompanied by a sworn affidavit which is signed by the applicant and states that all information contained in the application, including the compilation of hours documented, are true and correct.

Source: Miss. Code Ann. §§ 73-34-9(1)(i), 73-34-9(2)(f), 73-34-21

Rule 2.10 Appraisal Experience for State, County, or Municipal Public Officers.

State, county or municipal public officers, or their salaried employees while performing their duties as mass appraisers, may satisfy the appraisal experience requirement under this rule by submitting a signed/notarized affidavit from the supervising tax assessor or other appropriate official, and as follows:

1. For the Licensed real estate appraiser credential, by affidavit and documentation as prescribed by the Board, certifying that the applicant has obtained the minimum number of hours of appraisal experience over the minimum period of time as established by the AQB while holding a valid Appraiser Trainee credential.
2. For the State Certified Residential real estate appraisal credential, by proper documentation as prescribed by the Board which indicates that the applicant holds or has held a credential as a State Licensed real estate appraiser or a State Certified General real estate appraiser and has obtained the minimum number of hours of credible appraisal work experience over the minimum period of time as established by the AQB for the Certified Residential appraiser credential. Up to one-half (1/2) of the minimum number of experience hours as established by the AQB may be satisfied by presenting proper documentation on an experience log sheet as prescribed by the Board of having performed in a supervisory capacity of the value estimating process for mass appraisal work. Any experience for the State Certified Residential credential beyond the real property mass appraisal experience which is acceptable under the provisions of this rule shall consist of residential category properties and shall be in compliance with the guidelines established in Rule 2.1(1) and shall have been obtained over the minimum period of time as would meet all requirements established by the AQB.
3. For the State Certified General real estate appraisal credential, by proper documentation as prescribed by the Board which indicates that the applicant holds or has held a credential as a State Licensed real estate appraiser or a State Certified Residential real estate appraiser and has obtained the minimum number of hours of credible appraisal work experience over the minimum period of time as established by the AQB for the Certified General appraiser credential. Up to one-half (1/2) of the minimum number of experience hours as established by the AQB may be satisfied by presenting proper documentation on an experience log sheet as prescribed by the Board of having performed in a supervisory capacity of the value estimating process for mass appraisal work. Any experience for the State Certified General credential beyond the real property mass appraisal experience which is acceptable under the provisions of this rule shall consist of non-residential category properties and shall be in compliance with the guidelines set forth in Rule 2.1(1) and shall have been obtained over the minimum period of time as would meet all requirements established by the AQB.
4. Any affidavit which is submitted for experience credit must set forth the applicant's job description, duties and/or role in the value estimating process if it is not already included in the job description and duties.
5. The affiant must be fully aware and understand that experience credit shall only be awarded to those applicants who demonstrate that they used techniques to value properties which are

similar to those used by other appraisers; they effectively utilize the appraisal process and the only components of the mass appraisal process that shall be given credit are highest and best use analysis, model specification (developing the model) and model calibration (developing adjustments to the model). Other components, by themselves, shall not be eligible for experience credit.

6. Any experience which is claimed for mass appraisal work must be consistent with the most current guidelines of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council and must be compliant with the Mass Appraisal Development and Reporting guidelines as set forth in Standard 6 of USPAP.

Source: Miss. Code Ann. §§ 73-34-9(1)(i), 73-34-9(2)(f), 73-34-21

Part 1501 Chapter 3: Requirements for Licensing and Certification; Examinations; Fees.

Rule 3.1 Requirements Necessary to Qualify as a Licensed Real Estate Appraiser.

1. Qualifying Education: Applicants for the Licensed Real Estate Appraiser credential must meet all education requirements established by the AQB.
2. Experience: Applicants for the Licensed Real Estate Appraiser credential must meet all experience requirements established by the AQB. Acceptable appraisal work-experience includes, but is not limited to, the following:
 - (a) For a Mississippi Appraiser Trainee, experience shall have been gained under the direct supervision of a Mississippi State Certified Appraiser. The verification of the experience credit which is claimed by an applicant shall be accomplished via an affidavit from a Certified Supervisory Appraiser and shall be on Forms specifically prescribed by the Board. In addition, an Experience Log which lists the various appraisal task performed by the Appraiser Trainee must be signed by both the Appraiser Trainee and the Certified Supervisory Appraiser and must be submitted for Board approval with the application for the Licensed Appraiser credential. In order for the Appraiser Trainee to list and document appraisals on the appraisal experience log, the Certified Supervisory Appraiser must state the name of the Appraiser Trainee in the Appraiser's Certification and must actually state in the appraisal, "I affirm that (Appraiser Trainee's name and permit number) performed (number) hours of appraisal tasks for this appraisal." The log must describe the appraisal tasks (work) performed, identify the specific appraisal report for which the tasks (work) were performed, the date the tasks were performed and must state the number of appraisal task (work) hours completed for each appraisal. The appraisals must be available should the Board desire to review any or all of them for the purpose of verifying the appraisal task (work) hours claimed by the Appraiser Trainee. The Mississippi Appraiser Trainee's appraisal task (work) hours which are completed in compliance with USPAP can be included as appraisal experience hours to qualify for either the State Certified General real estate appraiser

credential or the State Certified Residential real estate appraiser credential.

(b) For those individuals other than Mississippi Appraiser Trainees, a listing of legally performed, USPAP compliant appraisals which are signed by the applicant, or of tasks which were specifically performed by the applicant, if not allowed to sign reports, must be submitted along with the application as proof of experience. The listing of task (work) hours must describe the task performed, identify the specific appraisal report for which the task was performed, indicate the date the task was performed and must state the number of experience hours claimed. The appraisals must be available should the Board desire to review them for the purpose of verifying work-experience.

3. Examination: All applicants must pass the Appraisal Qualification Board approved Licensed Residential Real Property Appraiser Examination. The only alternative to the successful completion of the Licensed Residential Real Property Examination is the successful completion of the Certified Residential Real Property Appraiser Examination or the Certified General Real Property Appraiser Examination. An applicant will be instructed to contact the State approved Testing Provider and establish an examination date which will allow the examination to be completed within three (3) months of their application being approved by the Appraisal Board. The examination will consist of multiple-choice questions from a question bank and applicants will be allowed four (4) hours to complete the examination while using a silent calculator. The Appraisal Qualifications Board approved examination will include questions concerning the Uniform Standards of Professional Appraisal Practice (USPAP). There is no limitation on the number of attempts that an approved applicant may take in order to pass the Licensed Residential Real Property Examination, but the examination must be passed within three (3) months of the applicant being approved for testing by the Appraisal Board. For those applicants who pass the Licensed Residential Real Property Examination, the results of the examination may be used to qualify for the credential for a time period of twenty-four (24) months. If the applicant does not pass the Licensed Residential Real Property Appraiser Examination within three (3) months of their application being approved by the Board, they shall be ineligible for a similar examination until after the expiration of six (6) months from the date such applicant was last eligible to take the examination, and then only upon making full application as in the first instance and meeting all requirements for application that are in effect at the time of re-applying.

NOTE: Applicants must complete all Qualifying Education requirements and all work experience requirements prior to making an application for the Licensed Residential Real Property Appraiser Examination.

An applicant must also schedule a testing date and pass the Mississippi State specific portion of the examination within sixty (60) days of passing the Appraisal Qualification Board approved Licensed Residential Real Property Appraiser Examination. The State examination will consist of multiple-choice questions referencing the Mississippi Real Estate Appraiser Licensing and Certification Act and the Administrative Rules and Regulations of the Mississippi Appraisal Board. It will also include questions concerning

the Uniform Standards of Professional Appraisal Practice (USPAP). Applicants will be allowed two (2) hours to complete the State examination and may use a silent calculator. An applicant is allowed two (2) opportunities to pass the examination. Any applicant who fails to pass the State examination upon two (2) occasions shall be ineligible for a similar examination until after the expiration of six (6) months from the date such applicant last took the examination, and then only upon making a full application as in the first instance and meeting all requirements for application in effect at the time of re-applying. The State Examinations are administered by the Appraisal Board Staff and the applicant will be notified of the available examination dates after the application has been approved and the necessary requirements satisfied.

Source: Miss. Code Ann. §§ 73-34-9, 73-34-21, 73-34-45

Rule 3.2 Requirements to Qualify as a State Certified Residential Real Estate Appraiser:

1. Qualifying Education: Applicants for the State Certified Residential real estate appraiser credential must meet all education requirements established by the AQB.
2. Appraisers holding a State Certified General real estate appraiser credential satisfy the educational requirements for the State Certified Residential real estate appraiser credential.

*Note: The Mississippi Appraisal Board requires that all individuals who apply for the Certified Residential real estate appraiser credential must have completed the 15-hour National USPAP course within sixty (60) months of making their application.

3. Experience: All applicants must meet all experience requirements established by the AQB. Fifty (50) percent of the required experience hours as established by the AQB must be in residential appraisal work. While the hours may be cumulative, the required number of months must accrue before an individual can be certified. Applicants must list identifying terminology for each appraisal which is being used to develop the total number of hours being claimed. These appraisals must be made available to the Board should they desire to review them in order to verify the experience being claimed by an applicant. Copies of two (2) appraisal reports, to be chosen by the Board from the experience log that is submitted with the application, must be submitted for review prior to being allowed to sit for the examination. If necessary, to verify compliance with the experience requirement, other reports may be requested for review by the Board.

*Note: The Ethics Rule, Confidentiality section of USPAP, allows the submission of appraisal reports for review by a state license regulatory agency without obtaining permission from the client to release confidential information.

4. Examination: All applicants must pass the Appraiser Qualification Board approved Certified Residential Real Property Appraiser Examination. The only alternative to successful completion of the Certified Residential Real Property Appraiser Examination is the successful completion of the Certified General Real Property Appraiser Examination. An applicant will be instructed to contact the State approved Testing Provider and establish an examination date which will allow the examination to be completed within three (3)

months of their application being approved by the Appraisal Board. The examination will consist of multiple-choice questions from a question bank and applicants will be allowed four (4) hours to complete the examination while using a silent calculator. The Appraisal Qualifications Board approved examination will include questions concerning the Uniform Standards of Professional Appraisal Practice (USPAP). There is no limitation to the number of attempts that an approved applicant may take in order to pass the Certified Residential Real Property Appraiser Examination, but the examination must be passed within three (3) months of the applicant being approved for testing by the Appraisal Board. For those applicants who pass the Certified Residential Real Property Appraiser Examination, the results of the examination may be used to qualify for the credential for a time period of twenty-four (24) months. If the applicant does not pass the Certified Residential Real Property Appraiser Examination within three (3) months of their application being approved by the Board, they shall be ineligible for a similar examination until after the expiration of six (6) months from the date such applicant was last eligible to take the examination, and then only upon making full application as in the first instance and meeting all requirements for application that are in effect at the time of re-applying.

NOTE: Applicants must complete all Qualifying Education requirements and all work experience requirements prior to making an application for the Certified Residential Real Property Appraiser Examination.

An applicant must also schedule a testing date and pass the Mississippi State specific portion of the examination within sixty (60) days of passing the Appraisal Qualification Board approved Certified Residential Real Property Appraiser Examination. The State examination will consist of multiple-choice questions referencing the Mississippi Real Estate Appraiser Licensing and Certification Act and the Administrative Rules and Regulations of the Mississippi Appraisal Board. It will also include questions concerning the Uniform Standards of Professional Appraisal Practice (USPAP). Applicants will be allowed two (2) hours to complete the State examination and may use a silent calculator. An applicant is allowed two (2) opportunities to pass the examination. Any applicant who fails to pass the State examination upon two (2) occasions shall be ineligible for a similar examination until after the expiration of six (6) months from the date such applicant last took the examination, and then only upon making a full application as in the first instance and meeting all requirements for application in effect at the time of re-applying. The State Examinations are administered by the Appraisal Board Staff and the applicant will be notified of the available examination dates after the application has been approved and the necessary requirements satisfied.

Source: Miss. Code Ann. §§ 73-34-9(1)(a)(b)(c), 73-34-9(1)(i), 73-34-9(2)(f)(g)(j), 73-34-21, 73-34-45

Rule 3.3 Requirements to Qualify as a State Certified General Real Estate Appraiser.

1. Education: All applicants for a State Certified General real estate appraiser credential must meet all education requirements as established by the AQB.

****Note:** The Mississippi Appraisal Board requires all individuals who apply for the State Certified General real estate appraiser credential to have completed the 15-hour National USPAP course within sixty (60) months of making their application.

2. Experience: All applicants must meet all experience requirement established by the AQB. Fifty (50) percent of the required experience hours as established by the AQB must be in non-residential appraisal work. Experience is calculated through work experience hours that are documented in Part 1501, Chapter 2 of the Administrative Rules of the Mississippi Appraisal Board. Applicants must list identifying terminology for each appraisal which is used to calculate the total number of hours being claimed. These appraisals must be available to the Board should they desire to review them in order to verify the experience being claimed by the applicant. Copies of two (2) appraisal reports, to be chosen by the Board from the experience log that is submitted with application, must be submitted for review prior to being approved to sit for the examination. In addition, other reports may be requested for review if required by the Board.

Note: The Ethics Rule, Confidentiality Section of USPAP, allows the submission of appraisal reports for review to a state license regulatory agency without obtaining permission from the client to release confidential information.

3. Examination: All applicants must pass the Appraiser Qualification Board approved Certified General Real Property Appraiser Examination. An applicant will be instructed to contact the State approved Testing Provider and establish an examination date which will allow the examination to be completed within three (3) months of their application being approved by the Appraisal Board. The examination will consist of multiple-choice questions from a question bank and applicants will be allowed six (6) hours to complete the examination while using a silent calculator. The Appraisal Qualifications Board approved examination will include questions concerning the Uniform Standards of Professional Appraisal Practice (USPAP). There is no limitation to the number of attempts that an approved applicant may take in order to pass the Certified General Real Property Appraiser Examination, but the examination must be passed within three (3) months of the applicant being approved for testing by the Appraisal Board. For those applicants who pass the Certified General Real Property Examination, the results of the examination may be used to qualify for the credential for a time period of twenty-four (24) months. If the applicant does not pass the Certified General Real Property Appraiser Examination within three (3) months of their application being approved by the Board, they shall be ineligible for a similar examination until after the expiration of six (6) months from the date such applicant was last eligible to take the examination, and then only upon making full application as in the first instance and meeting all requirements for application that are in effect at the time of re-applying.

NOTE: Applicants must complete all Qualifying Education requirements and all work experience requirements prior to making an application for the Certified General Real Property Appraiser Examination.

An applicant must also schedule a testing date and pass the Mississippi State specific portion of the examination within sixty (60) days of passing the Appraisal Qualification Board approved Certified General Real Property Appraiser Examination. The State examination will consist of multiple-choice questions referencing the Mississippi Real Estate Appraiser Licensing and Certification Act and the Administrative Rules and Regulations of the Mississippi Appraisal Board. It will also include questions concerning the Uniform Standards of Professional Appraisal Practice (USPAP). Applicants will be allowed two (2) hours to complete the State examination and may use a silent calculator. An applicant is allowed two (2) opportunities to pass the examination. Any applicant who fails to pass the State examination upon two (2) occasions shall be ineligible for a similar examination until after the expiration of six (6) months from the date such applicant last took the examination, and then only upon making a full application as in the first instance and meeting all requirements for application in effect at the time of re-applying. The State Examinations are administered by the Appraisal Board Staff and the applicant will be notified of the available examination dates after the application has been approved and the necessary requirements satisfied.

Rule 3.4 Fees.

The Board shall collect the following application/licensing fees:

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| i. | Application/State Exam | \$225.00 |
| ii. | Applications for Appraiser Trainee | \$ 50.00 |
| iii. | Applications pursuant Rule 9 (Licensees of Other State) | \$ 50.00 |
| iv. | Applications pursuant Rule 6 (Temporary Privilege) Temporary Certificate Issuance | \$ 175.00 \$ 75.00 |
| v. | Credentials Issuance (2 years) | |
| | Licensed Appraiser | \$325.00 |
| | Certified Residential | \$325.00 |
| | Certified General | \$325.00 |

Rule 3.5 Licensing After Examination.

After passing both portions of the examination(s), an applicant must pay, within one hundred eighty (180) days from the examination date, the necessary fees to have their credential issued. If the appropriate fees are not paid within the stated 180 day time period, or unless extenuating circumstances for such failure are brought to the attention of the Board and a hearing before the Board is requested, the \$225.00 application fee will be forfeited and the applicant will be required to start the application process over by filing a new application with payment of another \$225.00 application fee. If any application

requirement changes after the applicant has passed the examination but prior to the time their original credential has been issued, the applicant will be required to meet the new requirements prior to the issuing of their credential.

Source: Miss. Code Ann. §§ 73-34-9(1)(a)(b)(c), 73-34-9(1)(i), 73-34-9(2)(f)(g)(j), 73-34-21, 73-34-45

Part 1501 Chapter 4: Board Organization

Rule 4.1 Board Organization.

The Mississippi Real Estate Appraiser Licensing and Certification Board shall elect a chairman and a vice-chairman who will serve in the absence of the chairman or at the discretion of the chairman. The election of officers shall be held annually in December. In the event of a vacancy in either position, the Board shall set a date, after adequate notice to all members to all members to elect a replacement. Special meetings may be called by the chairman on his own motion or by written request of three (3) members. Board meeting procedures will follow Robert's Rules of Order as pertains to boards or groups of limited membership as constitutes this Board. Information concerning Board action, meeting dates, licensing and certification and other Board responsibilities under Chapter 34, Mississippi Real Estate Appraiser Licensing and Certification Act, may be obtained from the Board office and staff. Applications, complaint forms and other printed material may also be requested through written or telephonic contact with the Board staff.

Source: Miss. Code Ann. §§ 73-34-7

Part 1501 Chapter 5: Continuing Education.

Rule 5.1 Continuing Education.

As a prerequisite to renewal of license, an active status licensed or certified appraiser whose license was issued or renewed prior to January 1, 1998 shall present evidence satisfactory to the Board that such appraiser has obtained twenty (20) hours of Board approved continuing education during the preceding license cycle. In order to renew a license which was issued or renewed January 1, 1998 or thereafter, an appraiser shall present evidence satisfactory to the Board of having obtained twenty-eight (28) hours of Board approved continuing education which shall include at least seven (7) hours in USPAP coverage.

Source: Miss. Code Ann. §§ 73-34-9(1)(i), 73-34-33

Rule 5.2 Approved Courses.

1. Any course, which meets the educational requirements for licensing as set forth in Section 73-34 of the Mississippi Code of 1972, Annotated and the Administrative Rules and Regulations of the Mississippi Real Estate Appraiser Licensing and Certification Act, is deemed to be an approved continuing education course.

2. Any course sponsored or provided by the Board which the Board may deem to be an approved continuing education course.
3. Any course which has been individually approved by the Board pursuant to the provisions of this Rule. Any course in this category must be approved prior to its presentation.
4. Any course which has been approved for real estate appraiser continuing education by any state or country wherein their appraiser licensing and certification program has been approved by the Appraisal Subcommittee and which course satisfies the requirements established in Part 1501, Chapter 5, Rule 5.2 (1, 2, & 3) of this Rule with the exception of instruction in license law which pertains solely to a state other than Mississippi, may be utilized to meet the requirements for continuing education upon approval of the individual course by the Board.

Source: Miss. Code Ann. §§ 73-34-9(1)(i), 73-34-33

Rule 5.3 Procedures and criteria for approval of courses.

1. Definitions: A provider is any person, partnership association, corporation, educational organization, or other entity which sponsors, offers, organized provides or promotes real estate appraiser continuing education courses. An instructor is a person who delivers educational material and information directly to students.
2. A provider desiring approval of a continuing education course as referred to in Section 73-34-33, Mississippi Code of 1972, Annotated, shall make application to the Board. The provider, the course, and the instructor must receive concurrent approval. Courses described under Part 1501, Chapter 5, Rule 5.2 must receive approval prior to the course being given, except that, in the Board's discretion, courses which have not received such prior approval but which meet the proper criteria may be approved for credit for appraisers who have completed such courses.

Source: Miss. Code Ann. §§ 73-34-9(1)(i), 73-34-33

Rule 5.4 Standards for approval of courses.

1. A proposed continuing education course shall be an educational process or program which is related to real property appraisal theory, practices or techniques. Credit may be granted for educational offerings designed to maintain and increase the appraiser's skill, knowledge and competency in real estate appraising and cover real estate related appraisal topics such as those listed below:
 - (a) Ad Valorem Taxation
 - (b) Arbitration
 - (c) Business courses related to practice of real estate appraisal

- (d) Construction estimating
 - (e) Ethics and standards of professional practice
 - (f) Land use planning, zoning and taxation
 - (g) Management, leasing, brokerage, time sharing
 - (h) Property development
 - (i) Real estate appraisal (valuations/evaluations)
 - (j) Real estate law
 - (k) Real estate litigation
 - (l) Real estate financing and investment
 - (m) Real estate appraisal related computer applications
 - (n) Real estate securities and syndication
 - (o) Real property exchange
2. Courses shall be taught only by approved qualified instructors.
 3. Courses shall be offered in minimum two-hour segments.
 4. The approval shall be for no more than a two-year period from the date of the initial approval. The approved provider shall be required to re-file for an extension of the approval date with the renewal being for a two-year period. However, a course, instructor and provider may be approved on a one-time basis where the course will be offered on such basis.
 5. The approved provider shall issue certificates of attendance only to those licensees who shall physically attend the approved course.

Source: Miss. Code Ann. §§ 73-34-9(1)(i), 73-34-33

Rule 5.5 Educational Credit.

Credit may also be awarded for up to one-half (1/2) of an individual(s) required continuing education in a "CE Cycle" for participation, other than as a student, in appraisal educational processes and programs. Examples of activities for which credit may be granted are teaching program development, authorship of textbooks, or similar activities which are determined to be equivalent to obtaining continuing education.

Source: Miss. Code Ann. §§ 73-34-9(1)(i), 73-34-33

Rule 5.6 Qualifications of Instructors.

The education and/or experience of the instructor must be appropriate to teach the subject matter of approved course.

Source: Miss. Code Ann. §§ 73-34-9(1)(i), 73-34-33

Rule 5.7 Administrative Requirements.

1. Providers of continuing education courses shall furnish the Board with a class roster listing each attendee, in alphabetical order, within thirty (30) days of the completion of each course.
2. Providers will utilize a three-part certificate or its equivalent for the purpose of certifying individual attendance. One designated part shall be returned completed to the Board, one part shall be given to the attendee, and the remaining part shall be retained by the provider.
3. Attendance and other records of each provider must be kept on file for a period of three (3) years and will be subject to inspection by the Board at any time during normal business hours.
4. Providers may promote their offerings by advertise that a course meets a portion of the continuing education requirements; however, no advertisement shall be used which states or implies that the Mississippi Real Estate Appraiser Licensing and Certification Board has approved or passed on the merits of a course.
5. Suspension or Revocation or Approval Failure to comply with any provision of this rule shall constitute grounds for suspension or revocation of the approval of a course, a provider or an instructor, or other such action as deemed appropriate by the Board. Any member of the Board or its duly authorized representatives may audit any offering of an approved course at any time during course presentation to determine the adequacy of the course presentation and the content. Failure to meet criteria for continuing education approval as established in the Board's policy shall constitute grounds for withdrawal of continuing education approval of a course.

Source: Miss. Code Ann. §§ 73-34-9(1)(i), 73-34-33

Part 1501 Chapter 6: Temporary Licensing/Certification Privileges.

Rule 6.1 Application.

A real estate appraiser who is on active status and in good standing in a state other than Mississippi and who is Licensed or Certified by the appraiser licensing or certifying agency in such state may

apply to receive temporary licensing or certification privileges in Mississippi by filing with the Mississippi Real Estate Licensing and Certification Board (Board) a notarized application on a form prescribed by the Board for such purpose which shall set forth and include the following:

1. Applicant's name, address, social security number and such other information as may be necessary to identify the applicant;
2. A written statement issued by the appraiser licensing or certifying agency in the applicant's resident state certifying that the applicant is duly licensed or certified in good standing in such state and setting forth any disciplinary actions known to or taken by the agency against such applicant;
3. The estimated amount of time required to perform the appraisal;
4. An irrevocable consent that service of process in any action against the applicant arising out of the applicant's appraisal activities in Mississippi may be made by delivery of the process on the Chief Executive Officer of the Board; and
5. Such other information as may be necessary to determine the applicant's eligibility for temporary appraiser licensing or certification privileges in Mississippi.
6. The Board shall collect, at the time of submission of an application for Temporary Licensing/Certification, a non-refundable Application Fee of \$175.00 (One Hundred Seventy-Five Dollars) and a non-refundable Temporary Certificate Issuance Fee of \$75.00 (Seventy-Five Dollars) for issuance of the temporary license/certification, for a total fee of \$250.00 (Two Hundred Fifty Dollars) for temporary licensure/certification privileges.

Source: Miss. Code Ann. §§ 73-34-9(1)(a), 73-34-51, 73-34-59

Rule 6.2 Limitations and requirements for this privilege are as follows:

1. Each appraisal assignment will require a temporary permit and no more than two (2) permits will be granted in a twelve (12) month period.
2. Licensing and certification privileges shall expire six (6) months from the date of issuance or upon the expiration of the appraiser's real estate appraiser credential in their home state, whichever shall occur first. A sixty (60) day extension to the temporary licensing and certification privilege may be granted if the Board receives a written request detailing the reasons for the extension. The validity of the temporary permit shall end when the assignment is completed or at the end of the six (6) month period (including any extension period), whichever occurs first.
3. Persons granted temporary licensing/certification privileges shall not advertise or otherwise hold themselves out as being licensed or certified by the State of Mississippi and must place their temporary privilege number adjacent to their signature on the appraisal report.

Source: Miss. Code Ann. §§ 73-34-9(1)(a), 73-34-45, 73-34-51, 73-34-59

Rule 6.3 Complaints.

The Board shall refer to the appraiser licensing or certifying agency in the registrant's resident state any verified complaint filed against the registrant alleging that the registrant has engaged in conduct violative of the Mississippi Real Estate Appraiser Licensing and Certification Act and its Rules and Regulations and in the performance of real estate appraisals in Mississippi.

Source: Miss. Code Ann. §§ 73-34-9(1)(a), 73-34-51, 73-34-59

Part 1501 Chapter 7: Roster of Licensed Appraisers; Annual Registry Fee.

Rule 7.1 Annual Registry Fee.

The Appraisal Subcommittee requires that each state submit a roster of individuals who have been Licensed or Certified. The annual registry fee which must be collected from each licensee is \$40.00. This fee must be paid to the Board, upon notification, and within the deadline provided. (§73-34-49) (Federal Register, 6/6/91)

Source: Miss. Code Ann. §§ 73-34-49, 73-34-59

Part 1501 Chapter 8: General Categories.

Rule 8.1 Review Appraisals.

1. When a real estate appraisal is prepared by a real estate appraiser Licensed pursuant to §73-34-17 of the Mississippi Real Estate Appraiser Licensing and Certification Act, the appraisal cannot become certified unless co-signed (co-authored) by a State Certified Residential real estate appraiser or a State Certified General real estate appraiser. A review appraisal prepared pursuant to Standard 3, Uniform Standards of Professional Appraisal Practice, or otherwise defined as a review appraisal will not be sufficient to categorize the appraisal as certified.
2. The appointed members, ex-officio member and staff of the board, who are state licensed or certified real estate appraisers, shall be exempt from the requirements of Standard 3 of the Uniform Standards of Professional Appraisal Practice (USPAP) when performing review assignments, in their official capacity, of matters relating to real estate appraisal standards, real estate appraiser qualifications, testing standards and disciplinary functions.

Source: Miss. Code Ann. §§ 73-34-9(3)

Rule 8.2 Written Appraisals.

All appraisals prepared in connection with federally related transactions must be written appraisals.

Source: Miss. Code Ann. §§ 73-34-9

Part 1501 Chapter 9: Licensing Procedure for Licensees of Other States.

Rule 9.1 Licensing Procedure for Licensees of Other States.

A real estate appraiser who is currently Licensed or State Certified by the appraiser licensing or certifying agency in a state other than Mississippi, Territory or District of Columbia may apply and be granted an appraiser license or certification by Mississippi that is equivalent to the license issued by the other state, territory or District of Columbia without being required to demonstrate additional education, experience or examination (with the exception that the Board may require Mississippi Appraiser License Law test questions) provided the individual has satisfied the conditions set forth below, he/she is approved by the Board and the other state's education, experience and examination requirements for licensing and certification comply at a minimum with the qualifications guidelines promulgated by the Appraisal Subcommittee of the Federal Financial Institutions Examination Council and both the Appraiser Qualifications Board and the Appraisal Standards Board of the Appraisal Foundation.

1. Provide a Completed Application:
2. Pay all required fees;
3. Provide a statement indicating the applicant has read and agrees to comply with all provisions of the appraiser license law and Administrative Rules of Mississippi;
4. Provide a certification from the licensing state, territory or District of Columbia that the applicant holds a valid appraiser license or certification in good standing issued by the appraiser regulatory agency in that state, territory or District of Columbia as attested to by a statement under seal from the agency setting forth:
 - (a) The applicant's name, business address and if available, date and place of birth;
 - (b) the type license or certification held by the applicant and the license or certification number;
 - (c) the date of licensure or certification and the expiration date of the applicant's current license or certification;
 - (d) the license or certification was issued as a result of passing a licensure/certification examination and
 - (e) A complete record of any disciplinary actions taken or disciplinary actions pending against the applicant.

5. Provide an irrevocable consent that service of process upon the applicant may be made by delivery of the process to the Secretary of State of Mississippi if, in an action against the applicant in a court of Mississippi arising out of the applicant's activities as a real estate appraiser in Mississippi, the plaintiff cannot, in the exercise of due diligence effect personal service upon the applicant.
6. Provide a statement that the applicant agrees to cooperate with any investigation initiated by the Board.

If disciplinary proceedings are pending against the applicant in the state (Territory or District of Columbia) of licensure or any other state where the applicant is a licensed appraiser, then no proceedings under this rule may be initiated until disposition of the pending disciplinary proceedings are final and reported to the Board.

In the event a non-resident licensee or certification holder obtains such license or certification under this rule subsequently becomes a resident of Mississippi, he or she shall be entitled to have such license or certification changed to resident status upon making proper application and paying all required fees and, in the discretion of the Board demonstrates he or she possesses qualifications equivalent to those required for resident licensure or certification.

Source: Miss. Code Ann. §§ 73-34-9(1)(a), 73-34-51, 73-34-59

Part 1501 Chapter 10: Abbreviations.

Rule 10.1 Abbreviations.

Mississippi licensed appraisers may use the following abbreviations with their assigned license number (LA, RA, GA-000) when signing an appraisal report, certified appraisal report, statements of qualification, contracts or other instruments used by the license holder when reference is made to such license holder's status as a licensed real estate appraiser or licensed certified real estate appraiser as required by Section 47 of the Mississippi Real Estate Appraiser Licensing and Certification Act:

| | |
|-------------------|----------------------|
| Mississippi | MS, Miss. |
| Licensed | Lic. |
| Appraiser | App., Appr. |
| Certified | Crt., Cert. |
| Residential..... | Re s. |
| General..... | Gen., Genl. |
| Real Estate | R. E., RE, Rel. Est. |
| Temporary..... | Temp. |
| Privilege | Priv. |

When signing an appraisal form approved by a Federal agency (Example: Fannie Mae Form 1004) or financial lending institution, the following additional abbreviations may be used:

Licensed Real Estate Appraiser MS LA-000; LA-000

Licensed Certified Residential Real Estate
Appraiser MS Cert. RA-000, MS Cert. RA-000;
RA-000

Licensed Certified General Real Estate
Appraiser MS Cert. GA-000 ; MS Cert. GA-
000 ; GA-000

Source: Miss. Code Ann. §§ 73-35-9(i), 73-34-11

Part 1501 Chapter 11: Appraiser Trainee Qualification Criteria.

Rule 11.1 Scope of Practice.

The scope of practice for the Appraiser Trainee Classification is strictly limited to appraisal assistance for those properties which the Certified Supervisory Appraiser is permitted to appraise based on his/her current credential and his/her competency to appraise the type of property.

Source: Miss. Code Ann. §§ 73-34-9(1)(c), 73-34-59

Rule 11.2 Uniform Standards of Professional Appraisal Practice.

The Appraiser Trainee shall be subject to the Uniform Standards of Professional Appraisal Practice (USPAP).

Source: Miss. Code Ann. §§ 73-34-9(1)(c), 73-34-59

Rule 11.3 Appraisal Reports Kept on File Time Period.

The Appraiser Trainee shall be entitled to obtain copies of all appraisal reports that they assisted in preparing with the Certified Supervisory Appraiser. The Certified Supervisory Appraiser shall keep copies of all such appraisal reports for a period of at least five years or for at least two years following the final disposition of any judicial proceeding in which testimony was given, whichever period expired last.

Source: Miss. Code Ann. §§ 73-34-9(1)(c), 73-34-59

Rule 11.4 Examination.

There is no examination requirement for the Appraiser Trainee Permit.

Source: Miss. Code Ann. §§ 73-34-9(1)(c), 73-34-59

Rule 11.5 Education Prerequisite to Application:

1. As a prerequisite to application for an Appraiser Trainee permit, an applicant must have completed all education requirements established by the AQB, including successful passage of the appropriate end-of-course examinations in all prerequisite qualifying education courses. Applicants must also pass the 15-hour National Uniform Standards of Professional Appraisal Practice (USPAP) course or its AQB-approved equivalent and the examination as part of prequalification education requirements as established by the AQB. All qualifying education must be completed within the five (5) year period immediately prior to the date of the submission of an Appraiser Trainee application.

NOTE: Appraiser Trainees shall be required to complete a course that, at a minimum, complies with the specifications for course content established by the Appraisal Qualifications Board (AQB), which is specifically oriented to the requirements and responsibilities of the Certified Supervisory Appraiser and the Appraiser Trainee. The course must be completed by the applicant prior to obtaining an Appraisal Trainee credential from the State Appraisal Board. Further, the Appraiser Trainee course is not eligible for use towards the required hours of qualifying education required to become an Appraiser Trainee as established by the AQB.

2. A classroom hour is defined as 60 minutes, of which at least 50 minutes are instruction attended by the student.
3. Classroom hours for Qualifying Education may only be obtained where the minimum length of the educational offering is 15 hours in length and the individual must have successfully completed an examination pertinent to that educational offering.
4. Credit for the classroom hour requirement may be obtained from the following:
 - (a) Colleges or Universities
 - (b) Community or Junior Colleges
 - (c) Real Estate Appraisal or Real Estate related organizations as approved by the Board.
 - (d) State or Federal Agencies or Commissions as approved by the Board.
 - (e) Proprietary Schools as approved by the Board.
 - (f) Other providers approved by the Board.
5. The content for courses, seminars, workshops, or conferences should include coverage of basic real estate appraisal principles, procedures and USPAP as described in the Appraisal Qualifications Board (AQB) course curriculum guideline, as follows:
 - (a) Basic appraisal principles;

- (b) Basic appraisal procedures;
- (c) The 15- hour National USPAP Course or its equivalent; and
- (d) The Appraiser Trainee/Certified Supervisory Appraiser training course.

Source: Source: Miss. Code Ann. §§ 73-34-9(1)(c), 73-34-59

Rule 11.6 Experience.

1. The Appraiser Trainee shall be subject to the direct supervision of a State Certified Supervisory Appraiser who shall be state certified, in good standing and subject to the Board's approval. No experience may be gained by the Appraiser Trainee unless the Board has approved the State Certified Supervisory Appraiser with whom they are working.
2. The State Certified Supervisory Appraiser shall be responsible for the training and direct supervision of the Appraiser trainee by:
 - (a) Accepting all responsibility for the appraisal and the report by signing and certifying that the report is in compliance with the Uniform Standards of Professional Appraisal Practice (USPAP) and by further documenting the tasks completed by the Appraiser Trainee and verifying the time (hours) the Appraiser Trainee spent providing the appraisal assistance.
 - (b) Personally inspecting and being physically present at each appraised property with the Appraiser Trainee, if an inspection is required, until such time as the Certified Supervisory Appraiser determines that the Appraiser Trainee is competent to inspect the property type in accordance with the Competency Rule of USPAP.
 - (c) Sign all appraisals as the Supervisory Appraiser if an Appraiser Trainee documents the appraisal as being part of their appraisal experience log.
3. The Appraiser Trainee is permitted to have more than one Certified Supervisory Appraiser, but each must be approved by the Board prior to any experience being earned.
4. An appraisal experience log shall be maintained jointly by the Appraiser Trainee and the Certified Supervisory Appraiser, with each sheet signed by the Certified Supervisory Appraiser and shall, at a minimum, include the following:
 - (a) Type of property
 - (b) Date of the report with client name and address
 - (c) Address of appraised property

- (d) Description of work performed by the Appraiser Trainee and the scope of the review and supervision of the Certified Supervisory Appraiser.
 - (e) Number of actual work hours by the Appraiser Trainee on the assignment
 - (f) Signature and state certification number of the supervising Certified Appraiser.
5. Separate appraisal experience logs shall be maintained for each Certified Supervisory Appraiser.
 6. Documented and verified appraisal experience hours of an Appraisal Trainee are acceptable for the Licensed Appraiser credential, the Certified Residential credential or the Certified General credential.

Source: Source: Miss. Code Ann. §§ 73-34-5, 73-34-9(1)(c), 73-34-59

Rule 11.7 Continuing Education.

An Appraiser Trainee shall be required to obtain:

1. At least fourteen (14) hours of elective continuing education per year. In addition, a seven (7) hour USPAP up-date course must be taken within a two-year period.
2. A classroom hour is defined as sixty (60) minutes, of which at least 50 minutes are instruction attended by the student.
3. Credit toward the classroom hour requirement may be granted only where the length of the educational offering is at least two hours.
4. Credit for the classroom hour requirement may be obtained from the following:
 - (a) Colleges or Universities
 - (b) Community or Junior Colleges
 - (c) Real Estate Appraisal or Real Estate Related Organizations approved by the Board.
 - (d) State or Federal Agencies or commissions approved by the Board.
 - (e) Proprietary Schools approved by the Board.
 - (f) Other providers approved by the Board.

5. Credit may be granted for educational offerings which are consistent with the purpose of continuing education stated in subparagraph "7" below and include real estate related appraisal topics such as those listed below.
 - (a) Ad Valorem Taxation
 - (b) Arbitration
 - (c) Business Courses related to practice of real estate appraisal
 - (d) Construction estimating
 - (e) Ethics and standards of professional practice
 - (f) Land use planning, zoning and taxation
 - (g) Management, leasing, brokerage, timesharing
 - (h) Property development
 - (i) Real estate appraisal (valuations/evaluations)
 - (j) Real estate law
 - (k) Real estate litigation
 - (l) Real estate financing and investment
 - (m) Real estate appraisal related computer applications
 - (n) Real estate securities and syndication
 - (o) Real property exchange
6. Credit may also be awarded for up to one-half (1/2) of an individual(s) required continuing education in a "CE Cycle" for participation, other than as a student, in appraisal educational processes and programs. Examples of activities for which credit may be granted are teaching program development, authorship of textbooks, or similar activities which are determined to be equivalent to obtaining continuing education.
7. The purpose of continuing education is to ensure that the appraiser participates in a program that maintains and increases his/her skill, knowledge and competency in real estate appraising.

Source: Miss. Code Ann. §§ 73-34-9(1)(c), 73-34-59

Part 1501 Chapter 12: Certified Supervisory Appraiser Qualification Criteria.

Supervisory Appraisers provide a critical role in the mentoring, training and development of future valuation professionals. It is inherently important to strike a proper balance between enhancing public trust by ensuring Certified Supervisory Appraisers are competent and qualified to supervise Appraiser Trainees without making the criteria too stringent and restrictive as to discourage or prevent qualified Certified Supervisory Appraisers from actually participating in the training and supervision of Appraiser Trainees.

Rule 12.1 Scope of Practice.

1. Certified Supervisory Appraisers shall be responsible for the training, guidance and the direct supervision of the Appraiser Trainee by:
 - (a) Accepting all responsibility for the appraisal and the report by signing and certifying that the report is in compliance with the Uniform Standards of Professional Appraisal Practice (USPAP) and by further documenting the tasks completed by the Appraiser Trainee and verifying the time (hours) the Appraiser Trainee spent providing the appraisal assistance.
 - (b) Personally inspecting and being physically present at each appraised property with the Appraiser Trainee, if an inspection is required, until such time as the Certified Supervisory Appraiser determines that the Appraiser Trainee is competent to inspect the property type in accordance with the Competency Rule of USPAP.
 - (c) Reviewing and signing all appraisals as the Certified Supervisory Appraiser if an Appraiser Trainee documents the appraisal as being part of their appraisal experience log.
2. Certified Supervisory Appraisers shall be state-certified and in good standing in the jurisdiction in which the Appraiser Trainee practices for a period of at least three (3) years. Certified Supervisory Appraisers shall not have been subject to any disciplinary action within any jurisdiction within the last three (3) years that affects the Certified Supervisory Appraiser's legal eligibility to engage in appraisal practice. Eligibility is evaluated on an "on-going" basis. A Certified Supervisory Appraiser subject to a disciplinary action would be considered to be in good standing three (3) years after the successful completion and termination of the sanction imposed against the Appraiser.
3. Certified Supervisory Appraisers shall have been state-certified for a minimum of three (3) years prior to being eligible to become a Certified Supervisory Appraiser.
4. Certified Supervisory Appraisers must comply with the COMPETENCY RULE of USPAP for the property type and geographic location where the Appraiser Trainee is being supervised.

5. Whereas an Appraiser Trainee is permitted to have more than one Certified Supervisory Appraiser, Certified Supervisory Appraisers may not supervise any more than three (3) Appraiser Trainees at any one time.
6. An appraisal experience log shall be maintained jointly by the Appraiser Trainee and the Certified Supervisory Appraiser, with each sheet signed by the Certified Supervisory Appraiser and shall, at a minimum, include the following:
 - (a) Type of property
 - (b) Date of the report

 - (c) Client name and address

 - (d) Address of appraised property

 - (e) Description of work performed by the Appraiser Trainee and the scope of the review and supervision of the Certified Supervisory Appraiser.

 - (f) Number of actual work hours performed by the Appraiser Trainee

 - (g) The signature and state certification number of the Certified Supervisory Appraiser. In addition, separate appraisal logs shall be maintained for each Certified Supervisory Appraiser, if applicable.
7. Certified Supervisory Appraisers shall be required to complete a course that, at a minimum, complies with the specifications for course content established by the AQB, which is specifically oriented to the requirements and responsibilities of Certified Supervisory Appraisers and Appraiser Trainee Appraisers. The course is to be completed by the Certified Supervisory Appraiser prior to supervising an Appraiser Trainee.

Part 1501 Chapter 13: Disciplinary Actions

Rule 13.1 Complaints & Investigations

1. The Board may commence an investigation upon receipt of information indicating that a credentialed appraiser may have committed a violation of the Board's laws or regulations as set forth under Mississippi Code 73-34-35 (1972, as amended), or on its own initiative (complaint).
2. A complaint may be dismissed for lack of jurisdiction, because no apparent violation exists, there is insufficient evidence to prove a violation, or warrants dismissal for other good cause; or the complaint may be resolved by a consent order or other informal disposition. If the complaint is not dismissed, resolved by a Consent Order or other informal disposition, a formal complaint shall be filed and the matter shall proceed to a hearing in accordance with provisions of Mississippi Code Ann. 73-34-41 (1972, as amended).

Source: Miss. Code Ann. 73-34-9(2)(d), (j), (l)&(n) (Rev. 2012).

Title 30: Professions and Occupations

Part 1502: Appraisal Management Companies

Part 1502 Chapter 1: Definitions

Rule 1.1 Definitions.

As used in these rules, the following words and terms shall have the following meaning:

1. “AMC National Registry” means the national registry maintained by the ASC (Appraisal Subcommittee) of those Appraisal Management Companies (AMCs) that meet the federal definition of AMC, as defined in 12 U.S.C. Section 3350(11), are registered by a state or are federally regulated, and have paid the annual AMC registry fee.
- 2.. “Applicant” means any person or entity who has applied for a Certificate of Registration as an Appraisal Management Company (AMC) with the Mississippi Real Estate Appraiser Licensing and Certification Board (MAB).
3. “Appraisal Foundation” means the Appraisal Foundation, as defined by 12 U.S.C. Section 3350, or its successor.
- 4.. “Appraisal Management Company” or “AMC” means any person or entity defined in Miss. Code Ann. § 73-34-3, required to register with MAB under the Mississippi Appraisal Management Company Registration Act.
5. “Appraisal Subcommittee” or “ASC” means the Appraisal Subcommittee of the Federal Financial Institutions Examination Council, or its successor.
6. “Appraiser” means an individual person who currently holds a current valid Mississippi license as a state Licensed Real Estate Appraiser, a state Licensed Certified Residential Real Estate Appraiser or a state Licensed Certified General Real Estate Appraiser; or an out of state certified or licensed appraiser who holds a current valid temporary practice permit issued by the MAB entitling that individual person to perform an appraisal of real property in the State of Mississippi consistent with the scope of practice identified in the Real Property Appraiser Qualification Criteria promulgated by the Appraiser Qualifications Board of the Appraisal Foundation.
7. “Appraiser Panel” means a network, list or roster of licensed or certified appraisers approved by an AMC to perform appraisals as independent contractors for the AMC.
8. “Appraiser Qualifications Board” means the Appraiser Qualifications Board of the Appraisal Foundation, or its successor.

9. “Board” or “MAB” means the Mississippi Real Estate Appraiser Licensing and Certification Board.
10. “Certificate of Registration” means a certificate issued by the MAB verifying the registration of a person or entity as being approved to conduct business in the State of Mississippi as an AMC.
11. “Commission” or “MREC” means the Mississippi Real Estate Commission.
12. “Controlling Person” means one or more of the following:
 - (a) An officer or director, or an owner of greater than a (10%) interest of a corporation, partnership, or other business entity, seeking to offer Appraisal Management Company services in this state;
 - (b) An individual employed, appointed, or authorized by an AMC that has the authority to enter into a contractual relationship with other persons for the performance of appraisal management services and has the authority to enter into agreements with appraisers for the performance of appraisals; or
 - (c) An individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an AMC.
13. “Designated Officer” means a Controlling Person who is an employee of the AMC authorized by the governing structure of the AMC to act on its behalf for the purposes of application for, and compliance with, a Certificate of Registration to operate as an Appraisal Management Company, as further set forth pursuant to the Board’s laws, rules and regulations.
14. “Federally related transaction” means any real estate-related financial transaction which a federal financial institutions regulatory agency or the Resolution Trust Corporation engages in, contracts for, or regulates, and which requires the services of an appraiser.
15. “Federal financial institutions regulatory agencies” means the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the Office of Thrift Supervision, and the National Credit Union Administration.
16. “Registrant” means any person or entity authorized to conduct business as an AMC in Mississippi memorialized by issuance of a Certificate of Registration by the MAB.
17. “Registration” means the procedure and requirements with which a person or entity shall comply in order to qualify to conduct business as an AMC in the State of Mississippi.

18. “Uniform Standards of Professional Appraisal Practice” means the current standards of the appraisal profession, developed for appraisers and users of appraisal services by the Appraisal Standards Board of the Appraisal Foundation.

19. “USPAP” means the Uniform Standards of Professional Appraisal Practice.

Source: Miss. Code Ann. §§ 73-34-3, 73-34-103(1) & 73-34-111 (Rev. 2012).

Part 1502 Chapter 2: Registration

Rule 2.1 Certificates of Registration

1. Each Certificate of Registration issued by the MAB shall indicate on its face in clear and concise language the following information:

(a) The name of the holder;

(b) The Certificate of Registration number;

(c) The dates of issuance and expiration of the document; and

(d) Shall bear the signature of the Administrator of the Board.

2. Each Certificate of Registration shall be valid for the term set forth on the face of the Certificate unless otherwise ordered by the Board. Each Certificate of Registration shall remain the property of the MAB and shall be surrendered to the MAB upon order of the Board.

3. Every Certificate of Registration shall be valid for a period of one (1) year from the date of issuance unless otherwise ordered by the Board.

4. An Appraisal Management Company shall not be registered, nor may it be placed on the national registry, if such entity is:

(a) Owned in whole or in part, directly or indirectly, is owned, by any person who has had an appraiser license or certificate refused, denied, cancelled, surrendered in lieu of revocation, or revoked by any appraiser credentialing jurisdiction; or

(b) Owned by more than ten percent (10%) by a person who is not of good moral character as set forth in Miss. Code Ann. § 73-34-109(1)(b).

Source: Miss Code Ann. §§ 73-34-25, 73-34-123 & 73-34-109(1) (Rev. 2012).

Rule 2.2 Application Process

1. An applicant for a Certificate of Registration as an Appraisal Management Company (AMC) shall apply by submitting a written application on the Board’s prescribed form and

shall be subject to approval by the Board. Applicant shall fully and accurately report all information and submit all documentation required by the application and the Board.

2. Applications for initial registration as an AMC shall include, at a minimum, the following information:
 - (a) The name, business address, phone number and other contact information for the applicant;
 - (b) Fictitious name or names under which applicant does business in any state;
 - (c) Branch offices at which applicant will conduct business in this state;
 - (d) If the applicant is not a corporation that is domiciled in this state, the name and contact information for the applicant's agent for service of process in this state;
 - (e) The name, address, and contact information for any individual or business entity that owns ten percent (10%) or more of the applicant AMC;
 - (f) The name, address and contact information for the individual designated as the Designated Officer;
 - (g) A certification that the applicant AMC has a system in place to verify that a person being added to the appraiser panel of the AMC holds a license in good standing by the Mississippi Real Estate Appraiser Licensing and Certification Board, if a license is required to perform appraisals;
 - (h) A certification that the applicant AMC requires appraisers completing appraisals at its request to comply with the Uniform Standards of Professional Appraisal Practice (USPAP), including the requirements for geographic and product competence;
 - (i) A certification that the applicant AMC has a system in place to verify only licensed or certified appraisers are used for federally related transactions;
 - (j) A certification that the applicant AMC has a system in place to require that appraisals are conducted independently and free from inappropriate influence and coercion as required by the appraisal independence standards established under Section 129E of the Truth in Lending Act, including the requirements for payment of a reasonable and customary fee to appraisers when the AMC is providing services for a consumer credit transaction secured by a principal dwelling of a consumer; and
 - (k) A certification that the applicant AMC maintains a detailed record of each service request that it receives and the appraiser that performs the residential real estate appraisal services for the AMC.
3. An application fee in the amount of One Thousand Five Hundred Dollars (\$1,500.00) shall be submitted with the application.

4. The application must be accompanied by a surety bond with the Board in the amount of Twenty Thousand Dollars \$20,000.00. The bond shall be payable to the State of Mississippi for the use, benefit and indemnity of any person who suffers any damage or loss as a result of the appraisal management company's breach of contract or of any obligation arising therefrom or any violation of law. Any claims reducing the face amount of the bond must be restored at the time of annual renewal.
5. Applicants not domiciled in this state shall complete an Irrevocable Uniform Consent to Service of Process.
6. Applicant shall provide any other information required by the Board deemed reasonably necessary for the implementation and administration of the statutes and rules.

Source: Miss. Code Ann. §§ 73-34-13, 73-34-103 (1), (2), (4) & 73-34-107 (Rev. 2012).

Rule 2.3 Designated Officer

1. Each AMC applying for registration shall designate one (1) controlling person who is an employee of the AMC as its Designated Officer. The Designated Officer shall be the AMC's designated contact for all communications between the Board and the AMC.
2. The Designated Officer shall be authorized by the AMC to act on its behalf for the purpose of the application for and compliance with a Certificate of Registration to operate as an AMC. The Designated Officer shall be responsible for the supervision and control of activities conducted on behalf of the AMC by its officers and employees as necessary to secure full compliance with the provisions of the Board's laws, rules and regulations.
3. The Designated Officer shall:
 - (a) Be authorized by the AMC to enter into a contractual relationship with other persons for the performance of services requiring registration as an AMC and have the authority to enter into agreements with appraisers for the performance of appraisals;
 - (b) Possess the power to direct or cause the direction of the management or policies of the AMC.

Source: Miss. Code Ann. § 73-34-111, 73-34-3(q), (ii), (iii) & 73-34-9(l) (Rev. 2012).

Rule 2.4 Renewal Process

1. Certificates of Registration may be renewed for a period of one (1) year.
2. To obtain renewal of any registration, the holder of a current, valid registration shall file an application for renewal on the Board's prescribed form no earlier than one hundred twenty (120) days nor later than the expiration date of the registration then held.

3. The application for renewal of a Certificate of Registration of an AMC shall include substantially similar information as required for initial registration. The applicant shall fully and accurately report all information and submit all documentation required by the application and the Board.
4. The One Thousand Five Hundred Dollars (\$1,500.00) renewal fee and the applicable National Registry Fee shall be submitted with the application for renewal.
5. Registrants may renew expired Certificates of Registration up to sixty days following expiration of the registration by satisfying all of the requirements for renewal and filing an application for renewal, accompanied by the 100% delinquent renewal fee, within sixty (60) days of the date that the registration expired.
6. After a Certificate of Registration has been expired for a period of time in excess of the above sixty (60) days, the Certificates of Registration may not be renewed. In order to acquire a Certificate of Registration, an AMC shall reapply as if applying for the initial registration.

Source: Miss. Code Ann. §§ 73-34-13, 73-34-25, 73-34-27, 73-34-45(2), 73-34-103(4) (Rev. 2012).

Rule 2.5 Fee Schedule

1. The fees required of all AMCs for initial registration or renewing a registration under the Mississippi Appraisal Management Registration Act are set forth below.
2. The MAB shall charge and collect fees as follows:
 - (a) Certificate of Registration (Initial Registration and Renewal) \$1,500.00
 - (b) Delinquent Renewal Fee (100% penalty) \$1,500.00
 - (c) Dishonored Check Fee costs of collection plus \$25.00
3. AMC National Registry. Pursuant to Miss. Code Ann. §73-34-45 (3), MAB shall charge and collect a National Registry Fee in such amount as may be assessed by the Appraisal Subcommittee for all AMCs holding a Certificate of Registration in the State of Mississippi. Said fees shall be transmitted by the Board to the Appraisal Subcommittee.

Source: Miss. Code Ann. §§ 73-34-45(1), (2), (3) (Rev. 2019) 73-34-27 & 73-34-9(2)(j) (Rev. 2012).

Rule 2.6 Change of Information

1. All applicants for and holders of an AMC Certificate of Registration and their Designated Officer shall, within ten (10) days, submit written notice to MAB of any change to the following:
 - (a) Name;
 - (b) Residence address;
 - (c) Business name;
 - (d) Business address,
 - (e) Business telephone number, or
 - (f) Mailing address, if different than above.
2. Registrants shall report in writing any changes of an agent for service of process, a Designated Officer, and Controlling Person, including any changes to the percentage(s) of ownership, within ten (10) days of the effective date of any such change.
3. The business name, address and telephone number shall be considered the applicant's or registrant's address and the telephone number of records for all purposes unless otherwise requested in writing by the applicant or registrant. If no business address is provided, the mailing address shall be the latest address of record and on file with the MAB.

Source: Miss. Code Ann. §§ 73-34-103 & 73-34-111 (Rev. 2012).

Rule 2.7 Background Investigations.

1. Each owner of more than ten percent (10%) of an AMC shall be of good moral character as determined by the MAB pursuant to Miss. Code Ann. § 73-34-109(b), and shall submit to a background investigation authorized by the Board.
2. Background investigations shall be conducted by a law enforcement agency or entity authorized by the Board and shall be conducted at the applicant's expense. The Board shall conduct searches for participating state AMC registration and licensing checks through the National Registry, or other venues as directed by the Board. Statewide criminal background checks are to be initiated by the applicant with the results to be sent directly to the Board.

Source: Miss. Code Ann. § 73-34-109(1)(b), (2) (Rev. 2012).

Rule 2.8 Bookkeeping Provisions.

1. Each registrant shall maintain records as follows:
 - (a) detailed record of each service request that it receives for appraisal of real property located in Mississippi, which shall include, but is not limited to:
 - i. a copy of the letter of engagement between the registrant and the appraiser;
 - ii. a copy of each appraisal report received from an appraiser, including the original report, any revised reports, and any addenda or other materials furnished subsequent to the delivery of the original report;
 - iii. copies of all correspondence between the appraiser and the registrant and any other entity involved in the transaction;
 - iv. a copy of the letter of engagement engaging another appraiser for the purpose of reviewing the appraisal;
 - v. a copy of any review of the appraisal performed, including the original review report, subsequent correspondence between the reviewer and registrant, and each subsequent revised review report;
 - vi. a copy of the request received from the registrant's client, all documentation supplied to that client, all correspondence between client and registrant; and
 - vii. a record of fees disbursed to contracted appraisers and the fee received by the registrant from the registrant's client.
 - (b) Copies of all appraiser fee schedules maintained and used by the registrant for the purpose of compliance with the provisions of the Truth in Lending Act (TILA) relating to reasonable and customary fees, which shall include evidence for such fees required by TILA. Such fee schedules shall include the beginning and ending effective dates for the document.
 - (c) Copies of rosters of appraiser fee panels used for assignments in Mississippi including the name of the appraiser, each appraiser's Mississippi credential number, the date the appraiser was placed on the panel and the date and reason the appraiser was removed from the panel.
2. Registrants shall maintain the records set forth above for a period of five (5) years, after an appraisal is completed or two (2) years after final disposition of a judicial proceeding related to the assignment, whichever expires later as required by Miss. Code Ann. § 73-34-119.

3. Registrants shall produce for inspection and copying by the MAB, any record required to be maintained herein or under the provisions of the of the Board's laws, rules and regulations, on receipt of reasonable notice by registrant. Reasonable notice shall be taken to mean not later than seven (7) working days following receipt of any such request by a Designated Officer.

Source: Miss. Code Ann. §§ 73-34-103 (k) & 73-34-119 (Rev. 2012).

Rule 2.9 Annual Certifications.

Each AMC shall certify on an annual basis:

1. That it has systems in place to verify that:
 - (a) An individual on the appraiser panel has not had a license or certification as an appraiser refused, denied, cancelled, revoked or surrendered in lieu of a pending revocation in the previous twelve (12) months; and
 - (b) Only licensed or certified appraisers are used to complete appraisal assignments in connection with federally related transactions.
2. That it requires appraisers completing appraisals at its request to comply with the Uniform Standards of Professional Appraisal Practice (USPAP), including the requirements for geographic and product competence.
3. That it has a system in place to require that appraisals are conducted independently and free from inappropriate influence and coercion as required by the appraisal independence standards established under Section 129E of the Truth in Lending Act, including the requirement that fee appraisers be compensated at a customary and reasonable rate when the AMC is providing services for a consumer credit transaction secured by the principal dwelling of a consumer.
4. That it has a system in place requiring payment to an independent contract appraiser for the completion of an appraiser service within thirty (30) days after the appraiser provides the completed appraisal report to the AMC, except in cases involving a bona fide breach of contract, substandard performance of services, or alternate payments terms agreed upon by the appraiser and the AMC.
5. The AMC shall not prohibit an appraiser from reporting the fee paid to the appraiser in the body of the appraisal report, however the AMC may require an appraiser to present any such disclosure in a specified format and location.
6. That it maintains a detailed record of each service request that it receives and the appraiser that performs the appraisal for the AMC.

Source: Miss. Code Ann. §§ 73-34-113(3), 73-34-117 (Rev. 2019) & 73-34-119 (Rev. 2012).

Rule 2.10: Violations of Employees, Partners, Directors, Officers or Agents of an AMC.

It shall be a violation of Sections 73-34-101 through 73-34-131 of the Board's laws for any employee, partner, director, officer or agent of an AMC to:

1. Influence or attempt to influence the development, reporting, result or review of an appraisal through coercion, extortion, collusion, compensation, inducement, intimidation, bribery or in any other manner, including, but not limited to:
 - (a) Withholding or threatening to withhold timely payment or partial payment for an appraisal with the exception of a substandard or noncompliant appraisal;
 - (b) Withholding or threatening to withhold future business from an appraiser, or demoting, terminating or threatening to demote or terminate an appraiser;
 - (c) Promising or implying that an appraiser may be given opportunities for future business, promotions or increased compensation;
 - (d) Conditioning an assignment of an appraisal or the payment of an appraisal fee or salary or bonus on the opinion, conclusion or valuation to be reached, or on a preliminary estimate or opinion requested from an appraiser;
 - (e) Requesting that an appraiser provide an estimated, predetermined or desired valuation in an appraisal, or provide estimated values or comparable sales at any time prior to the appraiser's completion of an appraisal;
 - (f) Providing to an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or target amount to be loaned to the borrower, except that a copy of the sales contract for purchase transactions may be provided; and
 - (g) Requiring an appraiser to prepare an appraisal report if the appraiser has indicated to the AMC that he or she does not have the necessary expertise for the specific geographic area;
2. Require an appraiser to indemnify the AMC against liability, damages, losses or claims other than those liabilities, damages, losses or claims arising out of the services performed by the appraiser, including performance or nonperformance of the appraiser's duties and obligations, whether as a result of negligence or willful misconduct;
3. Submit or attempt to submit false, misleading or inaccurate information in any application for registration or renewal;
4. Fail to timely respond to any subpoena or any other legally binding request for information.
5. Fail to timely obey a lawful administrative order of the Board; or

6. Fail to fully cooperate in any Board investigation.

Source: Miss. Code Ann. §§ 73-34-113(3), 73-34-117 & 73-34-119 (Rev. 2012).

Rule 2.11 Removal of Appraisers from AMC Appraiser Panel.

1. Notice.
 - (a) Notwithstanding any provision of Miss. Code Ann. §73-34-129, an AMC may not remove an appraiser from its appraiser panel, or otherwise refuse to assign requests for real estate appraisal services to an appraiser without written notice to the appraiser stating the reasons why the appraiser is being removed from the appraiser panel.
 - (b) If the appraiser is being removed from the panel for illegal conduct, violation of USPAP, or a violation of state licensing standards, the written notice should notify the appraiser of the nature of the alleged conduct or violation; and
 - (c) The notice must provide an opportunity for the appraiser to respond to the notice.
2. Decision - The decision to remove the appraiser shall be in writing and shall contain the reason(s) and the basis for the removal.
3. Service of Notice and Decision - The AMC shall send both the written notice and decision to the appraiser by certified mail, return receipt requested.
4. Complaint for Review of AMC's Decision
 - (a) An appraiser who is removed from the appraiser panel of an AMC for alleged illegal conduct, violation of USPAP, or a violation of state licensing standards, may file with the Board a Complaint for review of the AMC's decision.
 - (b) If an appraiser files a Complaint, it shall be filed with the Board within twenty (20) days of the appraiser's receipt of the AMC decision.
 - (c) The scope of the Board's review of the AMC decision is limited to determining whether the AMC has complied with the notice requirements; and whether illegal conduct, a violation of USPAP, or a violation of state licensing standards has occurred.
 - (d) Adjudication of a Complaint for review of an AMC 's decision to remove an appraiser from an appraiser panel shall be conducted in accordance with Miss. Code Ann. §73-34-131.
 - (e) If after opportunity for hearing and review, the Board determines that an AMC acted improperly in removing the appraiser from the appraiser panel, or that the appraiser did not commit a violation of law, a violation of USPAP, or a violation of state licensing standards, the Board shall:

- (i) Provide written findings to the involved parties;
- (ii) Provide an opportunity for the AMC/or the appraiser to respond to the findings; and
- (iii) Make recommendations for action.

Source: Miss. Code Ann. §§ 73-34-129 & 73-34-131 (Rev. 2012); §73-34-59 (Rev. 2019).

Part 1502 Chapter 3: Disciplinary Authority, Complaints & Proceedings

Rule 3.1 Grounds for Disciplinary Action:

1. In accordance with the laws of this state, and to the extent permitted by any applicable federal legislation or regulation, the Board may censure an AMC, conditionally or unconditionally suspend or revoke any registration issued, or deny renewal of any registration issued, or levy fines or impose civil penalties not to exceed Five Thousand Dollars (\$5,000.00), if after appropriate investigation the Board concludes that an AMC is attempting to perform, has performed, or has attempted to perform any of the following acts:
 - (a) Committed any act in violation of the Board's laws;
 - (b) Violated any rule or regulation adopted by the Board in the interest of the public and consistent with the provisions of the Board's laws; or
 - (c) Procured a registration for itself or any other person by fraud, misrepresentation or deceit.
2. The Board may also deny issuance of a registration to an applicant on any of the grounds set forth above.

Source: Miss. Code Ann. §§ 73-34-35(2), 73-34-29 & 73-34-41 (Rev. 2012).

Rule 3.2 Complaints:

1. A complaint may be filed with the Board alleging that an AMC, an employee, partner, officer or agent of the AMC has committed a violation of the Board's laws and/or rules and regulations. The complaint must be in writing, signed by the complainant and contain facts to support each allegation of violation. Documents and evidence in support of the complaint should be submitted with the complaint.
2. Upon receipt of a complaint:

- (a) The Board staff shall assign the complaint a case number;
 - (b) If it is determined at any time that the complaint is not within the Board's jurisdiction or that no violation exists, a recommendation will be made to the Board to dismiss the complaint.
 - (c) A written notice and copy of the complaint shall be sent to the AMC advising of the allegations and a request made for the AMC to submit a response within twenty (20) days of the receipt of the notice.
 - (d) The response shall include the following:
 - (i) A written response to the complaint, addressing each and every element thereof;
 - (ii) A copy of all requested records and any other relevant records; and
 - (iii) A list of any and all persons known to the registrant to have actual knowledge of any of the matters made the subject of the complaint and, contact information, if known.
3. Upon timely receipt of the AMC's response or after the twenty (20) day response period, the Board will proceed with the investigation.
4. The Board may also commence an investigation on its own initiative.

Source: Miss. Code Ann. § 73-34-41 (Rev. 2012).

Rule 3.3 Adjudicatory & Disciplinary Proceedings.

- 1. If an investigation or information indicates that an AMC has committed a violation of the Board's laws and/or rules and regulations, adjudicatory and disciplinary proceedings may be initiated.
- 2. Before censuring any registrant, or suspending or revoking any registration the Board shall:
 - (a) Notify the registrant in a Notice of Hearing and Complaint of any charges made at least twenty (20) days before the date set for the hearing; and
 - (b) Afford the registrant an opportunity to be heard in person or by counsel.
- 3. The Notice of Hearing and Complaint shall be:
 - (a) Sent by certified mail, return receipt requested to the Designated Officer of the registrant to the registrant's business address or last address on file with the Board; or

- (b) Personal service on the Designated Officer of the registrant or the registrant's agent for service of process in this state.
4. The Notice of Hearing and Complaint shall include, among other things, the date, time and place of the hearing.
 5. The hearing may be rescheduled by the Board Administrator at a different time or date with proper written notice of such change given to all parties. Prehearing motions, including motions to dismiss and motions for continuance must be filed in the administrative office of the Board not less than ten (10) days prior to the date of the hearing.
 6. The Board, upon compliance with the Board's laws relating to procedural requirements and administrative hearings, may also deny issuance of a registration to an applicant on any of the grounds provided by law.
 7. Administrative hearings shall be conducted by a Hearing Officer appointed by the Board. The Hearing Officer shall preside at the hearing and rule on questions of evidence and procedure.
 8. Administrative Hearings shall be open to the public. Witnesses may be excluded upon proper invocation of the witness exclusion rule.
 9. At the conclusion of the hearing, the Board shall issue a decision and order containing the Findings of Fact, Conclusions of Law and any disciplinary action determined by the Board. This decision and order shall be mailed or delivered to the registrant.
 10. Board members who have provide technical assistance in an investigation shall recuse themselves and not participate in any administrative hearing that results from such investigation.

Source: Miss. Code Ann. §§ 73-34-9(2)(b),(d), 73-34-29, 73-34-35, 73-34-41, 73-34-43 & 73-34-131 (Rev. 2012).

Rule 3.4 Appeals

The decision and order of the Board may be appealed in accordance with the applicable statutes.

Source: Miss. Code Ann. § 73-34-43 (Rev. 2012).

Part 1502 Chapter 4: AMC National Registry

Rule 4.1 Requirements for the National Registry.

1. On or after June 1, 2020, the Board will implement its program pursuant to authority of Miss. Code Ann. §73-34-45(3) for collection and submission of the information required by the ASC to maintain the AMC Registry of Appraisal Management Companies (AMCs) that are required to be registered with the State of Mississippi.

(a) The Board will transmit to the ASC reports on a timely basis of supervisory activities involving AMCs registered to conduct business in Mississippi, including reports of investigations resulting in disciplinary actions taken.

(i) All disciplinary actions imposed by the Board upon an AMC registered in this state will be reported to the National Registry maintained within five (5) business days after the disciplinary action has become final pursuant to applicable Mississippi law.

(ii) Any disciplinary action that interrupts the ability of an AMC to provide appraisal management services pursuant to state or federal law or regulation will result in the immediate status change to “inactive” on the National Registry.

(iii) The Board will report to the ASC as soon as practicable following receipt of notice that an AMC is no longer registered with or conducting business in Mississippi.

(b) The Board will collect and transmit to the ASC the AMC National Registry fee as may be set by the ASC for each AMC registered to conduct business in Mississippi.

Rule 4.2 Registry Fee

1. On an annual basis, the Board shall transmit to the ASC the National Registry fee required by the ASC for appraisal management companies registered to conduct business in Mississippi.
2. On form(s) provided by the Board, each AMC registering for or renewing registration to conduct business in this state shall provide information necessary for the calculation of the applicable AMC National Registry fee.

Rule 4.3 Authorized Registry Official.

1. For purposes of access to AMC National Registry data, the Administrator of the Mississippi Real Estate Commission is designated as the Authorized Registry Official (ARO).
2. Pursuant to written policy established by the Board, the Authorized Registry Official (ARO) shall maintain procedures for access to any non-public or restricted national registry information. Such policy and procedures shall identify any individual authorized to act on behalf of the ARO and procedures to protect registry database credentials required for access to any non-public or restricted national registry information.

Title 30: Professions and Occupations

Part 1503: Oral Proceedings & Declaratory Opinions

Part 1503 Chapter 1: Oral Proceedings

Rule 1.1 Scope.

These rules apply to all oral proceedings held for the purpose of providing the public with an opportunity to make oral presentations on proposed new rules and amendments to rules before the Mississippi Real Estate Appraiser Licensing and Certification Board (Board).

Source: Miss. Code Ann. § 25-43-3.104 (Rev. 2010).

Rule 1.2 When Oral Proceedings will be scheduled on Proposed Rules.

The Board will conduct an oral proceeding on a proposed rule or amendment if requested by a political subdivision, an agency or ten (10) persons in writing within twenty (20) days after the filing of the notice of the proposed rule.

Source: Miss. Code Ann. § 25-43-3.104 (Rev. 2010).

Rule 1.3 Request Format.

Each request must be printed or typewritten, or must be in legible handwriting. Each request must be submitted on standard business letter-size paper (8 1/2 inches by 11 inches). Requests may be in the form of a letter addressed to the Board and signed by the requestor(s).

Source: Miss. Code Ann. § 25-43-3.104 (Rev. 2010).

Rule 1.4 Notification of Oral Proceeding.

The date, time and place of all oral proceedings shall be filed with the Secretary of State's office and mailed to each requestor. The oral proceedings will be scheduled no earlier than twenty (20) days from the filing of this information with the Secretary of State.

Source: Miss. Code Ann. § 25-43-3.104 (Rev. 2010).

Rule 1.5 Presiding Officer.

The Board Administrator or his designee, who is familiar with the substance of the proposed rule, shall preside at the oral proceeding on a proposed rule.

Source: Miss. Code Ann. § 25-43-3.104 (Rev. 2010).

Rule 1.6 Public Presentation and Participation.

1. At an oral proceeding on a proposed rule, persons may make oral statements and make documentary and physical submissions, which may include data, views, comments or arguments concerning the proposed rule.

2. Persons wishing to make oral presentations at such a proceeding shall notify the Board at least one business day prior to the proceeding and indicate the general subject of their presentations. The presiding officer in his or her discretion may allow individuals to participate that have not previously contacted the Board.
3. At the proceeding, those who participate shall indicate their names and addresses, identify any persons or organizations they may represent, and provide any other information relating to their participation deemed appropriate by the presiding officer.
4. The presiding officer may place time limitations on individual oral presentations when necessary to assure the orderly and expeditious conduct of the oral proceeding. To encourage joint oral presentations and to avoid repetition, additional time may be provided for persons whose presentations represent the views of other individuals as well as their own views.
5. Persons making oral presentations are encouraged to avoid restating matters that have already been submitted in writing.
6. There shall be no interruption of a participant who has been given the floor by the presiding officer, except that the presiding officer may in his or her discretion interrupt or end the participant's time where the orderly conduct of the proceeding so requires.

Source: Miss. Code Ann. § 25-43-3.104 (Rev. 2010).

Rule 1.7 Conduct of Oral Proceeding.

1. Presiding Officer - The presiding officer shall have authority to conduct the proceeding in his or her discretion for the orderly conduct of the proceeding. The presiding officer shall:
 - (a) call proceeding to order;
 - (b) give a brief synopsis of the proposed rule, a statement of the statutory authority for the proposed rule, and the reasons provided by the Board for the proposed rule;
 - (c) call on those individuals who have contacted the Board about speaking on or against the proposed rule;
 - (d) allow for rebuttal statements following all participant's comments; and
 - (e) adjourn the proceeding.
2. Questions. - The presiding officer, where time permits and to facilitate the exchange of information, may open the floor to questions or general discussion. The presiding officer may question participants and permit the questioning of participants by other participants about any matter relating to that rule-making proceeding, including any prior written

submissions made by those participants in that proceeding; but no participant shall be required to answer any question.

3. **Physical and Documentary Submissions.** - Submissions presented by participants in an oral proceeding shall be submitted to the presiding officer. Such submissions become the property of the Board and are subject to the Board's public records request procedure.
4. **Recording.** - The Board may record oral proceedings by stenographic or electronic means.

Source: Miss. Code Ann. § 25-43-3.104 (Rev. 2010).

Part 1503 Chapter 2: Declaratory Opinions

Rule 2.1 Scope.

These rules set forth the Mississippi Real Estate Appraiser Licensing and Certification Board's (Board) rules governing the form, content and filing of requests for declaratory opinions, and the Board's procedures regarding the requests. These rules are intended to supplement and be read in conjunction with the provisions of the Mississippi Administrative Procedures Law, which may contain additional information regarding the issuance of declaratory opinions. In the event of any conflict between these rules and the Mississippi Administrative Procedures Law, the latter shall govern.

Source: Miss. Code Ann. § 25-43-2-103 (Rev. 2010).

Rule 2.2. Persons Who May Request Declaratory Opinions.

Any person with a substantial interest in the subject matter may request a declaratory opinion from the Board by following the specified procedures. A substantial interest in the subject matter means: an individual, business, group or other entity that is directly affected by the Board's administration of the laws within its primary jurisdiction. Primary jurisdiction of the agency means the agency has a constitutional or statutory grant of authority in the subject matter at issue.

Source: Miss. Code Ann. § 25-43-2-103 (Rev. 2010).

Rule 2.3 Subjects Which May Be Addressed in Declaratory Opinions.

The Board will issue declaratory opinions regarding the applicability to specified facts of: (1) a statute administered or enforced by the Board or (2) a rule promulgated by the Board. The Board will not issue a declaratory opinion a statute or rule which is outside the primary jurisdiction of the Board.

Source: Miss. Code Ann. § 25-43-2-103 (Rev. 2010).

Rule 2.4 Circumstances In Which Declaratory Opinions Will Not Be Issued.

The Board may, for good cause, refuse to issue, a declaratory opinion. The circumstances in which declaratory opinions will not be issued include, but are not necessarily limited to:

1. Lack of clarity concerning the question presented;
2. There is pending or anticipated litigation, administrative action, or other adjudication which may either answer the question presented by the request or otherwise make an answer unnecessary;
3. The statute or rule on which a declaratory opinion is sought is clear and not in need of interpretation to answer the question presented by the request;
4. The facts presented in the request are not sufficient to answer the question presented;
5. The request fails to contain information required by these rules or the requestor failed to follow the procedure set forth in these rules;
6. The request seeks to resolve issues which have become moot, or are abstract or hypothetical such that the requestor is not substantially affected by the statute or rule on which a declaratory opinion is sought;
7. No controversy exists concerning the issue as the requestor is not faced with existing facts or those certain to arise which raise a question concerning the application of the statute or rule;
8. The question presented by the request concerns the legal validity of a statute or rule;
9. The request is not based upon facts calculated to aid in the planning of future conduct but is, instead, based on past conduct in an effort to establish the effect of that conduct;
10. No clear answer is determinable;
11. The question presented by the request involves the application of a criminal statute or a set of facts which may constitute a crime;
12. The answer to the question presented would require the disclosure of information which is privileged or otherwise protected by law from disclosure;
13. The question is currently the subject of an Attorney General's opinion request or has been answered by an Attorney General's Opinion;
14. A similar request is pending before this agency or any other agency or a proceeding is pending on the same subject matter before any agency, administrative or judicial tribunal, or where such an opinion would constitute the unauthorized practice of law;

15. Where issuance of a declaratory opinion may adversely affect the interests of the State, the Board or any of their officers or employees in any litigation which is pending or may reasonably be expected to arise;
16. The question involves eligibility for a license, permit, certificate or other approval by the Board or some other agency, and there is a statutory or regulatory application process by which eligibility for said license, permit, certificate or other approval would be determined.

Source: Miss. Code Ann. § 25-43-2-103 (Rev. 2010).

Rule 2.5 Written Request Required.

Each request must be printed or typewritten, or must be in legible handwriting. Each request must be submitted on standard business letter-size paper (8 1/2 inches by 11 inches). Requests may be in the form of a letter addressed to the Board.

Source: Miss. Code Ann. § 25-43-2-103 (Rev. 2010).

Rule 2.6 Where to Send Requests.

All requests must be sent to the Board Administrator, The Mississippi Real Estate Appraiser Licensing and Certification Board: (1) by mail at P.O. Box 12685, Jackson, MS 39236; or (2) delivered to 2506 Lakeland Drive, Suite 300, Flowood, MS 39232; or (3) sent via facsimile to (601) 932-2990. All requests must be sent to the attention of Declaratory Opinion Request as follows:
ATTN: DECLARATORY OPINION REQUEST

Source: Miss. Code Ann. § 25-43-2-103 (Rev. 2010).

Rule 2.7 Name, Address, and Signature of Requestor.

Each request must include the full name, telephone number and mailing address of the requestor. All requests shall be signed by the person filing the request, who shall attest that the request complies with the requirements set forth in these rules, including but not limited to a full, complete and accurate statement of relevant facts and that there are no related proceedings pending before any other administrative or judicial tribunal.

Source: Miss. Code Ann. § 25-43-2-103 (Rev. 2010).

Rule 2.8 Question Presented.

Each request shall contain the following:

1. A clear and concise statement of all facts on which the opinion is requested;
2. A citation to the statute or rule at issue;
3. The question(s) sought to be answered in the opinion, stated clearly;

4. A suggested proposed opinion from the requestor, stating the answers desired by petitioner and a summary of the reasons in support of those answers;
5. The identity of all other known persons involved in or impacted by the described factual situation, including their relationship to the facts, name, mailing address and telephone number; and
6. A statement to show that the person seeking the opinion has a substantial interest in the subject matter.

Source: Miss. Code Ann. § 25-43-2-103 (Rev. 2010).

Rule 2.9 Time for Board Response.

Within forty-five (45) days after the receipt of a request for a declaratory opinion which complies with the requirements of these rules, the Board shall, in writing:

1. Issue a declaratory opinion regarding the specified statute or rule as applied to the specified circumstances;
2. Decline to issue a declaratory opinion, stating the reasons for its action; or
3. Agree to issue a declaratory opinion by a specified time but not later than ninety (90) days after receipt of the written request.
4. The forty-five (45) day period shall begin running on the first State of Mississippi business day on or after the request is received the Board, whichever is sooner.

Source: Miss. Code Ann. § 25-43-2-103 (Rev. 2010).

Rule 2.10 Opinion Not Final for Sixty Days.

A declaratory opinion shall not become final until the expiration of sixty (60) days after the issuance of the opinion. Prior to the expiration of sixty (60) days, the Board may, in its discretion, withdraw or amend the declaratory opinion for any reason which is not arbitrary or capricious. Reasons for withdrawing or amending an opinion include, but are not limited to, a determination that the request failed to meet the requirements of these rules or that the opinion issued contains a legal or factual error.

Source: Miss. Code Ann. § 25-43-2-103 (Rev. 2010).

Rule 2.11 Notice by Board to third parties.

The Board may give notice to any person, agency or entity that a declaratory opinion has been requested, and may receive and consider data, facts arguments and opinions from other persons, agencies or other entities other than the requestor.

Source: Miss. Code Ann. § 25-43-2-103 (Rev. 2010).

Rule 2.12 Public Availability of Requests and Declaratory Opinions.

Declaratory opinions and requests for declaratory opinions shall be available for public inspection and copying in accordance with the Public Records Act and the Board's public records request procedure. All declaratory opinions and requests shall be indexed by name and subject. Declaratory opinions and requests which contain information which is confidential or exempt from disclosure under the Mississippi Public Records Act or other laws shall be exempt from this requirement and shall remain confidential.

Source: Miss. Code Ann. § 25-43-2-103 (Rev. 2010).

Rule 2.13 Effect of a Declaratory Opinion.

The Board will not pursue any civil, criminal or administrative action against a person who is issued a declaratory opinion from the Board and who, in good faith, follows the direction of the opinion and acts in accordance therewith unless a court of competent jurisdiction holds that the opinion is manifestly wrong. Any declaratory opinion rendered by the Board shall be binding only on the Mississippi Real Estate Appraiser Licensing and Certification Board and the person to whom the opinion is issued. No declaratory opinion will be used as precedent for any other transaction or occurrence beyond that set forth by the requesting person.

Source: Miss. Code Ann. § 25-43-2-103 (Rev. 2010).

Title 30: Professions and Occupations

Part 1504 Chapter 1: Board Organization

Rule 1.1 Members.

1. There is hereby established, as an adjunct board to the Mississippi Real Estate Commission, a Board to be known as the Mississippi Real Estate Appraiser Licensing and Certification Board, which shall consist of six (6) members. Five (5) members shall be appointed by the Governor, with the advice and consent of the Senate, one (1) from each Congressional District as such District existed on July 1, 2004 and one (1) from the state at large; and the Administrator of the Mississippi Real Estate Commission shall be an ex officio, non-voting member.
2. At least three (3) members shall be certified general real estate appraisers or at least two (2) members shall be certified general real estate appraisers and one member may be a certified residential real estate appraiser. Not more than two (2) positions on the board shall be filled with appointees who hold membership in the same professional appraisal organization. Upon the expiration of a member's term, such member shall continue to

serve until the appointment and qualification of a successor. No person shall be appointed as a member of the board for more than two (2) consecutive terms.

3. A quorum of the board shall be three (3) voting members with at least one (1) present being a licensed certified general real estate appraiser or a certified residential real estate appraiser. The board shall elect a chairman and such other officers as it deems necessary. Such officers shall serve as such for terms established by the board.

Source: Miss. Code Ann. § 73-34-7