

This is an amendment to 16.62.8 Sections 3, 8, 9 and 14 effective 9/26/2023

**16.62.8.3 STATUTORY AUTHORITY:** ~~[This part is promulgated pursuant to the real estate appraisers board, Sections 61-30-7, 10, 11, 13 and 14 NMSA 1978 as amended.]~~ These rules are promulgated pursuant to the Real Estate Appraisers Act, Section 61-30-1 to Section 61-30-24, NMSA 1978. [3/14/00; 16.62.8.3 NMAC - Rn, 16 NMAC 62.8.3, 09/13/2004; A, 09/26/2023]

**16.62.8.8 ACCEPTABLE COURSEWORK:**

**A.** All coursework for original trainee registration, licensing and certification shall be given in 15-hour segments and have an examination administered at the end of the course.

**B.** Successful completion of the examination is a requirement to submit the course for original trainee registration, licensure or certification credit.

**C.** Courses taken in satisfying the qualifying education requirements shall not be repetitive in nature. Each course credited toward the required number of qualifying education hours shall represent a progression in which the appraiser's knowledge is increased.

[3/14/00; 16.62.8.8 NMAC - Rn, 16 NMAC 62.8.8, 09/13/2004; A, 11/25/06; A, 01/01/2015; A, 09/26/2023]

**16.62.8.9 RELEVANCE OF COURSEWORK:** All coursework for original trainee, licensing or certification shall be in courses closely related to real estate appraisal. The board will not accept an applicant's completion of a course of a kind, which is designed to prepare students for examination, commonly known as a "cram course". All real estate appraisal coursework credited toward original trainee, shall have been completed no more than five years prior to the date of the application filed with the board. ~~[Licensure or certification shall have been completed no more than 10 years prior to the date of the application filed with the board.]~~

[3/14/00; 16.62.8.9 NMAC - Rn & A, 16 NMAC 62.8.9, 09/13/2004; A, 11/25/06; A, 01/01/2015; A, 01/15/2017; A, 09/26/2023]

**16.62.8.14 APPROVAL OF SPONSORS:** The board may approve individuals or organizations as course sponsors. Colleges and universities offering credit courses in real estate appraisal are also considered approved sponsors.

**A.** Requests for approval must be made on board approved forms and include ~~[a data storage device (CD or USB) containing]~~ an outline and a code of conduct for instructors.

**B.** The instructor selection and retention policy will include, at a minimum, the following requirements:

(1) instructors of qualifying education courses must be licensed by exam or certified at the same or a higher category than the level of classes they are engaged to teach.

(2) instructors engaged to teach the national uniform standards of professional appraisal practice (USPAP) course must qualify under the instructor evaluation policy for instructor selection for the national USPAP course developed by the appraisal foundation;

(3) instructors must teach only the appraisal foundation-approved national uniform standards of professional appraisal practice (USPAP) course;

(4) student critiques must be requested and maintained for each class given;

(5) a summary of the critiques and the pass rate of the class must be submitted to the board within 30 days after the course is completed;

(6) the sponsor shall provide a procedure for periodic monitoring of instructors in the classroom setting along with the sponsor application.

**C.** Approved sponsors shall comply with the following requirements to maintain approved status; the school must be conducted in accordance with these rules:

(1) to permit the board or its representative access to the school or classes being conducted and to make available to the board, upon request, all information pertaining to the activities of the school required for the administration of the rules and regulations, including its financial condition;

(2) to advertise the school at all times in a form and manner free from misrepresentation, deception or fraud;

- (3) assure that all representations made by anyone authorized by the school to act as its agent or solicitor for prospective students are free from misrepresentation, deception or fraud;
- (4) to maintain current, complete, and accurate student records and instructor critiques or summaries which shall be accessible at all times to the board or its authorized representative; these records shall include, in addition to other information, a record of payments made, a record of attendance, and a record of units of work completed;
- (5) to conduct all courses in accordance with outlines submitted to and approved by the board;
- (6) to only certify course completion for students who have successfully taken and passed the course; credit cannot be given for students who pass a course by challenging the course;
- (7) sponsors will be subject to renewal of approval every three years or on a renewal period as determined by the AQB expiration date; the board assumes no responsibility for renewal courses not received from the sponsor for any reason; it is the sponsor's responsibility to make timely request(s) for the renewal of course(s) for board approval;
- (8) sponsors must assure that all instructors:
  - (a) conduct all classes in accordance with board rules;
  - (b) ensure that all instruction is free from misrepresentation;
  - (c) instruct only from board-approved outlines;
  - (d) allow access to any class being instructed to any duly appointed representative of the board; and
  - (e) certify to his/her sponsor a true and correct record of students' attendance in his/her classes;
- (9) failure to comply with this rule may result in the loss of approval of the sponsor; and
- (10) the board reserves the right to disapprove an instructor.

**D.** Sponsors may also be approved for seminars, conferences and one-time courses. Approval is limited to the dates of the course and may not be renewed.

[3/14/00; 16.62.8.14 NMAC - Rn, 16 NMAC 62.8.14, 09/13/2004; A, 11/25/2006; A, 01/16/2011; A, 01/01/2015; A, 02/03/2019; A, 09/26/2023]