

R162. Commerce, Real Estate.

R162-2g. Real Estate Appraiser Licensing and Certification Administrative Rules.

R162-2g-302. Application for Trainee Registration.

(1) Registration required.

(a) An individual who intends to obtain a license to practice as a state-licensed appraiser shall first register with the division as a trainee.

(b) The division and the board shall not award or recognize experience hours toward licensure for any appraisal work that is performed by an individual during a period of time when the individual is not registered as a trainee.

(2) Character. An individual registering with the division as a trainee shall evidence honesty, integrity, and truthfulness.

(a) A trainee applicant shall be denied registration for:

(i) a felony that resulted in:

(A) a conviction occurring within five years of the date of application; or

(B) a jail or prison release date falling within five years of the date of application; or

(ii) a misdemeanor involving fraud, misrepresentation, theft, or dishonesty that resulted in:

(A) a conviction occurring within three years of the date of application; or

(B) a jail or prison release date falling within three years of the date of application.

(b) A trainee applicant may be denied registration upon consideration of the following:

(i) criminal convictions and pleas entered at any time prior to the date of application;

(ii) the circumstances that led to any criminal convictions or pleas under consideration;

(iii) past acts related to honesty or moral character, with particular consideration given to any such acts involving the appraisal business;

(iv) dishonest conduct that would be grounds under Utah law for sanctioning an existing licensee;

(v) civil judgments in lawsuits brought on grounds of fraud, misrepresentation, or deceit;

(vi) court findings of fraudulent or deceitful activity in civil lawsuits;

(vii) evidence of non-compliance with court orders or conditions of sentencing;

(viii) evidence of non-compliance with terms of a probation agreement, plea in abeyance, or diversion agreement; and

(ix) failure to pay taxes or child support obligations.

(3) Competency. An individual registering with the division as a trainee shall evidence competency. In evaluating an applicant for competency, the division and board may consider any evidence, including the following:

(a) civil judgments, with particular consideration given to any such judgments involving the appraisal business;

(b) failure to satisfy a civil judgment that has not been discharged in bankruptcy;

(c) the extent and quality of the applicant's training and education in appraisal;

(d) the extent of the applicant's knowledge of the Utah Real Estate Appraiser Licensing and Certification Act;

(e) evidence of disregard for licensing laws;

(f) evidence of drug or alcohol dependency; and

(g) the amount of time that has passed since any incident under consideration.

(4) Pre-licensing education.

(a) Within the five-year period preceding the date of application, an applicant shall successfully complete 75 classroom hours:

- (i) approved by the AQB; and
- (ii)(A) certified by the division pursuant to Subsection R162-2g-307b(1)-(3); or
(B) not required to be certified by the division pursuant to Subsection R162-2g-307b(6).
- (b) The 75 hours of required education shall include:
 - (i) 30 hours of appraisal principles;
 - (ii) 30 hours of appraisal procedures; and
 - (iii) the 15-hour National USPAP course, or its equivalent.
- (c) The 15-hour National USPAP Course or its equivalent may not be accepted by the division as qualifying education unless it is:
 - (i) taught by an instructor who:
 - (A) is a state-certified residential or state-certified general appraiser; and
 - (B) has been certified by the AQB; or
 - (ii) approved as a distance education course by the AQB and International Distance Education Certification Center.
- (d) A person who applies for trainee registration on or after January 1, 2015 shall successfully complete the division-approved Supervisory Appraiser and Appraiser Trainee Course:
 - (i) as taught by a division-approved instructor; and
 - (ii) within the two-year period preceding the date of application.
- (e) Examination. An applicant shall evidence having passed the final examination in all pre-licensing courses.
 - (5) Application to the division. An applicant shall submit the following to the division:
 - (a) a completed application as provided by the division;
 - (b) course completion certificates for the 75 hours of pre-licensing education;
 - (c)(i) two fingerprint cards in a form acceptable to the division; or
(ii) evidence that the applicant's fingerprints have been successfully scanned at a testing center;
 - (d) all court documents related to any past criminal proceeding;
 - (e) complete documentation of any sanction taken against any license in any jurisdiction;
 - (f) a signed letter of waiver authorizing the division to:
 - (i) obtain the fingerprints of the applicant;
 - (ii) review past and present employment records;
 - (iii) review education records; and
 - (iv) conduct a criminal background check;
 - (g) the fee for the criminal background check;
 - (h) the name of the state-certified appraiser(s) with whom the trainee is affiliated;
 - (i) the name and business address of any appraisal entity or government agency with which the trainee is affiliated; and
 - (j) the nonrefundable application fee.
 - (6) Affiliation with certified appraiser(s). Applicants shall affiliate with at least one supervising certified appraiser and evidence that affiliation by:
 - (a) identifying each supervising certified appraiser on a form supplied by the division; and
 - (b) obtaining each supervising certified appraiser's signature on the application.