

Michigan Office of Administrative Hearings and Rules
MOAHR-Rules@michigan.gov

**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

1. Agency Information

Agency name:

Licensing and Regulatory Affairs

Division/Bureau/Office:

Bureau of Professional Licensing

Name of person completing this form:

Dena Marks

Phone number of person completing this form:

517-335-3679

E-mail of person completing this form:

MarksD1@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Elizabeth Arasim

2. Rule Set Information

MOAHR assigned rule set number:

2023-32 LR

Title of proposed rule set:

Real Estate Appraisers – General Rules

3. Purpose for the proposed rules and background:

The rules provide for experience requirements, appraiser prelicensure education, sponsors of appraisal education, continuing education, and standards of conduct.

The proposed changes to the rules are intended to clarify the experience requirements and address any other modifications that arise during the promulgation process.

4. Summary of proposed rules:

The proposed rules include the following modifications: clarify and update language; disallow market analysis as performed by a real estate licensee to count toward the education requirements for licensure; separate the requirements for prelicensure education, prelicensure course approval, and continuing education into separate sections; ensure prelicensure distance education programs are compliant with AQB criteria; clarify the circumstances under which approval for a prelicensure course shall be rescinded; update the AQB criteria for continuing education courses and clarify the number of hours and topics required; and update the transaction limits for a state licensed real estate appraiser to align with federal standards.

5. List names of newspapers in which the notice of public hearing was published and publication dates:

Agency Report to JCAR-Page 2

Flint Journal, April 30, 2024
Grand Rapids Press, April 30, 2024
Mining Journal, May 1, 2024

6. Date of publication of rules and notice of public hearing in Michigan Register:

6/1/2024

7. Date, time, and location of public hearing:

6/4/2024 09:00 AM at UL-5 , 611 W. Ottawa Street, Lansing, Michigan

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=1459>

9. List of the name and title of agency representative(s) who attended the public hearing:

Weston MacIntosh, Departmental Specialist, Bureau of Professional Licensing

10. Persons submitting comments of support:

None.

11. Persons submitting comments of opposition:

None.

12. Persons submitting other comments:

Beth L. Graham, RAA PMN ePRO C2EX PSA AHWD
Martha O'Connor

13. Identify any changes made to the proposed rules based on comments received during the public comment period:

Agency Report to JCAR-Page 3

| | Name & Organization | Comments made at public hearing | Written Comments | Agency Rationale for Rule Change and Description of Change(s) Made | Rule number & citation changed |
|---|--------------------------------|--|---|---|---|
| 1 | Martha O'Connor | | The commenter stated R 339.23203a(5)(a) should be edited to require the licensee to request authorization to supervise additional real estate appraiser trainees using a form provided by the department to simplify the process by having the AQB requirements included on the form and to make it easy for the licensee to understand and complete. | The department expressed no objection and the board agreed with the commenter that making the revision would assist licensees. As revised, R 339.23203a(5)(a) would read as follows: (a) The applicant requests authorization to supervise more than 3 real estate appraiser trainees by submitting a form provided by the department. | R 339.23203a(5)(a) |
| | | | | | |

Agency Report to JCAR-Page 4

| | | | | | |
|---|-----------------|--|---|--|-----------------|
| 2 | Martha O'Connor | | The commenter stated that R 339.23309(5) should be revised to require instructors to provide proof of completion of the most up to date AQB instructor certification program required by the AQB because that would meet the AQB criteria stating that a minimum of "one of the course instructors must be an AQB Certified USPAP Instructor who is also a state certified appraiser in good standing." | The department has no objection to the change and the board agreed with the commenter that the rule should be changed as suggested. As revised, R 339.23309(5) would read as follows: (5) Instructors of USPAP shall provide proof of completion of the most recent AQB instructor certification program as required by the AQB criteria. | R 339.23309 (5) |
|---|-----------------|--|---|--|-----------------|

14.Date report completed:

7/1/2024