

Arizona Administrative Code

Title 4. Professions and Occupations

Chapter 46. Board of Appraisal (Refs & Annos)

Article 1. General Provisions

A.A.C. R4-46-101  
Ariz. Admin. Code R4-46-101

R4-46-101. Definitions

Currentness

The definitions in [A.R.S. §§ 32-3601, 32-3651, and 32-3661](#) apply to this Chapter. Additionally, unless the context otherwise requires, in this Chapter:

“Accredited” means approved by an accrediting agency recognized by the Council for Higher Education Accreditation or the U.S. Secretary of Education.

“AMC” means appraisal management company as defined at [A.R.S. § 32-3661](#).

“Appraisal practice” means valuation services performed by an individual acting as an appraiser, including but not limited to an appraisal or appraisal review.

“Appraiser” means an individual, other than a property tax agent as defined at [A.R.S. § 32-3651](#), registered, licensed, or certified by the Superintendent to complete valuation assignments regarding real estate competently in a manner that is independent, impartial, and objective.

“AQB” means the Appraisal Qualifications Board as defined at [A.R.S. § 32-3601](#).

“Assignment” means the valuation service that an appraiser provides as a consequence of an agreement between the appraiser and a client.

“Classroom education” means appraisal education delivered in a setting where there is no geographical separation between the instructor and student.

“Consent agreement” means a written agreement between the Superintendent and a respondent that concerns disciplinary or remedial action.

“Conviction” means a judgment by any state or federal court of competent jurisdiction in a criminal case, regardless of whether an appeal is pending or could be taken, and includes any judgment or order based on a plea of no contest.

“Course owner” means a person or a combination of persons that own the propriety rights to a course. A course owner may have developed the course or may have purchased the propriety rights to the course.

“Department of Financial Institutions counsel” means the assistant attorney general who provides legal advice to the Superintendent.

“Direct supervision” means that a designated supervisory appraiser of a registered trainee appraiser is directing and overseeing the production of each appraisal assignment and is personally and physically present during the entire inspection of each appraised property.

“Disciplinary action” means any regulatory sanction imposed by the Department, including a letter of due diligence, a consent agreement, probation, suspension, revocation, or an acceptance of surrender of a license or certificate.

“Dismissal” means termination of a complaint when the Superintendent finds there is no unprofessional conduct.

“Distance education” means appraisal education delivered in a setting in which the learner and instructor are geographically separated.

“Due diligence” means the diligence reasonably expected from, and ordinarily exercised by, a person regulated by the Superintendent, in accordance with A.R.S. Title 32, Chapter 36 and this Chapter.

“Formal complaint” means a notice of allegations issued by the Superintendent under R4-46-302.

“Formal hearing” means an adjudication of a disputed matter, conducted by the Office of Administrative Hearings (OAH) or the Superintendent, under R4-46-302.

“Informal hearing” means a voluntary meeting with Department staff in which a respondent is asked to respond to a complaint under R4-46-301(D).

“Initial review” means the Department staff’s first review of a complaint, the response to the complaint, if any, the relevant appraisal report or other work product, work file, and investigative summary, if any.

“Investigation” means a fact-finding process initiated when the Superintendent receives a complaint concerning the appraisal practice or professional conduct of a named respondent.

“Investigator” means an individual who is a Department employee or operates under a contract with the Superintendent to carry out independent investigations of alleged violations.

“Jurisdictional criteria” means the statutory standards used by the Department to determine whether a complaint falls within the Superintendent’s jurisdiction.

“Letter of concern” means a non-disciplinary advisory letter to notify a respondent that the finding of the Superintendent does not warrant disciplinary action, but is nonetheless cause for concern on the part of the Superintendent and that its continuation may result in disciplinary action.

“Letter of due diligence” means a disciplinary letter of agreement between the Superintendent and a respondent that may or may not include remedial action when minor violations of A.R.S. Title 32, Chapter 36 or this Chapter are found.

“Letter of remedial action” means a non-disciplinary letter issued by the Superintendent that requires a respondent to take remedial action when any minor violation of A.R.S. Title 32, Chapter 36 or this Chapter is found.

“Mentor” means a certified appraiser authorized by the Department staff to supervise the work product of an appraiser who is subject to disciplinary action by the Superintendent.

“Order” means an administrative order that contains findings of fact, conclusions of law, and disciplinary action, issued by the Superintendent after a formal hearing or by consent.

“Party” means each person or agency named or admitted as a party or properly seeking and entitled to participate in any proceeding before the Department staff.

“Probation” means a term of oversight by the Department staff, imposed upon a respondent as part of a disciplinary action, which may include submission of logs, working under the supervision of a mentor, or other conditions intended to protect the public and educate the respondent.

“Remedial action” means any corrective remedy ordered by the Superintendent that is designed to assist the respondent in improving the respondent’s professional practice.

“Respondent” means an appraiser, course owner, property tax agent, or appraisal management company against whom a complaint has been filed or any other party responding to a motion or a proceeding before the Superintendent.

“Secondary provider” means a person that purchases or otherwise lawfully acquires the right to provide a course independently of the course owner that retains proprietary rights to the course.

“Summary suspension” means an immediate suspension of a license, certificate, registration or designation by the Superintendent based on a finding that the public health, safety, or welfare imperatively requires emergency action.

“USPAP” means the Uniform Standards of Professional Appraisal Practice, issued and updated by The Appraisal Foundation and made state law under [A.R.S. § 32-3610](#).

“Work file” means the documentation necessary to support the analysis, opinions, and conclusions of an appraisal assignment or tax appeal.

**Credits**

Adopted effective December 29, 1995 (Supp. 95-4). Amended effective October 1, 1998; filed in the Office of the Secretary of State September 10, 1998 (Supp. 98-3). Amended by final rulemaking at 11 A.A.R. 1880, effective May 3, 2005 (Supp. 05-2). Amended by final rulemaking at 11 A.A.R. 2018, effective July 2, 2005 (Supp. 05-2). Amended by final rulemaking at 13 A.A.R. 1381, effective June 2, 2007 (Supp. 07-2). Amended by final rulemaking at 14 A.A.R. 1434, effective May 31, 2008 (Supp. 08-2). Amended by final rulemaking at 21 A.A.R. 1675, effective October 6, 2015.

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A.A.C. R4-46-106  
Ariz. Admin. Code R4-46-106

R4-46-106. Fees

Currentness

A. Under the specific authority provided by [A.R.S. §§ 32-3607](#), 3619, and 3667, the Superintendent establishes and shall collect the following fees:

1. Application for original license or certificate: \$400
2. Application for registration as a trainee appraiser: \$300
3. Examination: The amount established by the AQB-approved examination provider
4. Biennial renewal of a license or certificate: \$425
5. Renewal of registration as a trainee appraiser: \$300
6. Delinquent renewal (in addition to the renewal fee): \$25
7. Biennial national registry: The amount established by the appraisal subcommittee
8. Application for license or certificate by reciprocity: \$400
9. Application for non-resident temporary license or certificate: \$150

10. Course approval:

a. Core-curriculum qualifying education

i. Initial course approval: \$200

ii. Renewal of course approval: \$200

b. Continuing education

i. Initial course approval: \$200

ii. Renewal of course approval: \$200

11. Application for initial registration as an appraisal management company: \$2,500

12. Biennial renewal of registration as an appraisal management company: \$2,500

**B.** The fees established in subsection (A) and those specified in [A.R.S. § 32-3652](#) are not refundable unless the provisions of [A.R.S. § 41-1077](#) apply.

**C.** A person shall pay fees by cash or credit or debit card, or by certified or cashier's check or money order payable to the Department of Financial Institutions. If a person pays a fee by credit or debit card, the Superintendent shall, as authorized by [A.R.S. § 32-3607\(C\)](#), impose a convenience fee in the amount established under state contract in addition to the amount specified in subsection (A) or [A.R.S. § 32-3652](#).

**Credits**

Adopted effective December 29, 1995 (Supp. 95-4). Amended effective October 1, 1998; filed in the Office of the Secretary of State September 10, 1998 (Supp. 98-3). Amended by final rulemaking at 14 A.A.R. 225, effective March 8, 2008 (Supp. 08-1). Amended by final rulemaking at 17 A.A.R. 2605, effective December 6, 2011 (Supp. 11-4). Amended by exempt

rulemaking at 19 A.A.R. 4023, effective November 21, 2013 (Supp. 13-4). Amended by final rulemaking at 21 A.A.R. 1675, effective October 6, 2015.

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