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Via email to david.mossberg@dos.ny.gov

RE: Proposed Rulemaking DOS-41-25-00019-P, “Appraiser Qualification Standards and Related Rules”

Dear David,

On behalf of the Appraisal Institute (AI), the nation’s largest professional association of real estate appraisers, we appreciate the opportunity to comment on the Department’s proposed amendments to Title 19 of the New York Codes, Rules and Regulations concerning education requirements for appraiser licensure and certification. AI supports the Department’s efforts to modernize and strengthen the curriculum framework and to better align New York’s standards with the 2026 Appraiser Qualifications Board (AQB) Criteria.

We write today in support of the rulemaking and offer one targeted recommendation regarding the RE-2 (Environmental Issues) elective course for Certified Residential Real Estate Appraiser credential, and the GE-1 (Environmental Issues) required course for Certified General Real Estate Appraiser credential.

Support for Rulemaking

The Appraisal Institute strongly supports the Department’s broader objectives to:

- Update qualifying education in line with the 2026 AQB Criteria
- Improve the structure and clarity of required core courses
- Enhance competency expectations relating to valuation bias and fair housing
- Ensure alignment between New York’s curriculum, federal appraisal standards, and current real-estate market realities.

These proposed changes will meaningfully improve training consistency and public protection.

Recommendation: Reduce Prescriptiveness of RE-2 and GE-1 Environmental Course Outlines

The proposed amendments retain highly detailed and prescriptive topic lists for both the RE-2 and GE-1 Environmental Issues courses. While these outlines are comprehensive, the level of specificity risks *limiting educational flexibility* and may unintentionally constrain appraisers from completing



coursework that provides equivalent, or in some cases superior, training on environmental risk, due diligence, and property-related environmental impacts.

The Environmental Issues domain evolves rapidly and is frequently taught through:

- Nationally recognized environmental risk courses
- USPAP-compliant coursework addressing environmental conditions
- Specialized offerings addressing environmental due diligence, contamination, hazardous materials, indoor air quality, flood risk, climate-related hazards, and emerging environmental regulations.

Given this dynamic landscape, we recommend that New York retain the RE-2 and GE-1 course hour requirements, but significantly reduce the prescriptive nature of the required topical content, allowing appraisers to meet the requirement by completing:

- Any Department-approved environmental issues course of at least 15 hours; or
- Any combination of environmental courses that collectively total 15 hours; and
- Any environmental coursework approved by the Department, including courses developed after these regulations are adopted.

This approach would maintain rigorous educational expectations while allowing curriculum providers to adapt to changes in environmental science, regulation, and appraisal methodology.

Rationale

1. **Flexibility Enhances Relevance and Competency**
Environmental risk factors affecting real estate evolve quickly—PFAS, vapor intrusion, climate-driven flood risk, wildfire interface issues, ESG-related property impacts, and state-specific environmental policies. A fixed topic list cannot be updated as fast as the profession evolves.
2. **Alignment with AQB Requirements**
The AQB's Qualifying Education framework allows states flexibility in elective content. New York should preserve that flexibility to ensure broad access to relevant, up-to-date coursework.
3. **Increased Access for Appraisers and Education Providers**
Less prescriptive topic lists would reduce administrative burdens and expand course availability.
4. **Maintaining Regulatory Oversight**
The Department would retain full authority to approve providers and course content, ensuring that all coursework remains substantively focused on environmental issues affecting valuation.



Proposed Alternative Language

AI respectfully suggests revising the RE-2 and GE-1 course descriptions to read generally:

“Environmental Issues - A minimum of 15 hours of instruction addressing environmental conditions, environmental risk, environmental regulation, and their impact on real property valuation. Providers may offer any Department-approved environmental coursework, including coursework covering traditional or emerging environmental topics. Completion may be satisfied through a single 15-hour course or a combination of Department-approved environmental courses totaling at least 15 hours.”

This language preserves the instructional requirement while allowing for innovation, flexibility, and responsiveness to new environmental challenges.

Additional Recommendation

We respectfully urge the Department of State to request that the New York General Assembly pass a bill to amend NY CLS Exec § 160-k’s two-year experience requirement so that it aligns with the Real Property Appraiser Qualification Criteria (RPAQC). The current statute’s fixed “two-year” threshold for all three appraiser credentials does not reflect the RPAQC’s tiered and more flexible experience framework, which requires only six months of experience for the Licensed Residential credential, twelve months for the Certified Residential credential, and eighteen months for the Certified General credential. Updating § 160-k to match these nationally recognized standards would promote regulatory consistency, reduce unnecessary barriers to entry, and ensure that New York’s licensure requirements remain aligned with contemporary professional qualifications.

Conclusion

We commend the Department for undertaking this important update to New York’s appraiser licensing and certification standards. The Appraisal Institute supports the proposed rulemaking and respectfully urges the Department to consider greater flexibility in the structure of the RE-2 and GE-1 Environmental Issues courses to ensure New York’s appraiser education requirements remain current, accessible, and consistent with national best practices.

Thank you for the opportunity to provide comments. We are ready to assist the Department in any way that may be helpful as this rulemaking proceeds.

Respectfully submitted,

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Director of Government Affairs

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