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**TITLE 876 INDIANA REAL ESTATE
COMMISSION**

Proposed Rule
LSA Document #03-273

DIGEST

Amends 876 IAC 3-2-7 to revise the fee schedule for the application for the issuance of a permit for temporary practice. Adds 876 IAC 3-5-2.5 to require approval of continuing education courses and to establish the criteria for approval for continuing education courses. Effective 30 days after filing with the secretary of state.

876 IAC 3-2-7
876 IAC 3-5-2.5

SECTION 1. 876 IAC 3-2-7, AS AMENDED AT 26 IR 1107, SECTION 3, IS AMENDED TO READ AS FOLLOWS:

876 IAC 3-2-7 Fee schedule

Authority: IC 25-1-8-2; IC 25-34.1-3-8; IC 25-34.1-3-9

Affected: IC 25-34.1

Sec. 7. (a) This section establishes the fee schedule for the real estate appraiser licensure and certification program. The fees stated in subsection (b) apply to Indiana licensed trainee appraisers, Indiana licensed residential appraisers, Indiana certified residential appraisers, and Indiana certified general appraisers. However, the fee for licensed trainee appraisers under subsection (b)(2), (b)(3), (b)(5), and (b)(6) shall be one hundred dollars (\$100), because there is not a requirement under federal law to transmit these amounts for licensed trainee appraisers.

(b) The fee schedule is as follows:

(1) Application for admittance to the examination	\$100
(2) Fee for license or certificate (after passing the examination) during an even-numbered year (including fifty dollars (\$50) required by federal law to be transmitted to the federal government)	\$150
(3) Fee for license or certificate (after passing the examination) during an odd-numbered year (including twenty-five dollars (\$25) required by federal law to be transmitted to the federal government)	\$125
(4) Application for licensure by reciprocity	\$100
(5) Fee for license or certificate by reciprocity (after approval by the board) during an even-numbered year (including fifty dollars (\$50) required by federal law to be transmitted to the federal government)	\$150
(6) Fee for license or certificate by reciprocity (after approval by the board) during an odd-numbered year (including twenty-five dollars (\$25) required by federal law to be transmitted to the federal government)	\$125
(7) Application for the renewal of a license or certification (including fifty dollars (\$50) required by federal law to be transmitted to the federal government)	\$150
(8) Duplicate license or certificate	\$10
(9) Duplicate pocket card	\$10
(10) Certification of license to another state	\$10
(11) Application by a holder of an Indiana trainee appraiser license to be approved for a regular license	\$25
(12) Application for the issuance of a permit for temporary practice	\$50 \$150
(13) Fee for issuance and renewal of approvals for (prelicensure) real estate appraiser schools and courses under 876 IAC 3-5	\$300
(14) Fee for issuance and renewal of approval for real estate appraiser continuing education course providers under 876 IAC 3-5	\$250

(c) All fees are nonrefundable and nontransferable. (*Indiana Real Estate Commission; 876 IAC 3-2-7; filed Sep 24, 1992, 9:00*)

a.m.: 16 IR 737; filed Dec 8, 1993, 4:00 p.m.: 17 IR 772, eff Jan 2, 1994 [IC 4-22-2-36 suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #93-130 was filed Dec 8, 1993.]; filed Jun 14, 1995, 11:00 a.m.: 18 IR 2791; filed Jun 21, 1996, 10:00 a.m.: 19 IR 3111; filed Apr 12, 2001, 12:30 p.m.: 24 IR 2697; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3238; filed Dec 3, 2002, 3:00 p.m.: 26 IR 1107)

SECTION 2. 876 IAC 3-5-2.5 IS ADDED TO READ AS FOLLOWS:

876 IAC 3-5-2.5 Criteria for approval of continuing education course

Authority: IC 25-34.1-3-8

Affected: IC 25-1-11; IC 25-34.1

Sec. 2.5. (a) Continuing education course providers must obtain approval by the board under this section of all courses. The content of the course must comply with section 1(c) or 1.5(a) of this rule.

(b) In order to be an approved continuing education course, a course must satisfy the following criteria:

- (1) The course must be a current offering of the continuing education course sponsor.**
- (2) The course must involve a minimum of two (2) classroom hours of instruction on real estate appraisal or related topics.**
- (3) The course materials or syllabus must include a course description, which clearly describes the content of the course.**
- (4) The course materials or syllabus must include specific learning objectives that:**
 - (A) are appropriate for a continuing education course;**
 - (B) clearly state the specific knowledge and skills students are expected to acquire by completing the course;**
 - (C) are consistent with the course description;**
 - (D) are consistent with the instructional materials; and**
 - (E) are reasonably achievable within the number of classroom hours allotted for the course.**
- (5) Instructional materials for students must be provided unless the applicant demonstrates that such materials are not needed to accomplish the stated course objectives. Any such instructional materials must:**
 - (A) be appropriate in view of the stated course learning objectives;**
 - (B) reflect current knowledge and practice;**
 - (C) contain no significant errors;**
 - (D) reflect correct grammatical usage and spelling;**
 - (E) effectively communicate and explain the information presented;**
 - (F) be suitable in layout and format; and**
 - (G) be suitably bound or packaged and be produced in a quality manner.**
- (6) For courses containing examinations, course examinations may consist of either a series of examinations or a comprehensive final examination, or both. The course examination must comply with the following criteria:**
 - (A) The examination must contain a sufficient number of questions to adequately test the subject matter covered in the course.**
 - (B) The amount of time devoted to examinations must be appropriate for the course.**
 - (C) Examination questions must, individually and collectively, test at a difficulty level appropriate to measure attendee achievement of the stated course learning objectives.**
 - (D) The subject matter tested by examination questions must be adequately addressed in the course instructional materials.**
 - (E) Examination questions must be written in a clear and unambiguous manner.**
 - (F) Examination questions must be accurate, and the intended correct answer must clearly be the best answer choice.**
- (7) The continuing education provider must have a written policy regarding instructor qualifications that requires the use of instructors who meet at least one (1) of the requirements in section 7 of this rule.**
- (8) The continuing education provider must have a written attendance policy that requires the student attendance to be verified.**
- (9) If the course involves more than eight (8) classroom hours, the continuing education provider must have established a policy on course scheduling that provides for a maximum of (8) classroom hours of instruction in any given day and for appropriate breaks during each class session.**

(Indiana Real Estate Commission; 876 IAC 3-5-2.5)

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on February 26, 2004 at 10:30 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room 12, Indianapolis, Indiana the Indiana Real Estate Commission will hold a public hearing on proposed amendments to revise the fee schedule for the application for the issuance of a permit for temporary practice, to require approval of continuing education courses, and to establish the criteria for approval of continuing education courses. Copies of these rules are now on file at the Indiana Government Center-South, 302 West Washington Street, Room E012 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Gerald H. Quigley
Executive Director
Professional Licensing Agency