TITLE 22. EXAMINING BOARDS
PART 8. TEXAS APPRAISER LICENSING AND CERTIFICATION BOARD

CHAPTER 153. RULES RELATING TO PROVISIONS OF THE TEXAS APPRAISER LICENSING AND CERTIFICATION ACT

22 TAC §153.21

The Texas Appraiser Licensing and Certification Board (TALCB) adopts these emergency amendments to 22 TAC §153.21, Appraiser Trainee and Supervisory Appraisers, in Chapter 153, Rules Relating to Provisions of the Texas Appraiser Licensing and Certification Act.

The TALCB adopts these amendments on an emergency basis to implement changes adopted by the Appraiser Qualifications Board (AQB) on November 1, 2019, which become effective on January 1, 2020. The changes adopted by the AQB affect the criteria for supervisory appraisers.

The amendments are adopted on an emergency basis under Texas Occupations Code §1103.151, which authorizes TALCB to adopt rules related to certificates and licenses that are consistent with applicable federal law and guidelines adopted by the AQB.


(a) Supervision of appraiser trainees required.

(1) An appraiser trainee may perform appraisals or appraisal services only under the active, personal and diligent direction and supervision of a supervisory appraiser.

(2) An appraiser trainee may be supervised by more than one supervisory appraiser.

(3) Number of Appraiser Trainees Supervised.

(A) Supervisory appraisers may supervise no more than three appraiser trainees at one time unless the requirements in subsection (a)(3)(B) are met;

(B) Supervisory appraisers may supervise up to five appraiser trainees at one time if:

(i) the supervisory appraiser has been licensed as a certified appraiser for more than five years; and

(ii) all of the supervisory appraiser's appraiser trainees must submit requests for the Board to review the appraiser trainee's work product as specified in §153.22 of this title or satisfy the required progress monitoring as permitted in §153.16 of this title.

(4) A supervisory appraiser may be added during the term of an appraiser trainee's license if:

(A) The supervisory appraiser and appraiser trainee have provided proof to the Board of completion of an approved Appraiser Trainee/Supervisory Appraiser course;

(B) an application to supervise has been received and approved by the Board; and

(C) the applicable fee has been paid.

(5) A licensed appraiser trainee who signs an appraisal report must include his or her license number and the word "Trainee" as part of the appraiser trainee's signature in the report.

(b) Eligibility requirements for appraiser trainee supervision.

(1) To be eligible to supervise an appraiser trainee, a certified appraiser must:

(A) be in good standing and not have had, [subject to any disciplinary action] within the last three years, an appraisal certification canceled, surrendered in lieu of discipline, suspended, or revoked in any state for a substantive cause related to appraisal practice [that affected the certified appraiser's eligibility to engage in appraisal practice];

(B) complete an approved Appraiser Trainee/Supervisory Appraiser course; and

(C) submit proof of course completion to the Board.

(2) Before supervising an appraiser trainee, the supervisory appraiser must notify the appraiser trainee in writing of any disciplinary action taken against the supervisory appraiser within the last three years that did not affect the supervisory appraiser's eligibility to engage in appraisal practice.

(3) An application to supervise must be received and approved by the Board before supervision begins.

(c) Maintaining eligibility to supervise appraiser trainees.

(1) A supervisory appraiser who wishes to continue to supervise appraiser trainees upon renewal of his/her license must complete an approved Appraiser Trainee/Supervisory Appraiser course within four years before the expiration date of the supervisory appraiser's current license and provide proof of completion to the Board.

(2) If a supervisory appraiser has not provided proof of course completion at the time of renewal, but has met all other requirements for renewing the license the supervisory appraiser will no longer be eligible to supervise appraiser trainees; and the Board will take the following actions:

(A) the supervisory appraiser's license will be renewed on active status; and

(B) the license of any appraiser trainees supervised solely by that supervisory appraiser will be placed on inactive status.
(3) A certified appraiser may restore eligibility to supervise appraiser trainees by:
   (A) completing the course required by this section; and
   (B) submitting proof of course completion to the Board.

(4) The supervisory appraiser's supervision of previously supervised appraiser trainees may be reinstated by:
   (A) submitting the required form to the Board; and
   (B) payment of any applicable fees.

(d) Maintaining eligibility to act as an appraiser trainee.
   (1) Appraiser trainees must maintain an appraisal log and appraisal experience affidavits on forms approved by the Board, for the license period being renewed. It is the responsibility of both the appraiser trainee and the supervisory appraiser to ensure the appraisal log is accurate, complete and signed by both parties at least quarterly or upon change in supervisory appraiser. The appraiser trainee will promptly provide copies of the experience logs and affidavits to the Board upon request.

   (2) An appraiser trainee must complete an approved Appraiser Trainee/Supervisory Appraiser course within four years before the expiration date of the appraiser trainee's current license and provide proof of completion to the Board.

   (3) If an appraiser trainee has not provided proof of course completion at the time of renewal, but has met all other requirements for renewing the license:
      (A) the Board will renew the appraiser trainee's license on inactive status;
      (B) the appraiser trainee will no longer be eligible to perform appraisals or appraisal services; and
      (C) the appraiser trainee's relationship with any supervisory appraiser will be terminated.

(4) An appraiser trainee may return the appraiser trainee's license to active status by:
   (A) completing the course required by this section;
   (B) submitting proof of course completion to the Board;
   (C) submitting an application to return to active status, including an application to add a supervisory appraiser; and
   (D) paying any required fees.

(e) Duties of the supervisory appraiser.
   (1) Supervisory appraisers are responsible to the public and to the Board for the conduct of the appraiser trainee under the Act.

   (2) The supervisory appraiser assumes all the duties, responsibilities, and obligations of a supervisory appraiser as specified in these rules and must diligently supervise the appraiser trainee. Diligent supervision includes, but is not limited to, the following:
      (A) direct supervision and training as necessary;
      (B) ongoing training and supervision as necessary after the supervisory appraiser determines that the appraiser trainee no longer requires direct supervision;
      (C) communication with and accessibility to the appraiser trainee; and
      (D) review and quality control of the appraiser trainee's work.

(3) Supervisory appraisers must approve and sign the appraiser trainee's appraisal log and experience affidavit at least quarterly and provide appraiser trainees with access to any appraisals and work files completed under the supervisory appraiser.

(4) After notice and hearing, the Board may reprimand a supervisory appraiser or may suspend or revoke a supervisory appraiser's license based on conduct by the appraiser trainee constituting a violation of the Act or Board rules.

(f) Termination of supervision.
   (1) Supervision may be terminated by the supervisory appraiser or the appraiser trainee.

   (2) If supervision is terminated, the terminating party must:
      (A) immediately notify the Board on a form approved by the Board; and
      (B) notify the non-terminating party in writing no later than the 10th day after the date of termination; and
      (C) pay any applicable fees no later than the 10th day after the date of termination.

   (3) If an appraiser trainee is no longer under the supervision of a supervisory appraiser:
      (A) the appraiser trainee may no longer perform the duties of an appraiser trainee; and
      (B) is not eligible to perform those duties until:
         (i) an application to supervise the trainee has been filed;
         (ii) any required fees have been paid; and
         (iii) the Board has approved the application.

(g) Course approval.
   (1) To obtain Board approval of an Appraiser Trainee/Supervisory Appraiser course, a course provider must:
      (A) submit form ATS-0, Appraiser Trainee/Supervisory Appraiser Course Approval, adopted herein by reference; and
      (B) satisfy the Board that all required content set out in form ATS-0 is adequately covered.

   (2) Approval of an Appraiser Trainee/Supervisory Appraiser course shall expire two years from the date of Board approval.

   (3) An Appraiser Trainee/Supervisory Appraiser course may be delivered through:
      (A) classroom delivery method; or
      (B) distance education delivery method. The delivery mechanism for distance education courses offered by a non-academic provider must be approved by an AQB-approved organization providing approval of course design and delivery.

(h) ACE credit.
   (1) Supervisory appraisers who complete the Appraiser Trainee/Supervisory Appraiser course may receive ACE credit for the course.

   (2) Appraiser Trainees may not receive qualifying or ACE credit for completing the Appraiser Trainee/Supervisory Appraiser course.
The agency certifies that legal counsel has reviewed the emergency adoption and found it to be within the state agency's legal authority to adopt.

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For further information, please call: (512) 936-3652

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