

**State of California
Office of Administrative Law**

In re:
Bureau of Real Estate Appraisers

Regulatory Action:

Title 10, California Code of Regulations

Adopt sections:

Amend sections: 3681

Repeal sections:

**NOTICE OF APPROVAL OF CHANGES
WITHOUT REGULATORY EFFECT**

California Code of Regulations, Title 1,
Section 100

OAL Matter Number: 2023-0912-01

OAL Matter Type: Nonsubstantive (N)

In this non-substantive action, the Bureau of Real Estate Appraisers within the Department of Consumer Affairs amends Form REA 5012 to bring the minimum number of required appraisers for a multi-state Appraisal Management Company into compliance with the statutorily mandated minimum.

OAL approves this change without regulatory effect as meeting the requirements of California Code of Regulations, title 1, section 100.

Date: October 19, 2023



Sam Micon
Attorney

For: Kenneth J. Pogue
Director

Original: Angela G. Jemmott, Bureau
Chief

Copy: Whitney Spatz

NONSUBSTANTIVE

STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATION SUBMISSION

For use by Secretary of State only

STD. 400 (REV. 10/2019)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2022-0725-04	REGULATORY ACTION NUMBER 2023-0912-01N	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY Bureau of Real Estate Appraisers, Department of Consumer Affairs			AGENCY FILE NUMBER (If any)

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

OCT 19 2023
2:30 PM

OFFICE OF ADMIN. LAW
2023 SEP 12 AM 11:01

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER 2022, 31-2		PUBLICATION DATE 8/5/22	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) AMC Renewal Application Form		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)			
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)					
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT			
		AMEND			
10		3681			
TITLE(S)		REPEAL			
3. TYPE OF FILING					
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)		<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.		<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)		<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)		<input type="checkbox"/> File & Print	
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))				<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)	
				<input type="checkbox"/> Print Only	
				<input type="checkbox"/> Other (Specify) _____	
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)					
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)					
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))		<input type="checkbox"/> Effective on filing with Secretary of State		<input checked="" type="checkbox"/> \$100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify) _____	
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY					
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)		<input type="checkbox"/> Fair Political Practices Commission		<input type="checkbox"/> State Fire Marshal	
<input checked="" type="checkbox"/> Other (Specify) <u>Christine Lally, Chief Deputy Director, Department of Consumer Affairs</u> <i>Christine Lally</i>					
7. CONTACT PERSON Whitney Spatz		TELEPHONE NUMBER 916.610.9927		FAX NUMBER (Optional) E-MAIL ADDRESS (Optional) whitney.spatz@brea.ca.gov	

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Angela Jemmott</i>	DATE Aug 31, 2023
TYPED NAME AND TITLE OF SIGNATORY Angela Jemmott, Chief, Bureau of Real Estate Appraisers	

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ENDORSED APPROVED

OCT 19 2023

Office of Administrative Law

§ 3681. Renewal Application.

(a) A license may be renewed by submitting the following to the Bureau:

- (1) Appropriate fees including state and federal registry fees pursuant to Section 3582;
- (2) Every other renewal period, proof of completion of approved continuing education by one of the following:
 - (A) Official transcript;
 - (B) Report card; or
 - (C) Completion certificates.
- (3) Every renewal period, proof of completion of the 7-hour National USPAP Update Course;
- (4) License Renewal Application Form REA 3012 (Rev. 04/01/2020), which is herein incorporated by reference.

(b) The renewed license shall be valid for a maximum of two years from the date of expiration of the prior license, provided the Renewal Application is received by the Bureau before midnight of the last day of the period for which the previous license was issued, accompanied by the applicable renewal fees and evidence of good faith compliance with the provisions of this article.

(c) Complete applications for renewal of licenses should be submitted to the Bureau at least 90 days prior to the license expiration date. However, applications for renewal shall not be accepted by the Bureau more than 180 days prior to the expiration of the existing license.

(d) A Certificate of Registration may be renewed by submitting the following to the Bureau:

- (1) Appropriate fees including state and federal registry fees pursuant to section 3582;
- (2) Every renewal period, a designated Controlling Person with the authority to enter into contractual relationships with independent appraisers or who is involved in the appraiser selection approval process must submit proof of completion of the 7-hour National USPAP Update Course, approved by the Appraiser Qualifications Board of the Appraisal Foundation; and
- (3) Appraisal Management Company Renewal Application Form REA 5012 (Rev. 01/01/2023), which is herein incorporated by reference.
- (4) Appraisal Management Company Controlling Person Renewal Application Form REA 5013 (Rev. 04/01/2020), which is herein incorporated by reference, for each controlling person.

(e) The renewed Certificate of Registration shall be valid for a maximum of two years from the date of expiration of the prior registration, provided the Renewal Application is received by the Bureau before 5 p.m. Pacific Standard Time of the last day of the period for which the previous Certificate of Registration

was issued, accompanied by the applicable renewal fees.

(f) Complete applications for renewal of Certificate of Registration should be submitted to the Bureau at least 90 days prior to the Certificate of Registration expiration date. However, application for renewal shall not be accepted by the Bureau more than 180 days prior to the expiration of the existing Certificate of Registration.

Note: Authority cited: Sections 115.5, 11313, 11314, 11340, 11360 and 11361, Business and Professions Code.

Reference: Sections 30, 31, 114.5, 115.5, 494.5, 11340, 11341, 11343, 11345.1, 11345.2, 11345.3, 11360 and 11361, Business and Professions Code.



BREA USE ONLY

APPRAISAL MANAGEMENT COMPANY RENEWAL APPLICATION

- Type or print clearly in blue or black ink and provide an original signature.
- All fees paid must be paid by pre-printed personal check, company check, cashier's check, certified check, money order, or credit card (see form REA 2030 to pay by credit card).
- By statute, all fees submitted are deemed earned upon receipt.
- Please refer to <http://www.brea.ca.gov/html/LicensingFees.html> for current license application fees.
- Submit this form with the associated AMC Controlling Person Form REA 5013
- If you have any questions, please write to the address listed or call (916) 552-9000.
- Mail completed application, fee and qualifying documentation to:
BUREAU OF REAL ESTATE APPRAISERS
3075 Prospect Park Drive, Suite 190
Rancho Cordova, CA 95670

PART A - AMC INFORMATION			
1. Name		2. AMC Certificate No.	
3. Mailing Address (Address of Record)			<input type="checkbox"/> Check if Change
Address			
City		State	Zip Code
4. Business Telephone Number	<input type="checkbox"/> Check if Change	5. Business Fax Number (optional)	<input type="checkbox"/> Check if Change
6. Business Email Address (optional) <input type="checkbox"/> Check if Change			
7. Federal Employer Identification Number (FEIN)			

PART B - DESIGNATED OFFICER		
1. Name		
Last	First	MI.
2. Title		
3. Proof of USPAP Completion		
▶ Attach to this form the Designated Controlling Officer's completion certificate of the 7-hour National USPAP course taken for this renewal period.		
PART C - AMC TYPE AND OWNERSHIP		
1. AMC Type: <input type="checkbox"/> Single State with a panel of more than 15 appraisers <input type="checkbox"/> Multi-state with a panel of ± 25 or more appraisers in two or more states		
2. Is the AMC federally regulated? <input type="checkbox"/> No <input type="checkbox"/> Yes		
3. Is the AMC, in whole or in part, directly or indirectly, owned by any person who has had an appraiser license or certificate refused, denied, cancelled, surrendered in lieu of revocation, or revoked in any State? <input type="checkbox"/> No <input type="checkbox"/> Yes		

As Designated Officer, I certify under penalty of perjury that the foregoing information and information provided on all attachments is true and correct and that I have answered each question fully and truthfully and without any purpose of evasion. I understand that providing false information is grounds for denial or revocation of any license and may subject me to disciplinary action and/or criminal prosecution.

Signature _____

Date _____

MUST BE SIGNED AND CERTIFIED BY A NOTARY PUBLIC IF EXECUTED OUTSIDE THE STATE OF CALIFORNIA

INSTRUCTIONS

PART A - AMC INFORMATION

1. **NAME** - The name of the appraisal management company.
2. **AMC CERTIFICATE NUMBER** - The certificate number issued to your AMC by BREA.
3. **MAILING ADDRESS** - The AMC's address of record.
The information required is a matter of public record.
4. **BUSINESS TELEPHONE NUMBER** - The AMC's business telephone number. **The information required is a matter of public record.**
5. **BUSINESS FAX NUMBER** - The AMC's business fax number. (optional)
6. **BUSINESS EMAIL ADDRESS** - The AMC's Email address. (optional)
7. **FEDERAL EMPLOYER IDENTIFICATION NUMBER** - List the federal employer identification number (FEIN).

PART B - DESIGNATED OFFICER INFORMATION

1. **NAME** - Your name as it appears on your AMC certificate.
2. **TITLE** - Your title within the AMC.
3. **PROOF OF USPAP COMPLETION** - Attach to this form the Designated Officer's completion certificate of the 7-hour National USPAP course taken for this renewal period.

PART C - AMC TYPE AND OWNERSHIP

1. **AMC TYPE** - Select whether the AMC is a single or multistate AMC. Please see Business and Professions Code section 11302(d) for definition.
2. **FEDERALLY REGULATED AMC** - Answer whether the AMC is a federally regulated. Please see Business and Professions Code section 11302(r) to determine if your AMC is federally regulated.
3. **AMC OWNERSHIP** - Answer yes or no to whether the AMC, in whole or in part, directly or indirectly, owned by any person who has had an appraiser license or certificate refused, denied, cancelled, surrendered in lieu of revocation, or revoked in any State.

SIGNATURE OF APPLICANT - Original signature and date required of the AMC's Designated Officer.

Privacy Information

Section 1798.17 of the Civil Code requires this notice be provided when collecting personal or confidential information from individuals. Each individual has the right to review personal information maintained by this Agency, unless access is exempted by law.

**Bureau of Real Estate Appraisers
Custodian of Records
3075 Prospect Park Drive, Suite 190
Rancho Cordova, CA 95670
Telephone: (916) 552-9000**

General powers of the Chief, Sections 11310 and 11313 of the Business and Professions Code authorizes the maintenance of this information. Business and Professions Code Sections 30 and 31 require each real estate appraiser licensee to initially provide to the Bureau of Real Estate Appraisers the licensee's social security or individual taxpayer identification number which will be furnished to the Franchise Tax Board, Employment Development Department (EDD), and California Department of Tax and Fee Administration (CDTFA). Your social security or individual taxpayer identification number shall not be deemed a public record and shall not be open to the public for inspection. The Franchise Tax Board will use your number to establish identification exclusively for tax purposes. The EDD will use your number to determine compliance with any possible family support obligations. The Real Estate Appraisers Law or Regulations of the Chief require applicants to provide the Bureau of Real Estate Appraisers with specific information. If all or any part of the required information is not provided, processing may be delayed. In addition, the Chief may suspend or revoke a license, or in the case of a license applicant, may deny the issuance for misstatements of facts (including a failure to disclose a material fact) in an application for a license. The information requested in this form is primarily used to furnish license status information to the Bureau of Real Estate Appraisers, and to answer inquiries and give information to the public on license status, mailing addresses and actions taken to deny, revoke, restrict or suspend licenses for cause. This information may be transferred to real estate appraisal licensing agencies in other states, law enforcement agencies (City Police, Sheriff's Departments, District Attorneys, Attorney General, F.B.I.), and any other regulatory agencies (including, but not limited to, Department of Financial Protection and Innovation, Department of Insurance, Department of Real Estate, Department of Consumer Affairs, California Bar Association, Appraisal Subcommittee, California Community Colleges Chancellor's Office, and CDTFA). Under Business and Professions Code sections 31 and 494.5, CDTFA and the Franchise Tax Board may share taxpayer information with the Bureau. You are required to pay your state tax obligation. This application may be denied or your certificate of registration may be suspended if you have a state tax obligation and the state tax obligation is not paid.