

Louisiana Administrative Code
Title 46. Professional and Occupational Standards
Part LXVII. Real Estate
Subpart 2. Appraisers
Chapter 101. Authority

La. Admin Code. tit. 46, Pt LXVII, § 10101

§ 10101. Adoption

Currentness

A. The rules and regulations of the Louisiana Real Estate Appraisers Board contained herein have been adopted pursuant to and in compliance with [R.S. 37:3391 et seq.](#), and any violation of these rules or regulations shall be sufficient cause for any disciplinary action permitted by law.

B. The terms *license* and *certificate* are used throughout the Louisiana Real Estate Appraisers Law and appraiser board rules and regulations are synonymous.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisers Board of Certification, LR 25:1425 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board, LR 31:1332 (June 2005).

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LAC 46:LXVII.10101, 46 LA ADC Pt LXVII, § 10101

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La. Admin Code. tit. 46, Pt LXVII, § 10301

§ 10301. Applications/Renewals

Currentness

A. Applications for licensing shall be submitted on forms prescribed by the board and shall be accompanied by the prescribed fees in [R.S. 37:3407](#).

B. An examination authorization will be issued by the board on receipt of a properly completed application.

C. When an applicant has made a false statement of material fact on an initial or renewal application for a license, or in any document submitted in connection with the application process, such false statement may in itself be grounds for refusal of a license.

D. The responsibility for timely submission of the renewal application and payment of the required fees rests solely with the applicant.

E. A nonresident real property appraiser licensed in another state, commonwealth, or territory shall submit a completed application form and fees prescribed by the board, including an irrevocable consent to service of process in this state.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisers Board of Certification, LR 25:1425 (August 1999), amended by the Office of the

Governor, Real Estate Appraisers Board, LR 31:1332 (June 2005), LR 37:332 (January 2011), LR 41:368 (February 2015).

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La. Admin Code. tit. 46, Pt LXVII, § 10303

§ 10303. Examination

Currentness

A. Any applicant who fails an examination may apply to retake the examination by submitting a copy of the fail notice and a new examination processing fee to the board within 90 days of failed test date. After one year, the applicant shall be required to submit a new application and remit all prescribed fees to be eligible for the licensing examination.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisers Board of Certification, LR 25:1425 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board, LR 31:1332 (June 2005), LR 37:332 (January 2011), LR 41:368 (February 2015), LR 45:419 (March 2019).

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La. Admin Code. tit. 46, Pt LXVII, § 10305

§ 10305. Fees

Currentness

- A. Except as otherwise provided in the rules and regulations of the board, all fees submitted to the board are nonrefundable.
- B. The application fee for a license shall cover a period of no more than two calendar years and shall not be prorated.
- C. The initial education provider fee shall cover a period of one calendar year and shall not be prorated.
- D. Payment of any fee with a check that is returned by a financial institution, wherein the reason for not paying the check is not the fault of the financial institution, shall be grounds for the cancellation of the transaction for which the fee was submitted and/or the suspension or revocation of a license or certificate.
- E. Persons issuing checks that are returned by financial institutions will be notified of the return of the check by certified mail to the address registered with the board. Within 10 days from the mailing of the notification, the person issuing the check shall remit a certified check, cashier's check or money order payable to the Louisiana Real Estate Appraisers Board in the amount of the returned check plus a \$25 processing fee.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisers Board of Certification, LR 25:1425 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board, LR 31:1333 (June 2005), LR 45:420 (March 2019).

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La. Admin Code. tit. 46, Pt LXVII, § 10308

§ 10308. Appraiser Trainees

Currentness

A. A certified residential or certified general real property appraiser may engage a licensed appraiser trainee to assist in the performance of real estate appraisals, provided the following criteria are met:

1. The certified residential or certified general real property appraiser shall supervise no more than a total of three trainees at any one time, either as employees or subcontractors, in all states.
2. The certified residential or certified general real property appraiser shall be responsible for the conduct of the licensed appraiser trainees and shall supervise their work product, in accordance the guidelines and requirements of the “2018-2019 Uniform Standards of Professional Appraisal Practice” or its successor.
3. The supervising certified residential or certified general real property appraiser shall accompany the licensed appraiser trainee on inspections of the subject property until the certified residential or certified general real property appraiser feels the appraiser trainee is competent to do so based on the type of property and assignment.
4. The supervising certified residential or certified general real property appraiser shall sign every appraisal report prepared by a licensed appraiser trainee who acts under the supervision of the certified residential or certified general real property appraiser.

5. The supervising certified residential or certified general real property appraiser shall immediately notify the board and the licensed appraiser trainee in writing when the certified residential or certified general real property appraiser terminates the supervision of the licensed appraiser trainee. The trainee must suspend practice unless he/she has more than one supervisor or must get supervision from another supervisor.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Real Estate Appraisers Board, LR 31:1333 (June 2005), amended LR 37:333 (January 2011), LR 41:368 (February 2015), LR 42:870 (June 2016), LR 45:420 (March 2019).

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La. Admin Code. tit. 46, Pt LXVII, § 10309

§ 10309. Application for Experience Credit

Currentness

- A. Applicants for a certified residential or certified general real property appraiser license shall satisfy the education and experience requirements prior to receiving an authorization for testing.
- B. Experience credit shall be approved by the board in accordance with *The Real Property Appraiser Qualification Criteria*, May 2018, prescribed by the Appraiser Qualifications Board of the Appraisal Foundation (AQB) or its successor. Calculation of experience hours shall be based solely on actual hours of experience.
- C. Only those real property appraisals consistent with the “Uniform Standards of Professional Appraisal Practice” or its successor will be accepted by the board for experience credit.
- D. A peer review committee appointed by the board, as prescribed in [R.S. 37:3395.1](#), shall serve in the following capacity.
1. Committee members shall serve at the discretion of the board and may be removed at any time, with or without cause, upon written notice from the board.
 2. The initial term of each committee member shall be for a period of two years, which shall automatically extend for successive two year terms, until such time that the member resigns from the committee, is replaced by a new board appointee, or is removed by the board.

3. Committee members shall be certified residential or certified general real estate appraisers that have been licensed in good standing for a minimum of five years.

4. Committee members shall have completed the supervisory appraiser course, or its equivalent, as determined by the board.

5. Committee members may decline any request for direct mentoring without prejudice.

6. Duties of the peer review committee shall not require committee meetings or reports to the board, as each member shall operate independent of the other members; however, members shall be subject to oversight by the board and shall respond accordingly to any board inquiry.

7. Committee members shall be available to licensed trainees and certified appraisers via telephone or e-mail for direct mentoring, which may include one or more of the following:

- a. examination of appraisals or other work samples;
- b. feedback to mentored appraiser regarding examined work samples;
- c. help with appraisal methodology; and
- d. answering queries on specific appraisal assignments.

8. Committee members assigned to assist investigators shall provide the following assistance, as needed:

- a. specific appraisal methodology insight;
- b. uniform standards of professional appraisal practice insight;

c. benefit of competency and experience in appraisal practice; and

d. any other available assistance, as requested.

9. Committee members assigned to assist investigators shall remove themselves from any investigation where there may be an actual or perceived conflict of interest.

E. An applicant that is currently licensed and in good standing in a state approved by the Appraisal Subcommittee (ASC) of the Federal Financial Institutions Examination Council (FFEIC) shall be deemed to satisfy the experience requirements for the same level of licensure in Louisiana. The applicant shall provide appropriate documentation as required by the board.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisers Board of Certification, LR 25:1426 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board, LR 31:1333 (June 2005), LR 37:333 (January 2011), LR 39:310 (February 2013), LR 41:368 (February 2015), LR 42:871 (June 2016), LR 45:420 (March 2019).

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La. Admin Code. tit. 46, Pt LXVII, § 10311

§ 10311. Residential Experience Requirements

Currentness

A. A minimum of 1500 hours of appraisal experience in no fewer than 12 months is required.

1. When an appraisal report is signed by more than one person, credit for said assignment shall be claimed according to the number of actual hours worked by each person. For the purpose of granting credit, a person signing in the capacity of a review or supervisory appraiser is not considered as a co-signer on the report, provided that his or her role as such is clearly indicated in the report.

2. If the person applying for experience credit was unable to sign the report but is mentioned in the certification as having provided significant professional assistance, a proportional amount of credit based on the number of contributors to the report can be requested. Credit will not be granted if professional assistance was not disclosed.

B. Verification of experience may include any or all of the following:

1. client verification of appraisal reports for which the applicant has requested experience credit;

2. submission of selected reports to the board upon request to determine compliance with Uniform Standards of Professional Appraisal Practice (USPAP);

3. field inspection of all reports identified by the applicant at the applicant's office during normal business hours;

4. requiring the applicant to personally appear before the board, or provide additional information deemed necessary by the board to make an informed decision on the application for licensure.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisers Board of Certification, LR 25:1426 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board of Certification, LR 29:126 (February 2003), amended by the Office of the Governor, Real Estate Appraisers Board, LR 31:1334 (June 2005), LR 37:333 (January 2011), LR 41:369 (February 2015), LR 45:420 (March 2019).

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La. Admin Code. tit. 46, Pt LXVII, § 10313

§ 10313. General Experience Requirements

Currentness

A. Three thousand hours of appraisal experience in no fewer than 18 months is required, where a minimum of 1500 hours must be obtained in non-residential appraisal work.

1. When an appraisal report is signed by more than one person, credit for said assignment shall be claimed according to the number of actual hours worked by each person. For the purpose of granting credit, a person signing in the capacity of a review or supervisory appraiser is not considered as a co-signer on the report, provided that his or her role as such is clearly indicated in the report.

2. If the applicant for experience credit was unable to sign the report, but is mentioned in the certification as having provided significant professional assistance, a proportional amount of credit based on the number of contributors to the report can be requested. Credit will not be granted if professional assistance was not disclosed.

B. Verification of experience may include any or all of the following:

1. client verification of appraisal reports for which the applicant has requested experience credit;

2. submission of selected reports to the board upon request to determine compliance with Uniform Standards of Professional Appraisal Practice (USPAP);

3. field inspection of all reports identified by the applicant at the applicant's office during normal business hours;

4. requiring the applicant to personally appear before the board, or provide additional information deemed necessary by the board to make an informed decision on the application for licensure.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisers Board of Certification, LR 25:1427 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board of Certification, LR 29:126 (February 2003), amended by the Office of the Governor, Real Estate Appraisers Board, LR 31:1334 (June 2005), LR 37:333 (January 2011), LR 41:369 (February 2015), LR 42:871 (June 2016), LR 45:420 (March 2019).

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La. Admin Code. tit. 46, Pt LXVII, § 10315

§ 10315. Appraisal Review Requirements

Currentness

A. In reviewing an appraisal, the appraiser must observe the following guidelines:

1. identify the report being reviewed, the real estate and real property interest being appraised, the effective date of the opinion in the report being reviewed, and the date of the review;
2. identify the scope of the review process to be conducted;
3. form an opinion as to the adequacy and relevance of the data and the propriety of any adjustments to the data;
4. form an opinion as to the appropriateness of the appraisal methods and techniques used to develop the reasons for any disagreements;
5. form an opinion as to the correctness and appropriateness of the analyses, opinions, and/or conclusions in the report being reviewed, and develop the reasons for any disagreements;
6. state in the letter of transmittal whether or not exterior or interior building inspections were made and, if so, when and by whom;
7. the review must be in writing.

B. In reporting the results of an appraisal review, the appraiser must:

1. disclose the nature, extent, and detail of the review process undertaken;
2. disclose the information that must be considered in § 10315.A.1 and 2;
3. set forth the opinions, reasons, and conclusions required in § 10315.3, 4, and 5;
4. include a signed certification.

C. No more than 50 percent of experience credit hours shall be awarded for review of appraisals.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisers Board of Certification, LR 25:1428 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board, LR 31:1335 (June 2005), LR 37:334 (January 2011).

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La. Admin Code. tit. 46, Pt LXVII, § 10319

§ 10319. Temporary Practice License

Currentness

A. An applicant shall be granted a temporary practice license to perform the appraisal assignment described in his or her application, if:

1. the applicant has filed a properly completed application;
2. the applicant has submitted the required fee with the application;
3. the applicant has satisfied the board as to his qualifications and eligibility for temporary licensing privileges; and
4. the time projected by the applicant for completion of the assignment is reasonable, given the scope and complexity of the assignment.

B. Application for a temporary practice license shall be made on forms prescribed by the board.

C. Licensing privileges granted under the provisions of this Subsection shall expire upon completion of the appraisal assignment described in the application for temporary licensing.

D. The board shall extend the applicant's temporary practice license expiration date, if the applicant shows, in writing, that additional time is needed to complete the assignment.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Real Estate Appraisers Board, LR 42:871 (June 2016).

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La. Admin Code. tit. 46, Pt LXVII, § 10401

§ 10401. Approval of Education Providers

Currentness

- A. Upon approval by the board, education providers shall be approved for a period of one year, expiring annually on December 31.
- B. The occurrence of any of the following events shall constitute grounds for refusal to grant approval as an education provider:
1. the applicant has been convicted of a forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, or theft, or has been convicted of a felony or a crime involving moral turpitude in any court of competent jurisdiction;
 2. the applicant has made a false statement of material fact on the application;
 3. the applicant refuses to agree to monitoring of courses by the board or its duly authorized representatives.
- C. Certificates issued to education providers will be issued in the legal name of the applicant.
- D. Education providers shall:
1. submit monthly schedules and attendance reports to the board as required;

2. ensure that course offerings satisfy all requirements mandated by the board and *The Real Property Appraiser Qualification Criteria*, May 2018, prescribed by the Appraiser Qualifications Board of the Appraisal Foundation (AQB), or its successor.
3. maintain the attendance records of each student for a period of five years following the date the student completed a course offered by the provider;
4. provide each student with a written cost and refund policy regarding the course offering;
5. ensure that all advertisements published or distributed include the name of the provider as registered with the board;
6. report any change in business address or telephone number to the board in writing within 10 days of the date of the change.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisers Board of Certification, LR 25:1429 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board, LR 31:1336 (June 2005), LR 45:420 (March 2019).

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La. Admin Code. tit. 46, Pt LXVII, § 10403

§ 10403. Approval of Qualifying/Continuing Education Courses

Currentness

A. Education providers shall apply directly to the board for qualifying and continuing education course approval. Application forms will be provided by the board. Information to be submitted for each course offering shall include:

1. course content;
2. program structuring;
3. course completion standards;
4. instructor qualifications;
5. minimum number of classroom hours;
6. textbook and course materials;
7. any additional information as requested by the board.

B. Any request for additional course approval from an approved education provider shall be approved by the board prior to the course presentation.

C. All approved courses will be valid through December 31 following the initial approval date. The board may extend such approval for the next renewal period if course materials remain current or are updated as changes in the law or rules require. Courses approved through the Appraiser Qualifications Board (AQB) of the Appraisal Foundation/International Distance Education Certification Center (IDECC) will be valid through the AQB/IDECC issued expiration date.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisers Board of Certification, LR 25:1429 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board, LR 31:1336 (June 2005), LR 37:334 (January 2011), LR 45:420 (March 2019).

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La. Admin Code. tit. 46, Pt LXVII, § 10405

§ 10405. Course Requirements

Currentness

A. The board shall require approved providers to follow model curriculum guidelines in accordance with *The Real Property Appraiser Qualification Criteria*, May 2018, prescribed by the Appraiser Qualifications Board of the Appraisal Foundation (AQB) to assure comprehensive coverage of appraisal topics which meet the educational requirements for trainee, certified residential, and certified general real property appraiser licenses.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisers Board of Certification, LR 25:1429 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board, LR 31:1336 (June 2005), LR 45:421 (March 2019).

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La. Admin Code. tit. 46, Pt LXVII, § 10407

§ 10407. Qualifying Education

Currentness

A. The board shall require approved providers to follow model curriculum guidelines in accordance with *The Real Property Appraiser Qualification Criteria*, May 2018, prescribed by the Appraiser Qualifications Board of the Appraisal Foundation (AQB), or its successor, to assure comprehensive coverage of appraisal topics which meet the qualifying educational requirements for trainee, certified residential, and certified general real property appraiser licenses.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

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La. Admin Code. tit. 46, Pt LXVII, § 10409

§ 10409. Continuing Education

Currentness

A. The board shall require approved providers to follow model curriculum guidelines in accordance with *The Real Property Appraiser Qualification Criteria*, May 2018, prescribed by the Appraiser Qualifications Board of the Appraisal Foundation (AQB), or its successor, to assure comprehensive coverage of appraisal topics which meet the continuing educational requirements for trainee, certified residential, and certified general real property appraiser licenses.

B. Education that is not obtained through a board-certified continuing education provider shall be submitted to the board prior to renewal for review and approval towards the annual continuing education requirement.

C. Course work completed by licensees through non-approved providers will be considered for credit by the board on an individual basis.

D. Licensees seeking approval for course work obtained through non-approved providers must apply directly to the board for credit toward the license renewal requirement. Each submission shall include a cover letter that contains the licensee's complete name, mailing address, and telephone number, with the following documentation:

1. certificate of completions;
2. hours completed;

3. date of completion;
4. detailed course content information;
5. verification of successful completion of an examination on course content, if applicable.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisers Board of Certification, LR 25:1430 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board, LR 31:1337 (June 2005), LR 37:335 (January 2011), LR 45:421 (March 2019).

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La. Admin Code. tit. 46, Pt LXVII, § 10411

§ 10411. Instructor Qualifications

Currentness

A. Instructors for qualifying education courses must satisfy at least one of the following qualification requirements:

1. a baccalaureate degree in any field and three years of experience directly related to the subject matter to be taught;
2. a master's degree in any field and one year of experience directly related to the subject matter to be taught;
3. a masters or higher degree in a field that is directly related to the subject matter to be taught;
4. five years of real estate appraisal teaching experience directly related to the subject matter to be taught; or
5. seven years of real estate appraisal experience directly related to the subject matter to be taught.

B. Instructors for continuing education courses shall satisfy at least one of the following qualification requirements:

1. three years of experience directly related to the subject matter to be taught;

2. a baccalaureate or higher degree in a field directly related to the subject matter to be taught;
3. three years of experience teaching the subject matter to be taught; or
4. a combination of education and experience equivalent to any of the above.

C. Instructors of the 15-hour National USPAP Course and seven-hour National USPAP Update Course shall be certified by the Appraiser Qualifications Board (AQB) and hold a current license as a state certified real appraiser.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

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La. Admin Code. tit. 46, Pt LXVII, § 10413

§ 10413. Americans with Disabilities Act (ADA) Compliance

Currentness

A. For purposes of meeting the requirements of the Americans with Disabilities Act (ADA), the board may permit an alternative method of course delivery other than the regular method of presentation. Verification of the disability of the individual requiring completion of the course work through an alternative delivery method may be required by the board prior to granting such a request.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisal Board of Certification, LR 25:1431 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board, LR 31:1338 (June 2005), LR 37:335 (January 2011).

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LAC 46:LXVII.10413, 46 LA ADC Pt LXVII, § 10413

Louisiana Administrative Code
Title 46. Professional and Occupational Standards
Part LXVII. Real Estate
Subpart 2. Appraisers
Chapter 104. Education Providers/Course Approval

La. Admin Code. tit. 46, Pt LXVII, § 10417

§ 10417. Distance Education Courses

Currentness

A. Distance education courses may be used as qualifying education credit for obtaining a license or continuing education for license renewal, provided the courses and instructors are approved or certified by the Appraiser Qualifications Board of the Appraisal Foundation (AQB) or the International Distance Education Certification Center (IDECC).

B. Any educational course based on the geographical separation of the learner and the instructor (e.g., CD ROM, on-line learning, correspondence courses, video conferencing, etc.) must provide for interaction between the learner and the instructor. Courses designed for both qualifying education credit and continuing education credit must include testing and proof of passage shall be furnished to students successfully completing the examination.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisers Board of Certification, LR 25:1431 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board, LR 41:370 (February 2015).

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LAC 46:LXVII.10417, 46 LA ADC Pt LXVII, § 10417

Louisiana Administrative Code
Title 46. Professional and Occupational Standards
Part LXVII. Real Estate
Subpart 2. Appraisers
Chapter 104. Education Providers/Course Approval

La. Admin Code. tit. 46, Pt LXVII, § 10419

§ 10419. Video Presentations in Classroom Instruction

Currentness

A. Video presentations will be accepted for qualifying and continuing education credit only when used as a training aid by an instructor in a classroom setting.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisal Board of Certification, LR 25:1431 (August 1999).

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LAC 46:LXVII.10419, 46 LA ADC Pt LXVII, § 10419

Louisiana Administrative Code
Title 46. Professional and Occupational Standards
Part LXVII. Real Estate
Subpart 2. Appraisers
Chapter 104. Education Providers/Course Approval

La. Admin Code. tit. 46, Pt LXVII, § 10421

§ 10421. Combining Appraisal and Real Estate Prelicensing Courses Prohibited

Currentness

A. Appraisal courses combined with real estate salesperson and/or broker prelicensing courses offered by schools certified by the Louisiana Real Estate Commission and approved by the board as education providers will not be accepted by the board as qualifying education.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisal Board of Certification, LR 25:1431 (August 1999).

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LAC 46:LXVII.10421, 46 LA ADC Pt LXVII, § 10421

Louisiana Administrative Code
Title 46. Professional and Occupational Standards
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Subpart 2. Appraisers
Chapter 104. Education Providers/Course Approval

La. Admin Code. tit. 46, Pt LXVII, § 10423

§ 10423. Determination of Credit Hours for Qualifying Education

Currentness

A. Each course credited toward an individual's educational requirement must represent a progression in which the individual's knowledge is increased. Full credit will not be granted to an individual for courses completed which are repetitive in nature.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisal Board of Certification, LR 25:1431 (August 1999).

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LAC 46:LXVII.10423, 46 LA ADC Pt LXVII, § 10423

Louisiana Administrative Code
Title 46. Professional and Occupational Standards
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Chapter 104. Education Providers/Course Approval

La. Admin Code. tit. 46, Pt LXVII, § 10425

§ 10425. Final Examination on Additional Education Required by Board

Currentness

A. A final examination is required on courses administered for the purpose of additional education when directed by the board. Completion of these courses shall be evidenced by a certificate of course completion issued by the education provider. Such courses shall not be used to satisfy the requirement for continuing education in the applicable recertification period.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisers Board of Certification, LR 25:1431 (August 1999).

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LAC 46:LXVII.10425, 46 LA ADC Pt LXVII, § 10425

Louisiana Administrative Code
Title 46. Professional and Occupational Standards
Part LXVII. Real Estate
Subpart 2. Appraisers
Chapter 105. Investigations and Adjudicatory Proceedings

La. Admin Code. tit. 46, Pt LXVII, § 10501

§ 10501. Investigations

Currentness

A. The board may, upon its own motion, and shall, upon the verified complaint in writing of any person, investigate the actions of a licensee or certificate holder, or any person who assumes to act as such. Written complaints shall bear the signature of the complainant or that of his legal representative before any action will be taken thereon by the board.

B. Upon documented probable cause, the executive director of the board may issue written authorization to investigate apparent violations of the Louisiana Real Estate Appraisers Law and/or the rules and regulations of the board.

C. Investigations shall be conducted by the staff of the Louisiana Real Estate Appraisers Board and/or the Louisiana Real Estate Commission.

D. If, during the course of an investigation, documented probable cause is established indicating that violations of the Louisiana Real Estate Appraisers Law and/or the rules and regulations of the board have been committed by any licensee or certificate holder other than the licensee or certificate holder against whom the original complaint was made, the additional licensee or certificate holder(s) may be added as respondent(s) to the investigation in the absence of any written complaint alleging such violations.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisal Board of Certification, LR 25:1431 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board, LR 31:1338 (June 2005).

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LAC 46:LXVII.10501, 46 LA ADC Pt LXVII, § 10501

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Louisiana Administrative Code
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Chapter 105. Investigations and Adjudicatory Proceedings

La. Admin Code. tit. 46, Pt LXVII, § 10503

§ 10503. Technical Assistance

Currentness

A. In any investigation conducted by the staff of the commission, the chairman The executive director of the board may be requested to assign may request a member of the board to provide technical assistance to the investigator conducting the from a member of the board in any investigation.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisal Board of Certification, LR 25:1431 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board, LR 31:1338 (June 2005).

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LAC 46:LXVII.10503, 46 LA ADC Pt LXVII, § 10503

Louisiana Administrative Code
Title 46. Professional and Occupational Standards
Part LXVII. Real Estate
Subpart 2. Appraisers
Chapter 105. Investigations and Adjudicatory Proceedings

La. Admin Code. tit. 46, Pt LXVII, § 10505

§ 10505. Cooperation

Currentness

A. Every licensee or certificate holder shall cooperate fully with and answer all questions propounded by the staff member(s) conducting an investigation.

B. Every licensee or certificate holder shall produce any document, book, or record in his/her possession, or under his/her control, concerning any matter under investigation.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisal Board of Certification, LR 25:1432 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board, LR 31:1338 (June 2005).

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LAC 46:LXVII.10505, 46 LA ADC Pt LXVII, § 10505

Louisiana Administrative Code
Title 46. Professional and Occupational Standards
Part LXVII. Real Estate
Subpart 2. Appraisers
Chapter 105. Investigations and Adjudicatory Proceedings

La. Admin Code. tit. 46, Pt LXVII, § 10507

§ 10507. Adjudicatory Proceedings

Currentness

A. As the result of an investigation, when it appears that violations of the Louisiana Real Estate Appraisers Law and/or rules and regulations of the board may have been committed by a licensee or certificate holder, the violations may be adjudicated through informal or formal adjudicatory proceedings.

1. Informal Adjudicatory Proceedings

- a. The complaint may be concluded informally without a public hearing on the recommendation of the hearing examiner and the concurrence of the executive director.
- b. An informal hearing may be conducted only when there is an admission by the respondent that the violations(s) were committed as alleged.
- c. A preliminary notice of adjudication shall be issued to advise the respondent of the violation(s) alleged and to advise the respondent that the matter can be resolved informally should the respondent desire to admit to committing the act(s) specified and submits a written request that the matter be resolved informally.
- d. A hearing officer shall be appointed by the executive director to conduct an informal hearing with the respondent.

e. The informal hearing shall be attended by the hearing examiner and, if necessary, the case investigator, or in the absence of the case investigator, a designated representative. The hearing examiner shall inform the hearing officer of the administrative, jurisdictional, and other matters relevant to the proceedings.

f. Following an admission by the respondent that the violations were committed as alleged, the hearing officer may enter into a recommended stipulations and consent order to include the imposition of any sanctions authorized by the Louisiana Real Estate Appraisers Law.

g. No evidence will be presented, no witnesses will be called and no formal transcript of the proceedings will be prepared by the board.

h. In the written document the respondent must stipulate to having committed the act(s) in violation of the Louisiana Real Estate Appraisers Law or the rules and regulations of the board, accept the sanctions recommended by the hearing officer, and waive any rights to request a rehearing, reopening, or reconsideration by the board, and the right to judicial appeal of the consent order.

i. At the informal hearing, the respondent shall admit to having committed the act(s) specified, accept the sanctions recommended by the hearing officer, and waive the specified appellate rights, or the alleged violations shall be referred to a formal adjudicatory hearing.

j. If the respondent does execute a stipulation and consent order, the executive director shall submit the document to the board at the next regular meeting for approval and for authorization to allow the executive director to execute the consent order in the name of the board.

k. Any consent order executed as a result of an informal hearing shall be effective on the date approved by the board.

1. The actions of the board relative to all consent orders shall be noted in the minutes of the meeting at which the consent order is considered and authorization is granted to the executive director to execute the order in the name of the board.

2. Formal Adjudicatory Proceedings

a. All formal public adjudicatory hearings shall be conducted under the auspices of [R.S. 37:3409](#) and Chapter 13, Title 49 of the Louisiana Revised Statutes.

b. Board members who have provided technical assistance in any matter adjudicated at a formal adjudicatory proceeding shall recuse themselves and not participate in any portion of the proceedings.

c. The order issued by the board pursuant to any formal public adjudicatory proceeding shall become effective on the eleventh day following the date the order is issued by the board and entered into the record at the proceedings.

d. If a request for rehearing, reopening, or reconsideration of the order of the board is timely filed and denied by the board, the order shall become final on mailing of the notice of the board's final decision on the request.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Real Estate Appraisal Board of Certification, LR 25:1432 (August 1999), amended by the Office of the Governor, Real Estate Appraisers Board, LR 31:1338 (June 2005), LR 37:335 (January 2011).

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LAC 46:LXVII.10507, 46 LA ADC Pt LXVII, § 10507

Louisiana Administrative Code
Title 46. Professional and Occupational Standards
Part LXVII. Real Estate
Subpart 2. Appraisers
Chapter 105. Investigations and Adjudicatory Proceedings

La. Admin Code. tit. 46, Pt LXVII, § 10509

§ 10509. Appellate Proceedings

Currentness

A. Rehearings

1. An order of the board shall be subject to rehearing, reopening or reconsideration by the board on receipt of a written request from a respondent. An application for rehearing, reopening or reconsideration must be postmarked or received at the office of the board within 10 days from the date of entry of the order rendered by the board.
2. The date of entry is the date the order is issued by the board and entered into the record at the formal adjudicatory proceedings.
3. The request shall be reviewed by the board attorney for compliance with the Administrative Procedure Act. A finding by the board attorney that the request does not establish grounds for rehearing, reopening or reconsideration shall result in a denial of the request.

B. Judicial Review

1. Proceedings for judicial review of an order issued by the board may be instituted by filing a Petition for Judicial Review in the Nineteenth Judicial District Court in the Parish of East Baton Rouge.

2. In the event a request for rehearing, reopening or reconsideration has been filed with the board, the party making the request shall have 30 days from the final decision on the request within which to file a Petition for Judicial Review.

3. If a request for rehearing, reopening or reconsideration is not filed with the board, the Petition for Judicial Review must be filed in the Nineteenth Judicial District Court within 30 days after the mailing of the order of the board.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Real Estate Appraisers Board, LR 31:1339 (June 2005).

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LAC 46:LXVII.10509, 46 LA ADC Pt LXVII, § 10509

Louisiana Administrative Code
Title 46. Professional and Occupational Standards
Part LXVII. Real Estate
Subpart 2. Appraisers
Chapter 105. Investigations and Adjudicatory Proceedings

La. Admin Code. tit. 46, Pt LXVII, § 10511

§ 10511. Costs of Adjudicatory Proceedings

Currentness

A. On a finding that a respondent has committed the violation(s) as alleged in any formal or informal adjudicatory proceeding, the respondent may be assessed the administrative costs of the proceeding as determined by the board. Payment of these costs shall be a condition of satisfying any order issued by the board.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Real Estate Appraisers Board, LR 31:1339 (June 2005).

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LAC 46:LXVII.10511, 46 LA ADC Pt LXVII, § 10511

Louisiana Administrative Code
Title 46. Professional and Occupational Standards
Part LXVII. Real Estate
Subpart 2. Appraisers
Chapter 105. Investigations and Adjudicatory Proceedings

La. Admin Code. tit. 46, Pt LXVII, § 10513

§ 10513. Stay of Enforcement

Currentness

A. The filing of a petition for judicial review does not itself stay enforcement of an order issued by the board. A stay of enforcement will be granted only when directed by the court conducting a judicial review of adjudication.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Real Estate Appraisers Board, LR 31:1339 (June 2005).

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LAC 46:LXVII.10513, 46 LA ADC Pt LXVII, § 10513

Louisiana Administrative Code
Title 46. Professional and Occupational Standards
Part LXVII. Real Estate
Subpart 2. Appraisers
Chapter 107. Appraisal Management Companies

La. Admin Code. tit. 46, Pt LXVII, § 10701

§ 10701. Appraiser Requirements and Prohibitions

Currentness

A. It shall be unlawful for a licensee or certificate holder to enter into an agreement to perform valuation services, written or otherwise, with an appraisal management company, or a person, corporation, partnership, sole proprietorship, subsidiary, unit, or other business entity that engages, or attempts to engage, in the activities of an appraisal management company, as defined in [R.S. 37:3415.2\(a\)-\(b\)](#), unless the appraisal management company, person, corporation, partnership, sole proprietorship, subsidiary, unit, or other business entity is licensed in accordance with the Louisiana Appraisal Management Company Licensing and Regulation Act.

B. A licensee or certificate holder that performs valuation services for an appraisal management company may include the license number of the appraisal management company in all appraisal reports or other instruments used by the licensee or certificate holder in conducting real property appraisal activities for the appraisal management company.

Credits

AUTHORITY NOTE: Promulgated in accordance with [R.S. 37:3395](#).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Real Estate Appraisers Board, LR 39:311 (February 2013).

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