

**CHAPTER 40A**

**STATE BOARD OF REAL ESTATE APPRAISERS**

**Authority**

N.J.S.A. 45:1 et seq. and 45:14F et seq.

**Source and Effective Date**

R.2007 d.341, effective October 3, 2007.  
See: 39 N.J.R. 2205(a), 39 N.J.R. 4849(b).

**Chapter Expiration Date**

Chapter 40A, State Board of Real Estate Appraisers, expires on October 3, 2012.

**Chapter Historical Note**

Chapter 40A, State Board of Real Estate Appraisers, was adopted as R.1991 d.598, effective December 16, 1991. See: 23 N.J.R. 2628(a), 23 N.J.R. 3763(b).

Subchapter 2A, Certification of Residential Real Estate Appraisers, was adopted as R.1993 d.125, effective March 15, 1993. As part of R.1993 d.125, Subchapter 2, Certification of Real Estate Appraisers, was renamed Certification of General Real Estate Appraisers. See: 24 N.J.R. 3489(a), 25 N.J.R. 1222(b).

Subchapter 7, Apprentice Permits, was adopted as R.1993 d.177, effective April 19, 1993. See: 25 N.J.R. 267(a), 25 N.J.R. 1773(a).

Notice of Receipt of Petitions for Rulemaking and Action thereon. See: 25 N.J.R. 3032(b).

Pursuant to Executive Order No. 66(1978), Chapter 40A, State Board of Real Estate Appraisers, was readopted as R.1997 d.23, effective December 13, 1996. See: 28 N.J.R. 4724(a), 29 N.J.R. 369(a). As part of R.1997 d.23, effective January 21, 1997, Subchapter 4, Continuing Professional Education, was recodified to Subchapter 5, and a new Subchapter 4, Apprentice Permits, was recodified from Subchapter 7; Subchapter 5, Standards for Appraisals, was recodified to Subchapter 6, and a new Subchapter 5, Continuing Professional Education, was recodified from Subchapter 4; Subchapter 6, General Provisions, was recodified to Subchapter 7, and a new Subchapter 6, Standards for Appraisals, was recodified from Subchapter 5; Subchapter 7, Apprentice Permits, was recodified to Subchapter 4, and a new Subchapter 7, General Provisions, was recodified from Subchapter 6; and Subchapter 8, Certification or Licensure by Endorsement, was adopted as new rules.

Chapter 40A, State Board of Real Estate Appraisers, was readopted as R.2002 d.205, effective June 7, 2002. See: 34 N.J.R. 435(a), 34 N.J.R. 2319(a).

Subchapter 1, Purpose and Scope; Definitions, was renamed Purpose and Scope; Definitions; Scope of Practice by R.2007 d.30, effective February 5, 2007. See: 38 N.J.R. 2628(a), 39 N.J.R. 494(a).

Chapter 40A, State Board of Real Estate Appraisers, was readopted as R.2007 d.341, effective October 3, 2007. See: Source and Effective Date. See, also, section annotations.

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. PURPOSE AND SCOPE; DEFINITIONS;  
SCOPE OF PRACTICE**

- 13:40A-1.1 Purpose and scope
- 13:40A-1.2 Definitions
- 13:40A-1.3 Scope of practice

**SUBCHAPTER 2. CERTIFICATION OF GENERAL REAL  
ESTATE APPRAISERS**

- 13:40A-2.1 Eligibility for certification as a general real estate appraiser
- 13:40A-2.2 Eligibility for admission to examination
- 13:40A-2.3 Educational requirements for certification as a general real estate appraiser
- 13:40A-2.4 Experience requirements for certification as a general real estate appraiser
- 13:40A-2.5 Temporary visiting certificate; certified general real estate appraiser

**SUBCHAPTER 2A. CERTIFICATION OF RESIDENTIAL  
REAL ESTATE APPRAISERS**

- 13:40A-2A.1 Eligibility for certification as a residential real estate appraiser
- 13:40A-2A.2 Eligibility for admission to examination
- 13:40A-2A.3 Educational requirements for certification as a residential real estate appraiser
- 13:40A-2A.4 Experience requirements for certification as a residential real estate appraiser
- 13:40A-2A.5 Temporary visiting certificate; certified residential real estate appraiser

**SUBCHAPTER 3. LICENSING OF REAL ESTATE  
APPRAISERS**

- 13:40A-3.1 Eligibility for licensure
- 13:40A-3.2 Eligibility for admission to examination
- 13:40A-3.3 Educational requirements for licensure
- 13:40A-3.4 Experience requirements for licensure
- 13:40A-3.5 (Reserved)
- 13:40A-3.6 Temporary visiting licenses

**SUBCHAPTER 4. TRAINEE PERMITS**

- 13:40A-4.1 Purpose and scope; application
- 13:40A-4.2 (Reserved)
- 13:40A-4.3 Educational requirements
- 13:40A-4.4 Annual trainee permit renewal
- 13:40A-4.5 Responsibilities of trainee
- 13:40A-4.6 Responsibilities of supervising appraiser
- 13:40A-4.7 Real estate appraiser trainee log
- 13:40A-4.8 Continuing education requirements

**SUBCHAPTER 5. CONTINUING PROFESSIONAL  
EDUCATION**

- 13:40A-5.1 Requirements for licensure and certification renewal
- 13:40A-5.2 (Reserved)
- 13:40A-5.3 Continuing education credit-hour requirements; carry-over prohibited
- 13:40A-5.4 Special course requirement; Uniform Standards of Professional Appraisal Practice
- 13:40A-5.5 Pre-approval of course offerings
- 13:40A-5.6 Acceptable course topics
- 13:40A-5.7 Sources of continuing education
- 13:40A-5.8 Required documentation
- 13:40A-5.9 Responsibilities of continuing education providers
- 13:40A-5.10 Extensions

**SUBCHAPTER 6. STANDARDS FOR APPRAISALS**

- 13:40A-6.1 General requirements

**SUBCHAPTER 7. GENERAL PROVISIONS**

- 13:40A-7.1 Fee schedule
- 13:40A-7.2 Disclosure of title and certificate or license number

- 13:40A-7.3 Use of designations and abbreviations  
 13:40A-7.4 Criteria for qualifying education instructor and USPAP instructors  
 13:40A-7.5 Mixed practice; conflict of interest  
 13:40A-7.6 License or certification renewal  
 13:40A-7.7 Reinstatement  
 13:40A-7.8 Denial or revocation of license or certification; record of conviction of certain crimes  
 13:40A-7.9 Disciplined licensees or certificate holders; prohibited activities  
 13:40A-7.10 Notification of change of address; service of process

#### SUBCHAPTER 8. CERTIFICATION OR LICENSURE BY ENDORSEMENT

- 13:40A-8.1 Certification or licensure by endorsement

#### SUBCHAPTER 1. PURPOSE AND SCOPE; DEFINITIONS; SCOPE OF PRACTICE

##### 13:40A-1.1 Purpose and scope

(a) The rules in this chapter implement the provisions of P.L. 1991, c.68, N.J.S.A. 45:14F-1 et seq., the “Real Estate Appraisers Act.”

(b) This chapter shall apply to all persons applying for licensure as a licensed real estate appraiser or certification as a certified residential real estate appraiser or as a certified general real estate appraiser and to persons licensed or certified by the Board of Real Estate Appraisers in the State of New Jersey.

(c) Beginning on January 1, 2008, in order to implement the Real Property Appraiser Qualification Criteria (2008 Criteria) that goes into effect on that date, the Board has adopted the segmented approach, with a cut-off date of December 31, 2009. States are required to implement appraiser certification requirements that are no less stringent than those issued by the AQB in the Real Property Appraiser Qualification Criteria (Criteria), pursuant to the Financial Institutions Reform Recovery and Enforcement Act of 1989, 12 U.S.C. §3331 et seq. Certification requirements are broken down into three components: education, examination, and experience. The segmented approach requires an applicant to meet the Criteria in effect at the time he or she completes a particular component. Any component completed prior to January 1, 2008, would satisfy the current Criteria, while any component not completed by January 1, 2008, would have to conform to the 2008 Criteria. Any applicant for a license or certification who has not demonstrated completion of all three components by December 31, 2009 shall conform to the 2008 Criteria with regard to every component.

Amended by R.1993 d.125, effective March 15, 1993.  
 See: 24 N.J.R. 3489(a), 25 N.J.R. 1222(b).

Revised text.  
 Repeal and New Rule, R.2002 d.205, effective July 1, 2002.  
 See: 34 N.J.R. 435(a), 34 N.J.R. 2319(a).

Section was “Purpose and scope”.  
 Amended by R.2007 d.364, effective December 3, 2007.  
 See: 38 N.J.R. 4986(a), 39 N.J.R. 5088(a).

Added (c).

##### 13:40A-1.2 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

“Appraisal Foundation” means the Appraisal Foundation incorporated in the State of Illinois as a nonprofit corporation on November 30, 1987, as denominated in Title XI of Publ. L. 101-73 (12 U.S.C. section 3331 et seq.).

“Appraisal Qualification Board (AQB)” means the independent board of the Appraisal Foundation which under the provisions of Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA) establishes the minimum education, experience and examination requirements for real property appraisers to obtain a state certification or license. The address and phone number of the AQB is 1029 Vermont Avenue, NW, Suite 900, Washington, DC 20005-3517, (202) 347-7722. The website for the AQB is [www.appraisalfoundation.org](http://www.appraisalfoundation.org).

“Board” means the State Real Estate Appraiser Board in the Division of Consumer Affairs.

“Jurisdiction” means the 50 United States, the District of Columbia, American Samoa, Guam, Mariana Islands, Puerto Rico and the United States Virgin Islands.

“State certified general real estate appraiser” (“SCGRE”) means an individual who has satisfied the experience and education requirements as set forth in this chapter, has successfully completed the Board approved examination, and holds a current, valid certificate as a certified general real estate appraiser.

“State certified residential real estate appraiser” (“SCRREA”) means an individual who has satisfied the experience and education requirements as set forth in this chapter, has successfully completed the Board approved examination, and holds a current, valid certificate as a certified residential real estate appraiser.

“State licensed real estate appraiser” (“SLREA”) means an individual who has satisfied the experience and education requirements as set forth in this chapter, has successfully completed the Board approved examination, and holds a current, valid license for real estate appraisal.

“Trainee” means an individual in the process of acquiring the hours of appraisal experience and qualifying education required for certification or licensure under the direct supervision of a certified appraiser pursuant to this chapter.

“Uniform Standards of Professional Appraisal Practice (USPAP)” means the published standards set forth by the Appraisal Standards Board of the Appraisal Foundation (1029 Vermont Avenue, NW, Suite 900, Washington, D.C. 20005-3517) (July 1, 2006). The standards include the generally accepted standards of appraisal practice; a history of changes to those standards; all statements on Appraisal Standards; all