

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF COMMERCE
DIVISION OF REAL ESTATE & PROFESSIONAL LICENSING**

DATE: March 22, 2023

TIME: 9:30 am

LOCATION: 77 South High Street, 22nd Floor, Columbus, Ohio 43215

A public hearing will be held by the Ohio Department of Commerce, Division of Real Estate & Professional Licensing on Wednesday, March 22, 2023 at 9:30 on 77 South High Street, 22nd Floor, Columbus, Ohio 43215. The purpose of this public hearing is to solicit comments for Administrative Rules 1301:11-3-03, 1301:11-4-02, 1301:11-7-01, 1301:11-7-02 & 1301:11-7-03 of the Ohio Administrative Code.

The rules are available by contacting the Ohio Department of Commerce, Division of Real Estate & Professional Licensing, 77 S. High Street, 20th Floor, Columbus, OH 43215 by calling (614) 466-5042. The rules are also available at the following website: www.registerofohio.state.oh.us.

At the public hearing, any person affected by the proposed actions may appear and be heard in person, by the person's attorney, or both, may present the person's position, arguments, or contentions, orally or in writing, offer and examine witnesses, and present evidence tending to show that the proposed rule or amendments, if adopted or effectuated, will be unreasonable or unlawful.

To participate via written testimony in lieu of appearance: Any person who wishes to present his or her position, arguments or contentions in writing may do so by mailing his or her written comments to the Ohio Department of Commerce, Division of Real Estate & Professional Licensing, 77 S. High Street, 20th Floor, Columbus, OH 43215. All written comments must be received by the Department no later than 5:00 pm on Wednesday, March 22, 2023. Written comments submitted after this date may be considered as time and circumstances permit.

The Ohio Department of Commerce is an equal opportunity service provider.

RULES

1301:11-3-03 – Education requirements for applicants for licensing and certification

Division staff recommends changes to the existing rule.

Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 ("FIRREA") established the Appraiser Qualifications Board ("AQB"). The AQB establishes the minimum requirements for certified real property appraisers. Also under the provisions of the Dodd-Frank Reform Act, the AQB establishes the minimum requirements for "Licensed Appraisers" and appraiser trainees. These laws require states to implement appraiser requirements that are no less stringent than those issued by AQB. States that do not comply with Title XI are subject to the non-recognition of their real estate appraiser licenses and certifications. This rule establishes the education requirements for applicants seeking real estate appraiser licenses or certificates.

Paragraph D – The proposed changes are consistent with the new requirements recently established by the AQB regarding online education offerings. The proposed change also removes redundant language in the existing rule as a result of the changes proposed in the continuing education rules.

Paragraph E - The proposed changes are consistent with the new requirements recently established by the AQB.

1301:11-4-02 – Education requirements for registration as a state-registered real estate appraiser assistant

Division staff recommends changes to the existing rule.

This rule establishes the education requirements for applicants who want to obtain an Ohio real estate appraiser assistant registration. This rule is required by Ohio Revised Code Section 4763.05(C) and is consistent with AQB requirements.

Paragraph F – As a result of the changes proposed in the appraiser continuing education rules, the proposed change is needed to remove redundant language in the existing rule.

Paragraph G - The proposed changes are consistent with the new requirements recently established by the AQB.

1301:11-7-01 – Continuing education requirement

Division staff recommends changes to the existing rule.

This rule establishes the continuing education requirements for registered, licensed or certified Ohio real estate appraisers. The requirements set forth in this rule are consistent with AQB requirements.

Paragraph B – A minor clerical change is proposed.

Paragraph D – The proposed amendment comes directly from the AQB requirements and defines acceptable asynchronous distance education.

1301:11-7-02 – Continuing education course approvals

Division staff recommends changes to the existing rule.

This rule establishes the requirements education providers must satisfy in order to receive Division approval to offer a continuing education class for Ohio real estate appraisers. The requirements set forth in this rule are consistent with AQB requirements.

Paragraph (B)(6) – The proposed language acknowledges the changes made to paragraph K in rule 1301:11-7-03 and specifies an exam is optional for synchronous offerings. The proposed language follows AQB requirements.

Paragraph (B)(7)(n) – The proposed change takes into account an additional approved AQB continuing education course topic.

Paragraph (H)(2) – A minor clerical change is proposed.

1301:11-7-03 – Distance education

Division staff recommends changes to the existing rule.

The purpose of this rule is to establish the requirements for a course provider seeking approval for a continuing education class offered in a distance education setting.

Paragraphs (A) & (C) - The proposed changes are recommended to make the rule consistent with AQB requirements and definitions.

Paragraph (G)(14) – The proposed change takes into account an additional approved AQB continuing education course topic for distance education offerings.

Paragraph (K) – The proposed changes are recommended to make the rule consistent with AQB requirements.