

**TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 62 REAL ESTATE APPRAISERS**  
**PART 8 EDUCATIONAL PROGRAMS/CONTINUING EDUCATION**

**16.62.8.1 ISSUING AGENCY:** Regulation and Licensing Department - NM Real Estate Appraisers Board.  
[3/14/00; 16.62.8.1 NMAC - Rn, 16 NMAC 62.8.1, 09/13/2004; A, 01/01/2015]

**16.62.8.2 SCOPE:** All trainees, licensed residential real estate appraisers, residential certified real estate appraisers, general certified real estate appraisers and temporary licensed or certified real estate appraisers.  
[3/14/00; 16.62.8.2 NMAC - Rn & A, 16 NMAC 62.8.2, 09/13/2004; A, 01/01/2015; A, 02/03/2019]

**16.62.8.3 STATUTORY AUTHORITY:** These rules are promulgated pursuant to the Real Estate Appraisers Act, Section 61-30-1 to -24, NMSA 1978.  
[3/14/00; 16.62.8.3 NMAC - Rn, 16 NMAC 62.8.3, 09/13/2004; A, 09/26/2023]

**16.62.8.4 DURATION:** Permanent.  
[3/14/00; 16.62.8.4 NMAC - Rn, 16 NMAC 62.8.4, 09/13/2004]

**16.62.8.5 EFFECTIVE DATE:** March 14, 2000, unless a later date is cited at the end of a section.  
[3/14/00; 16.62.8.5 NMAC - Rn & A, 16 NMAC 62.8.5, 09/13/2004]

**16.62.8.6 OBJECTIVE:** This part provides requirements for approval of educational courses for pre-trainee, pre-licensing, and pre-certification and continuing education credit. It establishes requirements for continuing education courses and sponsors. It establishes an education advisory committee to approve courses and sponsors.  
[3/14/00; 16.62.8.6 NMAC - Rn, 16 NMAC 62.8.6, 09/13/2004; A, 11/25/06; A, 01/01/2015]

**16.62.8.7 DEFINITIONS:** "Class Hours" for the purpose of fulfilling continuing education requirements includes approved courses offered over the internet or other distance learning modalities.  
[3/14/00; 16.62.8.7 NMAC - Rn, 16 NMAC 62.8.7, 09/13/2004; A, 02/03/2019]

**16.62.8.8 ACCEPTABLE COURSEWORK:**

**A.** All coursework for original trainee registration, licensing and certification shall be given in 15-hour segments and have an examination administered at the end of the course.

**B.** Successful completion of the examination is a requirement to submit the course for original trainee registration, licensure or certification credit.

**C.** Courses taken in satisfying the qualifying education requirements shall not be repetitive in nature. Each course credited toward the required number of qualifying education hours shall represent a progression in which the appraiser's knowledge is increased.

[3/14/00; 16.62.8.8 NMAC - Rn, 16 NMAC 62.8.8, 09/13/2004; A, 11/25/06; A, 01/01/2015; A, 09/26/2023]

**16.62.8.9 RELEVANCE OF COURSEWORK:** All coursework for original trainee, licensing or certification shall be in courses closely related to real estate appraisal. The board will not accept an applicant's completion of a course of a kind, which is designed to prepare students for examination, commonly known as a "cram course". All real estate appraisal coursework credited toward original trainee, shall have been completed no more than five years prior to the date of the application filed with the board.

[3/14/00; 16.62.8.9 NMAC - Rn & A, 16 NMAC 62.8.9, 09/13/2004; A, 11/25/06; A, 01/01/2015; A, 01/15/2017; A, 09/26/2023]

**16.62.8.10 DISTANCE EDUCATION:** Is defined as any education process based on the geographical separation of student and instructor. A distance education course offered over the internet or other distance learning modality is acceptable to meet class hour requirements if:

**A.** the course provides interaction; interaction is a reciprocal environment where the student has verbal or written communication with the instructor;

**B.** content approval is obtained from the appraiser qualifications board, or an accredited college, community college, or university that offers distance education programs and is approved or accredited by the

commission on colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. secretary of education; non-academic credit college courses provide by a college shall be approved by the appraiser qualifications board and state licensing jurisdiction; and

C. course delivery mechanism approval is obtained from one of the following sources:

(1) appraiser qualifications board approved organizations providing approval of course design and delivery;

(2) a college that qualifies for content approval in Subsection B above that awards academic credit for the distance education course; or

(3) a qualifying college for content approval with a distance education delivery program that approves the course design and delivery that incorporate interactivity.

[3/14/00; 16.62.8.10 NMAC - Rn & Repealed, 16 NMAC 62.8.10, 09/13/2004; 16.62.8.10 NMAC - N, 06/13/08]

**16.62.8.11 ACCEPTABLE CONTINUING EDUCATION:** Courses approved for continuing education credit shall have significant intellectual or practical content and shall deal primarily with matters directly related to appraisal practice or to the ethical obligations of trainees, licensees and certificate holders. The primary objective of such courses shall be consistent with the board's charge to protect the public and to increase the professional competence of trainees, licensees and certificate holders. [3/14/00; 16.62.8.11 NMAC - Rn & A, 16 NMAC 62.8.11, 09/13/2004; A, 11/25/06; A, 08/21/2010; A, 01/01/2015; A, 02/03/2019]

**16.62.8.12 CONTINUING EDUCATION REQUIREMENTS:** Twenty-eight hours of continuing education are required each biennial renewal period. Continuing education requirements for initial trainees, licenses and certificates issued for less than two full years are pro-rated as defined in 16.62.7.12 NMAC.

A. Individuals must successfully complete the seven hour national uniform standards of professional appraisal practice (USPAP) update course, or its equivalent as approved by the appraiser qualifications board (AQB). Successful completion includes passing an exam if required by the appraiser qualifications board (AQB).

B. Successful completion of the AQB approved seven hour national USPAP update course will be required of every trainee, licensee and certificate holder as a condition of renewal in each biennial renewal.

[3/14/00; 16.62.8.12 NMAC - Rn & A, 16 NMAC 62.8.12, 09/13/2004; A, 11/25/2006; A, 08/21/2010; A, 1/16/2011; A, 01/01/2015; A, 01/15/2017; A, 03/12/2024]

**16.62.8.13 EDUCATION ADVISORY COMMITTEE:** The board will appoint an education advisory committee for the purpose of reviewing courses and sponsors of education.

A. A committee approval shall go into effect immediately upon the committee's decision.

B. The board maintains the ability to review all approvals or disapprovals made by the committee. [3/14/00; 16.62.8.13 NMAC - Rn, 16 NMAC 62.8.13, 09/13/2004; A, 08/21/2010; A, 01/01/2015]

**16.62.8.14 APPROVAL OF SPONSORS:** The board may approve individuals or organizations as course sponsors. Colleges and universities offering credit courses in real estate appraisal are also considered approved sponsors.

A. Requests for approval must be made on board approved forms and include an outline and a code of conduct for instructors.

B. The instructor selection and retention policy will include, at a minimum, the following requirements:

(1) instructors of qualifying education courses must be licensed by exam or certified at the same or a higher category than the level of classes they are engaged to teach.

(2) instructors engaged to teach the national uniform standards of professional appraisal practice (USPAP) course must qualify under the instructor evaluation policy for instructor selection for the national USPAP course developed by the appraisal foundation;

(3) instructors must teach only the appraisal foundation-approved national uniform standards of professional appraisal practice (USPAP) course;

(4) student critiques must be requested and maintained for each class given;

(5) a summary of the critiques and the pass rate of the class must be submitted to the board within 30 days after the course is completed;

(6) the sponsor shall provide a procedure for periodic monitoring of instructors in the classroom setting along with the sponsor application.

C. Approved sponsors shall comply with the following requirements to maintain approved status; the school must be conducted in accordance with these rules:

- (1) to permit the board or its representative access to the school or classes being conducted and to make available to the board, upon request, all information pertaining to the activities of the school required for the administration of the rules and regulations, including its financial condition;
- (2) to advertise the school at all times in a form and manner free from misrepresentation, deception or fraud;
- (3) assure that all representations made by anyone authorized by the school to act as its agent or solicitor for prospective students are free from misrepresentation, deception or fraud;
- (4) to maintain current, complete, and accurate student records and instructor critiques or summaries which shall be accessible at all times to the board or its authorized representative; these records shall include, in addition to other information, a record of payments made, a record of attendance, and a record of units of work completed;
- (5) to conduct all courses in accordance with outlines submitted to and approved by the board;
- (6) to only certify course completion for students who have successfully taken and passed the course; credit cannot be given for students who pass a course by challenging the course;
- (7) sponsors will be subject to renewal of approval every three (3) years or on a renewal period as determined by the AQB expiration date; the board assumes no responsibility for renewal courses not received from the sponsor for any reason; it is the sponsor's responsibility to make timely request(s) for the renewal of course(s) for board approval;
- (8) sponsors must assure that all instructors:
  - (a) conduct all classes in accordance with board rules;
  - (b) ensure that all instruction is free from misrepresentation;
  - (c) instruct only from board-approved outlines;
  - (d) allow access to any class being instructed to any duly appointed representative of the board; and
  - (e) certify to his/her sponsor a true and correct record of students' attendance in his/her classes;
- (9) failure to comply with this rule may result in the loss of approval of the sponsor; and
- (10) the board reserves the right to disapprove an instructor.

D. Sponsors may also be approved for seminars, conferences and one-time courses. Approval is limited to the dates of the course and may not be renewed.  
[3/14/00; 16.62.8.14 NMAC - Rn, 16 NMAC 62.8.14, 09/13/2004; A, 11/25/2006; A, 01/16/2011; A, 01/01/2015; A, 02/03/2019; A, 09/26/2023]

#### **16.62.8.15 APPROVAL OF COURSES:**

A. All real estate appraisal courses except the appraisal qualifications board (AQB) approved 15-hour and seven-hour national USPAP courses, must have prior approval by the board if they are to be approved for credit towards continuing education or qualifying education. Beginning January 1, 2008, all qualifying education courses for pre-trainee, pre-licensing and pre-certification must have been approved through the AQB course approval program. The AQB approved 15-hour national USPAP course and the seven hour national USPAP update course do not require prior approval by the board with proof that the course was taught by an AQB certified national USPAP instructor who is also a residential or general certified appraiser. The course sponsor may certify in the form of a certificate provided to the student that the instructor meets the above board criteria.

B. All board approved real estate courses except the AQB approved 15-hour national USPAP course and the seven-hour national USPAP update course, as defined in Subsection A of this section, accepted for pre-trainee, pre-licensing and pre-certification credit must: be a minimum length of at least 15 hours and include successful completion of an approved closed-book examination pertinent to that educational offering.

C. Application for course approval must be made to the board. No classes for credit may commence prior to board approval. The education advisory committee will review the application in accordance with 16.62.8.13 NMAC.

D. All course outlines approved by the board for pre-trainee, pre-licensing, pre-certification and continuing education credit shall become the property of the board and the outlines shall be available to all those board approved sponsors wishing to teach said courses.

**E.** All existing courses are subject to periodic review by the board. The board may at any time change the approval status of any course.

[3/14/00; 16.62.8.15 NMAC - Rn & A, 16 NMAC 62.8.15, 09/13/2004; A, 11/25/2006; A, 01/16/2011; A, 7/10/2011; A, 01/01/2015]

**16.62.8.16 ONE-ON-ONE APPROVAL:** The education advisory committee may approve continuing education credit on a one-on-one basis for courses that do not conform fully with 16.62.8.14 NMAC or 16.62.8.15 NMAC.

[3/14/00; 16.62.8.16 NMAC - Rn, 16 NMAC 62.8.16, 09/13/2004 A, 01/01/2015]

**16.62.8.17 [RESERVED]**

[3/14/00; 16.62.8.17 NMAC - Rn & A, 16 NMAC 62.8.17, 09/13/2004; A, 11/25/06]

**16.62.8.18 EDUCATION CREDIT FOR TEACHING:** Instructors who are also certified and licensed may receive up to one-half of their continuing education requirement from instruction of appraisal courses or seminars. Credit for instructing any given course or seminar can only be awarded once during a continuing education cycle.

[3/14/00; 16.62.8.18 NMAC - Rn & A, 16 NMAC 62.8.185, 09/13/2004]

#### **HISTORY OF 16.62.8 NMAC:**

**Pre-NMAC History:** The material in this part was derived from that previously filed with the State Records Center and Archives under:

REAB Rule 8, Educational Programs/Continuing Education, filed 11/29/90.

REAB Rule 8, Amendment 1, Educational Programs/Continuing Education, filed 10/3/91.

REAB Rule 9, Educational Programs/Continuing Education, filed 4/6/93.

Rule 9, Educational Programs/Continuing Education, filed 1/28/94.

Rule 9, Educational Programs/Continuing Education, filed 8/2/95.

**History of Repealed Material:** [RESERVED]

#### **Other History:**

Rule 9, Educational Programs/Continuing Education (filed 8/2/95) was renumbered, reformatted and replaced by 16 NMAC 62.8, Educational Programs/Continuing Education, effective 03/14/2000.

16 NMAC 62.8, Educational Programs/Continuing Education (filed 02/14/2000) was renumbered, reformatted, amended, and replaced by 16.62.8 NMAC, Educational Programs/Continuing Education, effective 09/13/2004.