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**1301:11-7-02 Continuing education course approvals.**

(A) Application for course approvals.

- (1) An applicant for initial course approval, additional course offerings of an approved course or renewal of a course approval shall apply to the division of real estate for approval of appraiser continuing education courses on a form prescribed by the division along with the nonrefundable fee as specified in paragraph (A)(2) of this rule. The application form and fee must be submitted to the division of real estate at least thirty days prior to the proposed initial date of the offering. Upon notice from the division of real estate that an application is incomplete or incorrect as filed, the applicant shall, within thirty days of the date of the last such notice, submit to the division the additional requested information or the corrected application. Failure to timely submit the additional requested information or the corrected application shall constitute just cause for the superintendent to void the application.
- (2) A course provider which proposes to offer a continuing education course to registered, licensed, or certified appraisers shall remit to the division of real estate fees in accordance with the following schedule:
  - (a) For each application for initial approval of a continuing education course: fifty dollars~~;~~
  - (b) For each additional offering of an approved course within the same calendar year after the initial course: ten dollars~~;~~ ~~and~~;
  - (c) For each continuing education course renewal: fifty dollars~~;~~ ~~and~~;
  - (d) For amendment of an approved course offering: ten dollars.

(B) Criteria for approval of offerings and instructors.

- (1) For this rule, “classroom hour” applies to instruction held in a classroom setting or in a distance education setting. Offerings will not be approved in segments of less than two classroom hours. Unless the continuing education instruction is distance education as defined in paragraph (A) of rule 1301:11-7-03 of the Administrative Code, no offering will be approved in which classroom instruction exceeds more than eight classroom hours in any one day. For purposes of this rule, one classroom hour consists of fifty minutes of instruction out of a sixty minute segment.
- (2) Instructors who present a continuing education course, shall submit documentation to the Division through a form prescribed by the Division demonstrating the instructor ~~must meet~~meets at least one of the following qualifications:
  - (a) Possession of a bachelor's degree or higher in a related field to that which the person is to teach, from a school listed as an institution of higher learning by the United States department of education, or from a comparable school of a foreign country~~;~~
  - (b) Possession of a valid teaching credential or certificate from Ohio or another state authorizing the holder to teach in the field of instruction which the person is to teach~~;~~
  - (c) Five years full-time experience in a profession, trade, or technical occupation in the applicable field~~;~~

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or

- (d) Any combination of at least five years of full-time experience relevant to the applicable field and college level education.
- (3) The national uniform standards of professional appraisal practice continuing education course required pursuant to paragraph (B) of rule 1301:11-7-01 of the Administrative Code shall only be awarded credit when the course is provided or course instruction is given by at least one appraisal qualifications board certified instructor(s) and who is a residential or general state certified appraiser in good standing.
- (4) Continuing education courses may be obtained from the following entities:
  - (a) Colleges or universities<sub>5.1</sub>
  - (b) Community or junior colleges<sub>5.1</sub>
  - (c) Real estate appraisal or real estate related organizations<sub>5.1</sub>
  - (d) State or federal agencies or commissions<sub>5.1</sub>
  - (e) Proprietary schools<sub>5.1</sub>
  - (f) Providers approved by the superintendent or the real estate appraiser board<sub>5.1</sub> or
  - (g) The appraisal foundation or its boards.
- (5) Each continuing education course shall be open to all registered, licensed, or state-certified real estate appraisers on an equal basis.
- (6) An examination of a registered, licensed, or certified appraiser shall not be a requirement for successful completion of a continuing education course which is offered in a classroom setting. A course provider may administer examinations in a continuing education course for the purpose of verifying participation and evaluating the effectiveness of the distance education course.
- (7) The superintendent of real estate may approve course offerings for continuing education which maintain and increase a registered, licensed, or certified appraiser's skill, knowledge and competency in real estate appraising and which fall within the following areas:
  - (a) Ad valorem taxation<sub>5.1</sub>
  - (b) Arbitrations, dispute resolutions<sub>5.1</sub>
  - (c) Courses related to the practice of real estate appraisal or consulting<sub>5.1</sub>
  - (d) Developmental cost estimate<sub>5.1</sub>
  - (e) Ethics and standards of professional practice, uniform standards of professional appraisal practice<sub>5.1</sub>
  - (f) Land use planning, zoning<sub>5.1</sub>
  - (g) Management, leasing, timesharing<sub>5.1</sub>

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- (h) Property development, partial interests<sup>5,2</sup>;
  - (i) Real estate financing and investment<sup>5,2</sup>;
  - (j) Real estate law, easements and legal interests<sup>5,2</sup>;
  - (k) Real estate litigation, damages, condemnation<sup>5,2</sup>;
  - (l) Real estate appraisal related computer applications<sup>5,2</sup>;
  - (m) Real estate securities and syndication<sup>5,2</sup>;
  - (n) Federal, state, and municipal fair housing law<sup>5,2</sup>;
  - (o) Developing opinions of real property value in appraisals that also include personal property and/or business value<sup>5,2</sup>;
  - (p) Seller concessions and impact on value<sup>5,2</sup>; or
  - (q) Energy efficient items and “green building” appraisals.
- (8) The following offerings will not be considered by the Ohio real estate appraiser board to meet continuing education requirements:
- (a) Examination preparation courses<sup>5,2</sup>;
  - (b) Offerings in mechanical office and business skills, including, but not limited to typing, speed reading, and memory improvement<sup>5,2</sup>;
  - (c) Sales promotion or meetings held in conjunction with the general business of the attendee or his business associates<sup>5,2</sup>;
  - (d) Meetings which are a normal part of in-house staff training<sup>5,2</sup>;
  - (e) That portion of any offering devoted to meals or other refreshment<sup>5,2</sup>; or
  - (f) Correspondence courses or distance education courses not in compliance with rule 1301:11-7-03 of the Administrative Code.
- (C) Up to fifty per cent of an individual's continuing education requirement within a continuing education cycle may be granted for participation, other than as a student in appraisal education processes and programs. Activities for which credit may be granted are teaching, program development, authorship of textbooks or similar activities that are determined to be equivalent to obtaining continuing education. Credit for instructing any given course or seminar can only be awarded once during a continuing education cycle. An instructor who has successfully completed the seven hour instructor recertification course and any required examination can use this course to satisfy the continuing education requirements found in paragraph (B) of rule 1301:11-7-01 of the Administrative Code. Credit may be granted only if the instructor recertification course is completed in the individual’s continuing education cycle.
- (D) Each course provider shall notify the division of real estate in writing, at least ten days in advance of the

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addition of an offering date for an approved course, or change in an offering date for an approved course, and notify the division in writing at least three days in advance of all course changes including location(s), time(s), instructor(s), or change(s) in course content.

- (E) The superintendent, upon application by the course sponsor or school, may waive the requirements of thirty day notification on an original application for course approval, or the ten day application for additional offerings of an already approved course as set forth in paragraphs (A)(1) and (D) of this rule, if the superintendent determines that the offering meets the prescribed standards set forth in this rule and that any prescribed fees have been paid. The course provider must submit in writing a roster required under paragraph (H)(3) of this rule, along with a certified check or money order for the fees in accordance with the following schedule in order to be eligible for the superintendent's waiver:
- (1) For a new continuing education course offering submitted less than thirty days prior to the offering date, but not less than ten days prior to the offering ~~is~~ is two dollars per credit hour per attendee.
  - (2) For an additional offering of a course approved for that calendar year submitted less than ten days prior to the offering date ~~is~~ is two dollars per credit hour per attendee.
  - (3) For a change of location, time, instructor, or change of course content of a course approved for that calendar year, submitted less than three days prior to the offering date ~~is~~ is two dollars per credit hour per attendee.
- (F) The offering course providers must issue certificates using the correct course certification number. Any certificate incorrectly issued must be reissued to each attendee within thirty days of notice of the defective certificate by the offering entity using the valid certification number as assigned by the division.
- (G) No approved course providers shall certify the attendance of a person who was not physically present during ~~at least~~ one hundred per cent of the offering time. All offerings must be successfully completed.
- (H) Record keeping.
- (1) Offering course providers shall maintain for five years a record of attendance of each person attending an offering disclosing the following information:
    - (a) Ohio real estate appraiser board approval certification number ~~;~~ ;
    - (b) Name and business address of attendee ~~;~~ ;
    - (c) Offering title and description of offering ~~;~~ ;
    - (d) Classroom hours of attendance ~~;~~ ;
    - (e) Date of offering ~~;~~ ; and
    - (f) Name, address, and signature of verifier in employ of the course provider.
  - (2) The course provider shall certify the items specified in paragraph (G)(1) of this rule on a certificate or transcript and furnish a copy to the attendee within thirty days after completion of the offering.

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(3) Each course provider shall submit to the division of real estate, in a format prescribed by the division, within fifteen days after completion of each offering, a list of the registered, licensed, or certified appraisers who successfully completed the course. The list shall include the registered, licensed, or certified appraisers' file numbers and names, the course certification number, the number of approved hours and the date and location the course was held.

(I) Denial or withdrawal of offering:

(1) The superintendent of real estate may deny or withdraw approval of the initial application or renewal for any proposed continuing education offering if the offering does not meet the requirements of Chapter 4763. of the Revised Code or of the standards or criteria prescribed in rules 1301:11-7-01 to 1301:11-7-03 of the Administrative Code, or if the sponsoring entity or administrator have previously failed to comply with any of the provisions of this rule or been found not to be honest, truthful and of good reputation.

(2) Unless previously approved by the Ohio real estate appraiser board, the superintendent may deny or withdraw the approval of a person as continuing education course instructor for any person who is found not to be honest, truthful and of good reputation, that has been disciplined by the Ohio real estate appraiser board for a violation of Chapter 4763. of the Revised Code or fails to meet the requirements in rules 1301:11-7-01 to 1301:11-7-03 of the Administrative Code.

(3) If the superintendent determines an initial offering, an offering previously approved, or an instructor that either no longer meets prescribed standards set forth in Chapter 4763. of the Revised Code or this rule, then a written notice of withdrawal of approval will be given stating the reasons therefore. Such withdrawal of approval will be effective ten days from the date of the notice of withdrawal.

(4) The party served with the withdrawal notice may file, within thirty days of the date of the withdrawal notice, a written request for hearing before the Ohio real estate appraiser board. If a request for hearing is timely filed, a hearing before the Ohio real estate appraiser board will be held within ninety days thereafter unless the party requesting the hearing shall have requested or consented to a postponement. If the hearing is not held within ninety days after a request for a hearing is received plus the period of any such postponement, or if a decision is not rendered within thirty days after the hearing, the order of denial shall be rescinded and a certificate of approval issued on request.

(J) The Ohio division of real estate shall keep a current list of approved continuing education courses which shall be available to the public.

(K) The course required in paragraph (K) of rule 1301:11-3-04 and paragraph (D) of rule 1301:11-4-02 of the Administrative Code must address all of the following:

(1) The requirements established by the appraiser qualifications board and the Ohio real estate appraiser board for becoming and remaining a supervisory appraiser and a registrant;

(2) The expectations and responsibilities of being a supervisory appraiser;

(3) The expectations and responsibilities of a registrant;

(4) The responsibilities and requirements of a supervisory appraiser and a registrant in maintaining and signing registrant experience logs required under rule 1301:11-3-04 of the Administrative Code;

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- (5) The requirements established by the appraiser qualifications board and the Ohio real estate appraiser board for becoming and remaining an Ohio licensed or certified real estate appraiser;
- (6) The processes and roles of the entities involved in establishing the qualifications for licensed, certified and registered appraisers; and
- (7) The basics of "Uniform Standards of Professional Appraisal Practice."