

CHAPTER 20:14:02

ADMINISTRATION

Section

- 20:14:02:01 Roster of appraisers.
- 20:14:02:02 Notice of change of email address and residential and business addresses.
- 20:14:02:03 Use of titles in advertising.

20:14:02:02. Notice of change of email address and residential and business addresses.

Each real estate appraiser shall immediately give written notice of any change of email address, ~~if available,~~ and residential or business address to the secretary.

Source: 18 SDR 36, effective August 25, 1991; 22 SDR 91, effective January 1, 1996; 23 SDR 113, effective January 12, 1997; 40 SDR 121, effective January 7, 2014,

General Authority: SDCL 36-21B-3(15).

Law Implemented: SDCL 36-21B-1.

CHAPTER 20:14:03

APPLICATION PROCEDURE

Section

20:14:03:01	Application for credential.
20:14:03:02	Term of credential.
20:14:03:03	Credential renewal.
20:14:03:04	Late renewal.
20:14:03:05	Inactive status.
20:14:03:06	Reinstatement of credential on inactive status.

20:14:03:01. Application for credential. An individual who desires to engage in real estate appraisals under this article shall apply in writing for a credential on a form provided by the secretary. An application is ~~only~~ valid for 90 days. The secretary may extend the time for an application upon the written request of the applicant or to allow the applicant to comply with the department's request for information, records, or reports. The application fee prescribed in § 20:14:10:01 shall accompany the application form. The application form shall contain the following:

- (1) Name;
- (2) Driver's license number;

- (3) Social security number;
- (4) Home and business addresses;
- (5) Home and business telephone numbers;
- (6) Business name where employed;
- (7) Educational experience;
- (8) Appraisal experience;
- (9) ~~An affidavit~~ A sworn declaration that must be signed by the applicant ~~signed before a~~
notary public; and
- (10) Email address, ~~if available~~.

Source: 18 SDR 36, effective August 25, 1991; 24 SDR 91, effective January 8, 1998; 26 SDR 120, effective March 27, 2000; 40 SDR 121, effective January 7, 2014; 44 SDR 27, effective August 14, 2017.

General Authority: SDCL 36-21B-3(1) and (4).

Law Implemented: SDCL 36-21B-1.

Note: The secretary shall collect the registry fee pursuant to 12 U.S.C. § 3338(a) with the application for certification or licensure.

CHAPTER 20:14:04

TRANSACTIONS REQUIRING QUALIFIED APPRAISERS

Section

- 20:14:04:01 Federally related transactions.
- 20:14:04:02 Real estate-related transactions.
- 20:14:04:03 Transaction value.
- 20:14:04:04 Appraisal not required.
- 20:14:04:05 Threshold levels.
- 20:14:04:06 Appraisal by state-certified general appraiser.
- 20:14:04:06.01 Appraisal by state-certified residential appraiser.
- 20:14:04:07 Appraisal by state-licensed appraiser.
- 20:14:04:08 Presumption that one- to four-family residential properties are not complex.
- 20:14:04:09 Final determination of complexity.
- 20:14:04:10 Appraisal by either a state-certified general, state-certified residential, or state-licensed appraiser.
- 20:14:04:11 Appraisal by state-registered appraiser.
- 20:14:04:12 Assistance by state-registered appraiser in preparation of appraisal reports.
- 20:14:04:12.01 Registration of supervisory appraiser by state-registered appraiser.
- 20:14:04:12.02 Responsibility of a state-registered appraiser.
- 20:14:04:13 Supervisory appraiser.
- 20:14:04:14 Requirements of a supervisory appraiser.
- 20:14:04:15 Application for supervisory appraiser approval.
- 20:14:04:16 Supervisory appraiser approval renewal.
- 20:14:04:16.01 Supervisory appraiser late renewal.
- 20:14:04:17 Responsibilities of supervisory appraiser.

20:14:04:15. Application for supervisory appraiser approval. Any person who desires to supervise a state-registered appraiser under this article must apply in writing for approval as a supervisory appraiser on a form provided by the secretary. The nonrefundable application fee prescribed in § 20:14:10:01 must accompany the application form. The application, at a minimum, shall contain the following:

- (1) Name;
- (2) Driver's license number;
- (3) Social security number;
- (4) Home and business addresses;
- (5) Home and business telephone numbers;
- (6) Business name where employed;
- (7) Area of geographic competency;
- (8) Certification of competency in one or more of the following specific appraisal assignments:

(a) Residential:

(i) One-to four family;

(b) Nonresidential:

- (i) Commercial;
- (ii) Industrial;
- (iii) Agricultural; and
- (iv) Multifamily;

(9) Email address, ~~if available~~.

General Authority: SDCL 36-21B-3(1) and (4).

Law Implemented: SDCL 36-21B-1.

CHAPTER 20:14:05

QUALIFICATIONS FOR CERTIFICATION, LICENSURE, AND REGISTRATION

Section

20:14:05:01 Qualifications.

20:14:05:01.01 Qualifications for certified or licensed appraisers that move to the state.

20:14:05:01.02 Limited exemption for qualifications -- Military.

20:14:05:02 Examination.

20:14:05:02.00 Examination approval -- Time limit.

20:14:05:02.01 Experience requirements for state-registered appraiser.

20:14:05:03 Experience requirements for state-licensed appraiser.

20:14:05:03.01 Experience requirements for state-certified residential appraiser.

20:14:05:04 Experience requirements for state-certified general appraiser.

20:14:05:05 Acceptable experience.

20:14:05:05.01 Experience -- Review of appraisals by secretary.

20:14:05:05.02 Experience -- Documentation requirements.

20:14:05:05.03 Experience -- Time spent on the appraisal process.

20:14:05:05.04 Experience -- Time limit.

20:14:05:05.05 Experience -- Review of appraisals by secretary midway to upgrade.

20:14:05:06 Experience -- Verification.

20:14:05:06.01 Educational requirements for state-registered appraiser.

20:14:05:06.02 Education program for state-registered appraiser.

20:14:05:07 Educational requirements for state-licensed appraiser -- Appraiser education.

20:14:05:07.01 Educational requirements for state-certified residential appraiser -- Appraiser education.

20:14:05:07.02 Educational requirements for state-certified residential appraiser -- General education.

20:14:05:07.03 Repealed.

20:14:05:07.04 Alternative to general education requirements of the state-certified residential appraiser credential for state-licensed appraiser.

20:14:05:08 Educational requirements for state-certified general appraiser -- Appraiser education.

20:14:05:08.01 Educational requirements for state-certified general appraiser -- General education.

20:14:05:08.02 Education -- Real estate degree.

20:14:05:09 Repealed.

20:14:05:10 Transferred.

20:14:05:11 Education -- Time limit.

20:14:05:12 Repealed.

20:14:05:12.01 Substitution of education.

20:14:05:13 Transferred.

20:14:05:14 Transferred.

20:14:05:15 Transferred.

20:14:05:16 Transferred.

20:14:05:17 Transferred.

20:14:05:18 Repealed.

20:14:05:19 Upgrade of credential.

20:14:05:20 Repealed.

20:14:05:01.01. Qualifications for certified or licensed appraisers that move to the state. If a state-certified general, state-certified residential, or state-licensed appraiser moves to the state and holds a valid credential, in good standing and issued by the appraiser's home state or any

other jurisdiction, the secretary may issue an equivalent credential to the appraiser if the appraiser complies with the following requirements:

- (1) Submits an application on a form provided by the secretary;
- (2) Certifies that the applicant is licensed or certified to appraise real estate in the applicant's home state or any other jurisdiction;
- (3) Certifies that disciplinary proceedings are not pending against the applicant in the applicant's home state or any other jurisdiction;
- (4) Provides a signed ~~affidavit before a notary public~~ sworn declaration; and
- (5) Pays the application fee prescribed in § 20:14:10:01.

Source: 34 SDR 67, effective September 11, 2007; 42 SDR 98, effective January 5, 2016; 44 SDR 27, effective August 14, 2017.

General Authority: SDCL 36-21B-3(1) and (4).

Law Implemented: SDCL 36-21B-1.

CHAPTER 20:14:12

NONRESIDENT CERTIFICATION, LICENSURE, AND TEMPORARY PRACTICE

Section

20:14:12:01 Nonresident consent to service of process.

20:14:12:02 Reciprocity.

20:14:12:03 Reciprocity -- Term of credential.

20:14:12:04 Temporary practice.

20:14:12:05 Temporary permit limited -- Expiration.

20:14:12:02. Reciprocity. ~~If, in the determination of the secretary, the secretary~~ determines another state, territory, or the District of Columbia has substantially equivalent certification and licensure requirements, an applicant who is certified or licensed there may be issued a state-certified general, state-certified residential, or state-licensed appraiser credential under this article. To qualify, the applicant shall:

- (1) Submit an application on a form provided by the secretary;
- (2) Certify that the applicant is licensed or certified to appraise real estate in the applicant's home state or any other jurisdiction;
- (3) Certify that disciplinary proceedings are not pending against the applicant in the applicant's home state or any other jurisdiction;
- (4) Provide a signed ~~affidavit before a notary public~~ sworn delaration; and
- (5) Pay the application fee prescribed in § 20:14:10:01.

Source: 19 SDR 12, effective August 3, 1992; 22 SDR 91, effective January 1, 1996; 41 SDR 217, effective June 29, 2015; 44 SDR 27, effective August 14, 2017.

General Authority: SDCL 36-21B-3(10).

Law Implemented: SDCL 36-21B-1.

Note: The secretary shall collect the registry fee pursuant to 12 U.S.C. § 3338(a) with the application for certification or licensure.