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RULE ADOPTIONS
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY BOARD OF REAL ESTATE APPRAISERS

N.J.A.C. 13:40A-3.5 and 7.8

Notice of Administrative Corrections

Credit towards Licensure as a Residential Real Estate Appraiser for Education, Training, and Experience Received while Serving as a Member of the Armed Forces; License or Certification Reinstatement

Take notice that the Board of Real Estate Appraisers has found errors in the text of N.J.A.C. 13:40A-3.5 and 7.8, both of which were adopted effective April 20, 2015, at 47 N.J.R. 802(a).

N.J.A.C. 13:40A-3.5(b)2 sets forth the evidence that the applicant would be required to provide and the procedure to be followed to establish that the relevant education, training, and experience received while in the military is substantially equivalent in scope and character to the education, training, and experience required by the Board for licensure. However, the rule text improperly references "certification" instead of "licensure." As the Board's intention is clear from the proposal Summary (see 46 N.J.R. 2086(a), 2087), the section is codified within a subchapter concerned with licensing, and the section heading clearly references "licensure," N.J.A.C. 13:40A-3.5(b)2 and (b)2ii are administratively corrected to replace "certification" with "licensure."

N.J.A.C. 13:40A-7.8 sets forth the procedure and requirements for reinstating a license or certification that has been administratively suspended. However, the rule text improperly references only "license" or "licensure" instead of "license or certification" or "licensure or certification." As the Board's intention is clear from the proposal Summary (see 46 N.J.R. at 2088), the rule text otherwise references "licensee or certificate holder" and "license or certificate," and the section heading clearly references "license or certification," N.J.A.C. 13:40A-7.8(a) and (b) are administratively corrected to add the reference to "certification."

This notice of administrative corrections is published pursuant to N.J.A.C. 1:30-2.7.

Full text of the corrected rules follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

13:40A-3.5 Credit towards licensure as a residential real estate appraiser for education, training, and experience received while serving as a member of the Armed Forces

(a) (No change.)

(b) The Board shall issue a license as a residential real estate appraiser to the applicant if the applicant presents evidence to the Board that:

1. (No change.)

2. The relevant training, experience, and education the applicant received in the military, together with any training, education, and experience obtained outside of the Armed Forces, is substantially equivalent in scope and character to the training, experience, and education required for [certification] **licensure** under N.J.A.C. 13:40A-3.

i. (No change.)

ii. An applicant seeking credit for education courses and/or training completed while in the military that are not approved by the AQB's Course Approval Program shall submit to the Board a Joint Services Transcript of his or her education/training for a determination that the education courses and/or training completed are substantially equivalent in level, scope, and intent to those approved by the AQB Course Approval Program as required for [certification] **licensure** under N.J.A.C. 13:40A-3.3. For the purpose of determining substantial equivalence of the applicant's military education and/or training, the Board shall consider only those education courses and/or training relevant to the practice of real estate appraising that have been evaluated by the American Council on Education for substantial equivalence to civilian postsecondary curricula.

iii. (No change.)

3. (No change.)

(c)-(e) (No change.)

13:40A-7.8 License or certification reinstatement

(a) A licensee or certificate holder who has had his or her license **or certification** suspended pursuant to N.J.A.C 13:40A-7.6(e) above may apply to the Board for reinstatement. A licensee or certificate holder applying for reinstatement shall submit:

1.-6. (No change.)

(b) If a Board review of an application establishes a basis for concluding that there may be practice deficiencies in need of remediation prior to reinstatement, the Board may require the applicant to submit to and successfully pass an examination or an assessment of skills, a refresher course, or other requirements as determined by the Board, prior to reinstatement of the license or certification. If the examination or assessment identifies deficiencies or educational needs, the Board may require the applicant as a condition of reinstatement of **licensure or certification** to take and successfully complete any education or training or to submit to any supervision, monitoring, or limitations, as the Board determines are necessary to assure that the applicant practices with reasonable skill. The Board in its discretion may restore the license or certification subject to the applicant's completion of the training within a period of time prescribed by the Board following the restoration of the license or certification. In making its determination whether there are practice deficiencies requiring remediation, the Board shall consider the following, but not limited to:

1.-7. (No change.)