

Index of all applicable Rules and Regulations and Guidance Documents



Effective June 22, 2023

**Nebraska Real Property Appraiser Board
301 Centennial Mall South, First Floor
P.O. BOX 94963
Lincoln, NE 68509-4963**

**Phone: 402-471-9015
Website: www.appraiser.ne.gov**

Tyler N. Kohtz, Director

NEBRASKA REAL PROPERTY APPRAISER BOARD
INDEX OF ALL APPLICABLE RULES AND REGULATIONS AND
GUIDANCE DOCUMENTS
Effective June 22, 2023

Title 297 of the Nebraska Administrative Code

TABLE OF CONTENTS

SUBJECT	PAGE
1. Rules of Practice and Procedure for Negotiated Rule Making	
001 General Information	5
003.01 Application of Rules	5
002 Negotiated Rulemaking Generally	5
003 Definitions	5
001.01 APA	5
001.02 Agency	5
001.03 Board	5
001.04 Consensus	5
001.05 Convenor	5
001.06 Facilitator	5
001.07 Director	5
001.08 Interest	5
001.09 Negotiated Rulemaking	5
003.10 Negotiated Rulemaking Committee or Committee	5
003.11 Person	5
003.12 Rule or Regulation	5
004 Establishment of a Negotiated Rulemaking Committee; criteria	6
005 Convenors; Selection; Duties	6
006 Petitions for the Use of a Negotiated Rulemaking Committee	7
007 Notice of a Negotiated Rulemaking Committee; Comment; Applications for Membership	8
008 Establishment of a Negotiated Rulemaking Committee; Procedure	9
009 Negotiated Rulemaking Committee; Membership	9

NEBRASKA REAL PROPERTY APPRAISER BOARD
INDEX OF ALL APPLICABLE RULES AND REGULATIONS AND
GUIDANCE DOCUMENTS

Effective June 22, 2023

010	Negotiated Rulemaking Committee; Operation	10
011	Facilitators; Selection; Duties	10
012	Negotiated Rulemaking Committee; Expenses	11
013	Grants or Gifts	11
014	Negotiated Rulemaking Committee; Termination	11
015	Negotiated Rulemaking Procedure; Judicial Review	11
	297 NAC 1 – ATTACHMENT 1: Petition for Negotiated Rulemaking	11
	297 NAC 1 – ATTACHMENT 2:	
	Application/Nomination for Membership on the Committee	13
	297 NAC 1 – ATTACHMENT 3:	
	Application/Nomination for Membership on the Committee –	
	Interest Inadequately Represented	15
	297 NAC 1 – ATTACHMENT 4: Certification of Financial Need	17
2.	Petitioning For Rulemaking	
001	General Information	21
	003.01 Application of Rules	21
002	Rule Making Petition	21
	002.01 Petition	21
	002.02 Form	21
003	Petition Consideration and Disposition	21
3.	Regulations and Procedures Governing Agency Declaratory Orders	
001	General Information	25
	003.01 Application of these Model Rules	25
	003.02 Scope of this Chapter	25
	003.03 Related Regulations	25

NEBRASKA REAL PROPERTY APPRAISER BOARD
INDEX OF ALL APPLICABLE RULES AND REGULATIONS AND
GUIDANCE DOCUMENTS
Effective June 22, 2023

002	Definitions	25
	002.01 Agency	25
	002.02 Agency Director	25
	002.03 Argument	25
	002.04 Board	25
	002.05 Contested Case	25
	002.06 Declaratory Order	25
	002.07 Hearing Officer	25
	002.08 Intervenor(s)	25
	002.09 Necessary Party	26
	002.10 Parties	26
	002.11 Person	26
	002.12 Rule or Regulation	26
	002.13 Pleading	26
003	Petition for Declaratory Order	26
	003.01 Generally	26
	003.02 Who May File	26
	003.03 When Orders Appropriate	26
	003.04 Form of Petition	27
	003.05 Contents of Petition	27
	003.06 Subscription and Verification of Petition	28
	003.07 Sample Petition	28
	003.08 Written Consents	28
004	Submission and Service of Declaratory Order Petition	28
005	Disposition of the Petition	28
006	Intervention in Declaratory Order Proceeding	29
	006.01 Intervention	29
	006.02 Contents of Petition	29

NEBRASKA REAL PROPERTY APPRAISER BOARD
INDEX OF ALL APPLICABLE RULES AND REGULATIONS AND
GUIDANCE DOCUMENTS
Effective June 22, 2023

007	Declaratory Order Proceedings	30
007.01	Oral Argument, When	30
007.02	Oral Argument, Procedure	30
008	Issuance of Declaratory Order	30
009	Circumstances Under Which Board Will Not Issue Declaratory Orders	31
010	Appeal	32
	297 NAC 3 – Appendix “A”: Petition for Declaratory Order	32
4.	Rules of Practice and Procedure for Contested Cases Before an Agency	
	Application of Model Rules	36
001	Definitions	36
001.01	Agency	36
001.02	Contested Case	36
001.03	Ex Parte Communication	36
001.04	Hearing Officer	36
001.05	Party	36
001.06	Petition	36
002	Prohibitions Against Ex Parte Communication	36
002.01	Prohibitions; When Applicable	36
002.02	Prohibitions; To Whom Applicable	36
002.02A	Parties and Public	36
002.02B	Persons in Decisionmaking Rules	37
002.02C	Investigators	37
002.03	Disclosure of Contacts	37
003	Intervention in a Contested Case	37
004	Commencement of a Contested Case	38
005	Hearing Officer; Criteria	39

NEBRASKA REAL PROPERTY APPRAISER BOARD
INDEX OF ALL APPLICABLE RULES AND REGULATIONS AND
GUIDANCE DOCUMENTS

Effective June 22, 2023

006	Prehearing Procedures	39
006.01	Prehearing Conferences and Orders	39
006.02	Discovery in Contested Cases	40
006.03	Continuances	40
006.03A	Good Cause	40
006.04	Amendments	41
007	Conducting a Contested Case Hearing	41
007.01	Order	41
007.02	Evidence	41
007.03	Conducting the Hearing by Electronic Means	42
007.04	Official Record	42
007.05	Costs	43
008	Decision and Order in a Contested Case	43
009	Appeals	43

NEBRASKA REAL PROPERTY APPRAISER BOARD
INDEX OF ALL APPLICABLE RULES AND REGULATIONS AND
GUIDANCE DOCUMENTS
Effective June 22, 2023

Title 298 of the Nebraska Administrative Code

TABLE OF CONTENTS

SUBJECT	PAGE
1. General Provisions	
001 Definitions	1
001.01 Activity	1
001.02 Automated Valuation Model	1
001.03 Broker’s Price Opinion	1
001.04 Classroom Education	1
001.05 Continuing Education	1
001.06 Core Curriculum	1
001.07 Course	1
001.08 Distance Education	1
001.09 Qualifying Education	2
001.10 Secondary Provider	2
001.11 Real Property Appraiser-in-charge	2
001.12 True Copy of Report and Workfile	2
002 Applicability of this Title	2
003 Uniform Standards of Professional Appraisal Practice Adopted	2
004 Credential Holder Change of Address	2
005 Advertisement by a Credential Holder in Nebraska	2
006 Advertisement by Supervisory Real Property Appraiser/ Trainee Real Property Appraiser	2
007 Specialized Knowledge	2
008 Salaried Employee	3
009 Appraisal Management Company Detailed Record Minimum Requirement	3
010 Minimum Requirements for Claim Against Surety Bond Held by AMC	3

NEBRASKA REAL PROPERTY APPRAISER BOARD
INDEX OF ALL APPLICABLE RULES AND REGULATIONS AND
GUIDANCE DOCUMENTS

Effective June 22, 2023

011	Appraisal Management Company Surety Bond Requirements	3
012	Administrative Fees	3
012.01	Certificate of Registration Fee	3
013	Application for Preliminary Criminal History Review	4
2. Real Property Appraiser Credential		
001	Education	5
001.01	Trainee Real Property Appraiser/Supervisory Real Property Appraiser	5
001.02	Licensed Residential Real Property Appraiser	7
001.03	Certified Residential Real Property Appraiser	8
001.04	Certified General Real Property Appraiser	10
001.05	Evidence of Completion for Required Qualifying Education	12
001.06	Qualifying Education Completed in Another Jurisdiction	12
001.07	Official Transcript for Post-Secondary Education Requirements	13
002	Experience	13
003	Examination	19
004	Application	20
004.01	Trainee Real Property Appraiser and Supervisory Real Property Appraiser Requirements	20
004.02	Licensed Residential, Certified Residential, and Certified General Real Property Appraiser Credentialing	23
3. Reciprocity and Temporary Real Property Appraiser Credential		
001	Reciprocity	25
002	Temporary Credential	27
4. Renewal of Real Property Appraiser Credential		
001	Continuing Education	28
001.09	Individual Program of Continuing Education	29
001.10	Continuing Education Completed in Another Jurisdiction	29
001.11	Supervisory Real Property Appraiser Status	30
002	Criminal History Record Check	30

NEBRASKA REAL PROPERTY APPRAISER BOARD
INDEX OF ALL APPLICABLE RULES AND REGULATIONS AND
GUIDANCE DOCUMENTS

Effective June 22, 2023

003	Application	30
5.	Real Property Appraiser Inactive Status	
001	Applicability of Inactive Status	33
002	Inactive Status Application	33
003	Reinstatement Application	33
6.	Education Activities	
001	General	35
001.15	Distance Education Activities	36
002	Qualifying Education	38
002.01	Requirements	38
002.02	Initial Application	38
002.03	Resubmission of Approved Activity	41
002.04	Rescinding Approval	42
003	Continuing Education	43
003.01	Requirements	43
003.02	Initial Application	43
003.03	Resubmission of Approved Activity	47
003.04	Expiration and Rescinding Approval	47
004	Supervisory Real Property Appraiser and Trainee Course	48
004.01	Requirements	48
004.02	Course Objectives	49
004.03	Course Content	49
004.04	Initial Application	52
004.05	Resubmission of Approved Supervisory Real Property Appraiser and Trainee Course	55
004.06	Rescinding of Approval	56
005	Instructors	56
005.01	Qualifications	56
005.02	Qualifications Pursuant to Applicable Law	57

NEBRASKA REAL PROPERTY APPRAISER BOARD
INDEX OF ALL APPLICABLE RULES AND REGULATIONS AND
GUIDANCE DOCUMENTS

Effective June 22, 2023

005.03	Credentialed Real Property Appraiser Requirements	57
005.04	AQB Certified USPAP Instructors	57
005.05	Instructor Standing	57
7.	Appraisal Management Company Registration	
001	Application	58
002	Renewal	59
003	Federally Regulated Appraisal Management Companies	61
8.	Investigations and Disciplinary Proceedings	
001	General	62
002	Violation of Real Property Appraiser Act	62
002.03	Grievance Not Filed by the Board General Steps	62
002.04	Grievance Filed by the Board General Steps	63
002.05	General Steps for Investigation	63
002.06	Consent Agreement or Negotiated Settlement	65
002.07	Disciplinary Action	65
002.08	Attorney General	65
002.09	Supervisory Real Property Appraiser	65
002.10	Education Provider	66
003	Violation of the AMC Registration Act	67
003.03	Grievance Not Filed by the Board General Steps	67
003.04	Grievance Filed by the Board General Steps	67
003.05	General Steps for Investigation	68
003.06	Consent Agreement or Negotiated Settlement	69
003.07	Disciplinary Action	69
003.08	Attorney General	69

NEBRASKA REAL PROPERTY APPRAISER BOARD
INDEX OF ALL APPLICABLE RULES AND REGULATIONS AND
GUIDANCE DOCUMENTS
Effective June 22, 2023

NRPAB Issued Guidance Documents

- 17-02 Software Specific Training**
- 17-03 Credentialing Applicant Advisory Meeting Information**
- 17-04 Public Records Policy**
- 20-01 Consideration of Disciplinary Action Imposed Against a Real Property Appraiser by Another Appraiser Regulator Agency**
- 21-03 Real Property Appraiser and AMC Applicant CHRC Carried Out by the Board.**
- 23-01 CHRC Carried Out by the Board for Owners of More than 10% of an AMC at Renewal of Registration**