

# **Index of all applicable Rules and Regulations and Guidance Documents**



*Effective December 16, 2020*

**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](http://www.appraiser.ne.gov)**

**Tyler N. Kohtz, Director**

**NEBRASKA REAL PROPERTY APPRAISER BOARD**  
**INDEX OF ALL APPLICABLE RULES AND REGULATIONS AND**  
**GUIDANCE DOCUMENTS**  
*Effective December 16, 2020*

# Title 297 of the Nebraska Administrative Code

## TABLE OF CONTENTS

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

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

*Effective December 16, 2020*

<b>010</b>	Negotiated Rulemaking Committee; Operation .....	10
<b>011</b>	Facilitators; Selection; Duties .....	10
<b>012</b>	Negotiated Rulemaking Committee; Expenses .....	11
<b>013</b>	Grants or Gifts .....	11
<b>014</b>	Negotiated Rulemaking Committee; Termination .....	11
<b>015</b>	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
<b>2.</b>	<b>Petitioning For Rulemaking</b>	
<b>001</b>	General Information .....	21
	<b>003.01</b> Application of Rules .....	21
<b>002</b>	Rule Making Petition .....	21
	<b>002.01</b> Petition .....	21
	<b>002.02</b> Form .....	21
<b>003</b>	Petition Consideration and Disposition .....	21
<b>3.</b>	<b>Regulations and Procedures Governing Agency Declaratory Orders</b>	
<b>001</b>	General Information .....	25
	<b>003.01</b> Application of these Model Rules .....	25
	<b>003.02</b> Scope of this Chapter .....	25
	<b>003.03</b> Related Regulations .....	25

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

*Effective December 16, 2020*

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

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

*Effective December 16, 2020*

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

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

*Effective December 16, 2020*

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

**NEBRASKA REAL PROPERTY APPRAISER BOARD**  
**INDEX OF ALL APPLICABLE RULES AND REGULATIONS AND**  
**GUIDANCE DOCUMENTS**  
*Effective December 16, 2020*

# Title 298 of the Nebraska Administrative Code

## TABLE OF CONTENTS

SUBJECT	PAGE
<b>1. General Provisions</b>	
<b>001</b> Definitions .....	1
<b>001.01</b> Activity .....	1
<b>001.02</b> Automated Valuation Model .....	1
<b>001.03</b> Broker’s Price Opinion .....	1
<b>001.04</b> Classroom Education .....	1
<b>001.05</b> Conference .....	1
<b>001.06</b> Continuing Education .....	1
<b>001.07</b> Core Curriculum .....	1
<b>001.08</b> Correspondence .....	1
<b>001.09</b> Course .....	2
<b>001.10</b> Online Education .....	2
<b>001.11</b> Qualifying Education .....	2
<b>001.12</b> Secondary Provider .....	2
<b>001.13</b> True Copy of Report and Workfile .....	2
<b>002</b> Applicability of this Title .....	2
<b>003</b> Uniform Standards of Professional Appraisal Practice Adopted .....	2
<b>004</b> Credential Holder Change of Address .....	2
<b>005</b> Advertisement by a Credential Holder in Nebraska .....	2
<b>006</b> Advertisement by Supervisory Appraiser/Trainee Real Property Appraiser .....	2
<b>007</b> Specialized Knowledge .....	2
<b>008</b> Salaried Employee .....	2
<b>009</b> Appraisal Management Company Detailed Record Minimum Requirement .....	3
<b>010</b> 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 December 16, 2020*

<b>011</b>	Appraisal Management Company Surety Bond Requirements .....	3
<b>012</b>	Administrative Fees .....	3
<b>012.01</b>	Certificate of Registration Fee .....	3
<b>2.</b>	<b>Real Property Appraiser Credential</b>	
<b>001</b>	Education .....	4
<b>001.01</b>	Trainee Real Property Appraiser/Supervisory Appraiser .....	4
<b>001.02</b>	Licensed Residential Real Property Appraiser .....	6
<b>001.03</b>	Certified Residential Real Property Appraiser .....	7
<b>001.04</b>	Certified General Real Property Appraiser .....	9
<b>001.05</b>	Evidence of Completion for Required Qualifying Education .....	11
<b>001.06</b>	Qualifying Education Completed in Another Jurisdiction .....	11
<b>001.07</b>	Official Transcript for Post-Secondary Education Requirements .....	12
<b>002</b>	Experience .....	12
<b>003</b>	Examination .....	16
<b>004</b>	Application .....	17
<b>004.01</b>	Trainee Real Property Appraiser and Supervisory Appraiser Requirements .....	17
<b>004.02</b>	Licensed Residential, Certified Residential, and Certified General Real Property Appraiser Credentialing .....	20
<b>3.</b>	<b>Reciprocity and Temporary Real Property Appraiser Credential</b>	
<b>001</b>	Reciprocity .....	22
<b>002</b>	Temporary Credential .....	24
<b>4.</b>	<b>Renewal of Real Property Appraiser Credential</b>	
<b>001</b>	Continuing Education .....	25
<b>001.09</b>	Individual Program of Continuing Education .....	26
<b>001.10</b>	Continuing Education Completed in Another Jurisdiction .....	26
<b>001.11</b>	Supervisory Appraiser Status .....	27



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

*Effective December 16, 2020*

<b>002</b>	Criminal History Record Check .....	27
<b>003</b>	Application .....	27
<b>5.</b>	<b>Real Property Appraiser Inactive Status</b>	
<b>001</b>	Applicability of Inactive Status .....	29
<b>002</b>	Inactive Status Application .....	29
<b>003</b>	Reinstatement Application .....	29
<b>6.</b>	<b>Education Activities</b>	
<b>001</b>	General .....	31
<b>001.07</b>	Online and Correspondence Activities .....	31
<b>002</b>	Qualifying Education .....	32
<b>002.01</b>	Requirements .....	32
<b>002.02</b>	Initial Application .....	33
<b>002.03</b>	Resubmission of Approved Activity .....	35
<b>002.04</b>	Rescinding Approval .....	36
<b>003</b>	Continuing Education .....	37
<b>003.01</b>	Requirements .....	37
<b>003.02</b>	Initial Application .....	38
<b>003.03</b>	Resubmission of Approved Activity .....	40
<b>003.04</b>	Expiration and Rescinding Approval .....	41
<b>004</b>	Supervisory Appraiser and Trainee Course .....	42
<b>004.01</b>	Requirements .....	42
<b>004.02</b>	Course Objectives .....	43
<b>004.03</b>	Course Content .....	43
<b>004.04</b>	Initial Application .....	46
<b>004.05</b>	Resubmission of Approved Supervisory Appraiser and Trainee Course .....	48
<b>004.06</b>	Rescinding of Approval .....	49

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

*Effective December 16, 2020*

<b>005</b>	Instructors .....	49
<b>005.01</b>	Requirements .....	49
<b>005.02</b>	Initial Application .....	51
<b>005.03</b>	Resubmission of Instructor Approval .....	51
<b>005.04</b>	Expiration and Rescinding of Instructor Approval .....	52
<b>7.</b>	<b>Appraisal Management Company Registration</b>	
<b>001</b>	Application .....	53
<b>002</b>	Renewal .....	54
<b>003</b>	Federally Regulated Appraisal Management Companies .....	56
<b>8.</b>	<b>Investigations and Disciplinary Proceedings</b>	
<b>001</b>	General .....	57
<b>002</b>	Violation of Real Property Appraiser Act .....	57
<b>002.03</b>	Grievance Not Filed by the Board General Steps .....	57
<b>002.04</b>	Grievance Filed by the Board General Steps .....	58
<b>002.05</b>	General Steps for Investigation .....	59
<b>002.06</b>	Consent Agreement or Negotiated Settlement .....	60
<b>002.07</b>	Disciplinary Action .....	60
<b>002.08</b>	Attorney General .....	60
<b>002.09</b>	Supervisory Appraiser .....	61
<b>002.10</b>	Education Provider .....	61
<b>003</b>	Violation of the AMC Registration Act .....	62
<b>003.03</b>	Grievance Not Filed by the Board General Steps .....	62
<b>003.04</b>	Grievance Filed by the Board General Steps .....	63
<b>003.05</b>	General Steps for Investigation .....	63
<b>003.06</b>	Consent Agreement or Negotiated Settlement .....	64
<b>003.07</b>	Disciplinary Action .....	64
<b>003.08</b>	Attorney General .....	64

**NEBRASKA REAL PROPERTY APPRAISER BOARD**  
**INDEX OF ALL APPLICABLE RULES AND REGULATIONS AND**  
**GUIDANCE DOCUMENTS**  
*Effective December 16, 2020*

## **NRPAB Issued Guidance Documents**

- 17-02 ..... Software Specific Training**
- 17-03 ..... Credentialing Applicant Advisory Meeting Information**
- 17-04 ..... Public Records Policy**
- 18-02 ..... Equivalency to Bachelor's Degree or Higher in Real Estate for  
Program Approved by the Appraiser Qualifications Board as  
Required Core Curriculum**
- 18-03 ..... Supervisory Appraiser and Trainee Course Instructor Completion**
- 19-01 ..... Supervisory Appraiser Application Approval**
- 19-02 ..... Clarification of Supervisory Appraiser-Trainee Course Requirement for  
Supervisory Appraiser Applicants**
- 19-03 ..... Acceptance of Supervisory Appraiser/Trainee Course or Continuing  
Education Activity Completed in Another Jurisdiction Online or by  
Correspondence**
- 20-01 ..... Consideration of Disciplinary Action Imposed Against a Real Property  
Appraiser by Another Appraiser Regulator Agency**