

R162-2g-502a. Standards of Conduct and Practice.

- (1) Affirmative duties in general. A person registered, licensed, or certified by the division shall:
 - (a) if employing an unlicensed assistant who is not registered as a trainee pursuant to Subsection R162-2g-302:
 - (i) actively supervise the unlicensed assistant; and
 - (ii) ensure that the assistant performs only clerical duties, including:
 - (A) typing research notes or reports completed by a trainee or an appraiser;
 - (B) taking photographs of properties; and
 - (C) obtaining copies of public records;
 - (b)
 - (i) except as provided in this Subsection (2)(a), comply with the current edition of USPAP; and
 - (ii) observe the advisory opinions of USPAP;
 - (c) in order to authorize another individual to sign an appraisal report on behalf of the individual who completes the report:
 - (i) grant authority to the signer in writing;
 - (ii) limit the signing authority to a specific property address;
 - (iii) explicitly disclose within the appraisal report that the signer is authorized by the appraiser to sign the report on the appraiser's behalf;
 - (iv) attach a copy of the written permission required pursuant to this Subsection (1)(c)(i) to the report; and
 - (v) ensure that the signer signs the appraiser's name, followed by the word "by," and then followed by the signer's own name;
 - (d) if using a digital signature in place of a handwritten signature, ensure that:
 - (i) the software program that generates the digital signature has a security feature; and
 - (ii) no one other than the appraiser has control of the signature;
 - (e) retain a photocopy or other exact copy of each report as it is provided to the client, including the appraiser's signature;
 - (f) analyze and report the sales and listing history of the subject property for the three years preceding the appraisal if such information is available to the appraiser from a multiple listing service, listing agent(s), property owner, or other verifiable source(s);
 - (g)
 - (i) include in each appraisal report a statement indicating whether or not the subject property was inspected as part of the appraisal process; and
 - (ii) if any inspections were done, include the following information concerning each inspection:
 - (A) the names of all appraisers and trainees who participated in the inspection;
 - (B) whether the inspection was an exterior inspection only or both an exterior and an interior inspection; and
 - (C) the date that the inspection was performed; and
 - (h) unless Subsection (2)(b) applies, respond within ten business days to division notification:
 - (i) of a complaint against the individual; or
 - (ii) that information is needed from the individual.
- (2) Exceptions.

- (a) An individual is exempt from complying with all provisions of USPAP when acting in an official capacity as:
 - (i) a division staff member or employee;
 - (ii) a member of the experience review committee as appointed and approved by the board;
 - (iii) a member of the technical review panel as appointed and approved by the board;
 - (iv) a hearing officer;
 - (v) a member of a county board of equalization;
 - (vi) an administrative law judge;
 - (vii) a member of the Utah State Tax Commission; or
 - (viii) a member of the board.
 - (b) If a deadline for response under this Subsection (1)(h) falls on a day when the division is closed, the deadline shall be extended to the next business day.
- (3) A trainee shall:
- (a) using forms provided by the division, maintain a separate log of experience hours for each supervising appraiser with whom the trainee works; and
 - (b) include in each log the following information for each appraisal:
 - (i) file number;
 - (ii) report date;
 - (iii) subject address;
 - (iv) client name;
 - (v) type of property;
 - (vi) report form number or type;
 - (vii) number of work hours;
 - (viii) description of work performed by the trainee; and
 - (ix) scope of the review and supervision of the supervising appraiser.
- (4) A supervising appraiser shall:
- (a) delegate to a trainee only such duties as the trainee is authorized to perform under Subsection R162-2g-311(1);
 - (b) directly train and supervise the trainee in the performance of assigned duties by:
 - (i) critically observing and directing all aspects of the appraisal process; and
 - (ii) accepting full responsibility for the appraisal and the contents of the appraisal report;
 - (c) personally inspect:
 - (i) each property that is appraised with a trainee until the trainee has performed:
 - (A) 100 residential inspections as provided in Subsection R162-2g-311(1)(b)(i); and
 - (B) 20 non-residential inspections as provided in Subsection R162-2g-311(1)(b)(ii); and
 - (ii) any property for which the appraisal report scope of work or certification requires appraiser inspection.
- (5) A school shall:
- (a) maintain a record of each student's attendance for a minimum of five years after the student enrolls;
 - (b) display the certification number of all continuing education courses in advertising and marketing;

- (c) as to each student who provides the school with an accurate name or license number, bank course completion information:
 - (i) within 10 days after the end of a course offering; and
 - (ii) to the database specified by the division;
- (d) upon request of the division, substantiate any claim made in advertising or marketing;
- (e) within 15 calendar days of any material change in the information outlined in R162-2g-307a(1), provide to the division written notice of the change;
- (f) with regard to the criminal history disclosure required under R162-2g-307a(2)(c)(iii):
 - (i) obtain each student's signature before allowing the student to participate in course instruction;
 - (ii) retain each signed criminal history disclosure for a minimum of two years; and
 - (iii) make any signed criminal history disclosure available to the division upon request;
- (g) maintain a high quality of instruction;
- (h) adhere to all state laws and administrative rules regarding school and instructor certification;
- (i) provide the instructor(s) for each course with the required course content outline;
- (j) require instructors to adhere to the approved course content;
- (k) comply with a division request for information within 10 business days of the date of the request; and
- (l) verify that the material is current in any course taught on:
 - (i) Utah statutes;
 - (ii) Utah administrative rules;
 - (iii) Federal laws; and
 - (iv) Federal regulations.
- (6) An instructor shall adhere to the approved outline for any course taught.