
TITLE 876 INDIANA REAL ESTATE COMMISSION

Proposed Rule
LSA Document #07-744

DIGEST

Amends [876 IAC 3-6-2](#) to incorporate by reference the 2008-2009 edition of the Uniform Standards of Professional Appraisal Practice (USPAP). Amends [876 IAC 3-6-3](#) to update the revisions to USPAP based upon the changes in the 2008-2009 edition. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[876 IAC 3-6-2](#); [876 IAC 3-6-3](#)

SECTION 1. [876 IAC 3-6-2](#) IS AMENDED TO READ AS FOLLOWS:

[876 IAC 3-6-2](#) Uniform Standards of Professional Appraisal Practice

Authority: [IC 25-34.1-3-8](#)

Affected: [IC 4-22-2](#); [IC 25-34.1](#)

Sec. 2. (a) That certain document being titled Uniform Standards of Professional Appraisal Practice, ~~2006~~ **2008-2009** edition, as published by the Appraisal Standards Board of the Appraisal Foundation, 1155 15th Street, NW, Suite 1111, Washington, D.C. 20005, copyright ~~2006~~, **2007**, is hereby incorporated by reference as if fully set out in this rule except for the revisions stated in section 3 of this rule. The Statements on Appraisal Standards are adopted as part of this rule. The Advisory Opinions are not adopted as part of this rule. The Comments are adopted as part of this rule.

(b) No subsequent editions, amendments, supplements, or releases of the Uniform Standards of Professional Appraisal Practice will be in effect in Indiana or adopted by the commission except by following the rulemaking provisions of [IC 4-22-2](#).

(c) As used in this article, "appraiser" refers to the following:

- (1) **An** Indiana licensed trainee appraiser.
- (2) **An** Indiana licensed residential appraiser.
- (3) **An** Indiana certified residential appraiser.
- (4) **An** Indiana certified general appraiser.

(Indiana Real Estate Commission; [876 IAC 3-6-2](#); filed Sep 24, 1992, 9:00 a.m.: 16 IR 748; filed Dec 8, 1993, 4:00 p.m.: 17 IR 781; filed Apr 10, 1995, 10:00 a.m.: 18 IR 2124; filed Dec 24, 1997, 11:00 a.m.: 21 IR 1766; filed May 10, 1999, 12:42 p.m.: 22 IR 2879; filed Apr 24, 2000, 12:48 p.m.: 23 IR 2243; filed May 25, 2001, 2:42 p.m.: 24 IR 3068; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3238; filed May 13, 2002, 2:05 p.m.: 25 IR 3181; filed May 1, 2003, 12:15 p.m.: 26 IR 3043; filed Apr 8, 2004, 3:25 p.m.: 27 IR 2738; filed Apr 18, 2005, 2:30 p.m.: 28 IR 2717; filed Aug 8, 2006, 11:03 a.m.: [20060906-IR-876060040FRA](#); readopted filed Jul 19, 2007, 1:16 p.m.: [20070808-IR-876070068RFA](#))

SECTION 2. [876 IAC 3-6-3](#) IS AMENDED TO READ AS FOLLOWS:

[876 IAC 3-6-3](#) Deletions from the Uniform Standards of Professional Appraisal Practice

Authority: [IC 25-34.1-3-8](#)

Affected: [IC 25-1-11-5](#); [IC 25-34.1](#)

Sec. 3. (a) Standards 6 through 10 are deleted.

(b) The references to Standards 6 through 10 of the Uniform Standards of Professional Appraisal Practice are deleted or revised as follows:

- (1) Under the fourth paragraph of the Preamble, in the ~~seventh~~ **sixth** bullet point, delete "ten" from the first sentence and the last three (3) sentences.
- (2) In the third sentence in the Ethics Rules, delete "Standards 1 through 10" and insert "Standards 1 through 5".
- (3) In the second Comment under the Ethics Rule, delete the comma after "5-3" and "6-9, 8-3, and 10-3" and before "5-3", insert "and".
- (4) In the second Comment under the Management category of the Ethics Rule, delete the comma after "5-3" and "6-9, 8-3, or 10-3" and before "5-3", insert "or".
- (5) In the last paragraph of the Comment under the Record Keeping category under the Ethics Rule, delete "STANDARDS 2 and 8" and insert "STANDARD 2", delete "or an Appraisal Report (for assignments under STANDARD 10),", and delete the comma after "2-2(c)(viii)" and "8-2(c)(viii), and 10-2(b)(ix)".
- (6) In the comment under the Problem Identification category under the Scope of Work Rule, delete "SR 6-2, SR 7-2, and SR 9-2" and before "SR 4-2", insert "and".
- (7) In the Comment under Standards Rule 1-4(g), delete "(See Standard 7)" and "(See Standard 9)".
- (8) In the last paragraph of the Comment under Standard 3, delete the comma after "5-3" and "6-9, 8-3, and 10-3" and before "5-3", insert "and".
- (9) In two (2) locations that appear in the Comment under Standard 3-1(c), delete "(STANDARD 1, 3, 4, 6, 7, or 9)" and insert "(STANDARD 1, 3, or 4)".
- (10) Delete the last sentence in the Comment under Standard 3-2(d) and insert the following: "However, data and analyses provided by the reviewer to support a different value conclusion must match, at a minimum, the reporting requirements for a Summary Appraisal Report for real property appraisal (SR 2-2(b)) and an appraisal consulting report for real property appraisal consulting (SR 5-2).".
- (11) Any references to Standards 6 through 10 in the Statements on Appraisal Standards are deleted and shall not apply.

(c) In the Definitions, delete the title and text of the Comment under Real Property.

(d) Delete the third paragraph of the Preamble.

~~(e) Add the following sentences to the end of the text of the Supplemental Standards Rule, "Any such supplemental standard shall not be considered part of this title. However, this does not preclude the possibility of disciplinary sanctions under [IC 25-1-11-5\(a\)\(3\)](#) where appropriate."~~

(Indiana Real Estate Commission; [876 IAC 3-6-3](#); filed Sep 24, 1992, 9:00 a.m.: 16 IR 748; filed Dec 8, 1993, 4:00 p.m.: 17 IR 781; filed Apr 10, 1995, 10:00 a.m.: 18 IR 2124; errata filed May 8, 1995, 4:30 p.m.: 18 IR 2262; filed Dec 24, 1997, 11:00 a.m.: 21 IR 1767; filed May 10, 1999, 12:42 p.m.: 22 IR 2880; errata, 22 IR 3420; filed Apr 24, 2000, 12:48 p.m.: 23 IR 2244; filed May 25, 2001, 2:42 p.m.: 24 IR 3068; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3238; filed May 13, 2002, 2:05 p.m.: 25 IR 3181; filed May 1, 2003, 12:15 p.m.: 26 IR 3044; filed Apr 8, 2004, 3:25 p.m.: 27 IR 2739; filed Apr 18, 2005, 2:30 p.m.: 28 IR 2717; filed Aug 8, 2006, 11:03 a.m.: [20060906-IR-876060040FRA](#); readopted filed Jul 19, 2007, 1:16 p.m.: [20070808-IR-876070068RFA](#))

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