(as of May 13, 2015)

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State Requirements Regarding Background Checks for Real Estate Appraisers

- 45 states have enacted some kind of background check statutes or regulations for real estate appraisers.

- 5 states plus DC that have not yet enacted any statutes or regulations regarding criminal history records checks for appraisers. (DC, HI, MA, NY, PA, and TX).

- Information about the 4 other territories – PR, GU, VI, and NMI – is not available.

- Legislation to adopt background check requirements is currently pending in MT and PA, and will likely be introduced in TX very soon.

- A strong majority of the state statutes and regulations that have been enacted were enacted between 2012 and 2014. Ten states had statutes or regulations on their books regarding background checks for appraisers prior to 2011. (AZ, CA, FL, GA, IN, NV, NJ, OR, UT, and WY)

- All states that have enacted statutes and regulations regarding formal background checks require that “in-state” applicants for their first or initial credential – whether that be as a trainee or as a licensed/certified appraiser – undergo some sort of criminal history records check. Some of the states that have not enacted requirements for formal background checks inquire as to an applicant’s history of criminal activity, but do not conduct a formal background check. It is important to note that these inquiries may satisfy the AQB requirements as they are currently proposed in the 4th/5th Exposure Draft.

- Most states (32) require that formal background checks/criminal history records checks be fingerprint based. (AL, AK, AZ, CA, CO, DE, FL, ID, IL, IA, KY, ME, MD, MN, MS, MO, NE, NV, NH, NJ, NM, NC, ND, OH, OK, SC, SD, TN, UT, VT, WV, and WI)

- Only a handful of states require an additional background check at each renewal period. (AZ, CO, MN, MS, and VT)

- Most states require some type of self-reporting of criminal activity, either when the activity occurs or at renewal.

- A fair number of states (14) require an appraiser to submit new fingerprints and undergo a new background check when upgrading their credential - trainee to licensed/certified, from licensed to certified residential/general or from certified residential to certified general. (CO, DE, FL, GA, IA, ME, NE, NV, NC, ND, OH, RI, VT and WY)

- Twenty (20) states require an appraiser to undergo a background check/criminal history records check in order to obtain a credential by reciprocity. (AZ, CA, CO, DE, GA, KS, ME, MS, MO, NE, NV, NH, NJ, NC, ND, OH, OR, RI, VT and WY)

- A fair number of states (9) require appraisers to undergo background checks/criminal history records checks in order to obtain a temporary practice permit. (AZ, GA, ME, MS, ND, OR, SC, VT and WY)
Alabama

Initial license: Yes
Renewal: No
Reciprocal: No
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2014

Ala.Code 1975 § 34-27A-7

§ 34-27A-7. Application for licensure and examination; fees; pledge; conditions.

(e) In addition to all other requirements, an applicant for a license under this section shall submit to the board a form, sworn to by the applicant, containing name, date of birth, and Social Security number for completion of a criminal history background check. The applicant shall submit two complete sets of fingerprints to the board. The board shall submit the fingerprints to the Alabama Bureau of Investigation (ABI) for a state criminal history record check. The fingerprints shall be forwarded by the ABI to the Federal Bureau of Investigation (FBI) for a national criminal history record check. Costs associated with conducting a criminal history background check shall be borne by the applicant. The board shall keep information received pursuant to this subsection confidential, except that such information received and relied upon in denying the issuance of a real property appraiser license in this state may be disclosed to support the denial of the license.

(f) The board may consult with appropriate state or federal law enforcement authorities to verify whether an applicant has a criminal record prior to issuing a license and, as an aid to this duty, each applicant may be required to provide his or her fingerprints and complete an affidavit of his or her criminal record, if any, as part of the application. The board may periodically consult with state and federal law enforcement officials to determine whether current licensees have new criminal convictions.
Alaska

Initial license: Yes
Renewal: No
Reciprocal: No
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2014

AS § 12.62.400

§ 12.62.400. National criminal history record checks for employment, licensing, and other noncriminal justice purposes

(a) To obtain a national criminal history record check for determining a person's qualifications for a license, permit, registration, employment, or position, a person shall submit the person's fingerprints to the department with the fee established by AS 12.62.160. The department may submit the fingerprints to the Federal Bureau of Investigation to obtain a national criminal history record check of the person for the purpose of evaluating a person's qualifications for

(8) certification as a real estate appraiser under AS 08.87;
Arizona

Initial license: Yes
Renewal: Yes
Reciprocal: Yes, but background check will not delay issuance of license.
Temporary Practice Permit: Yes, but background check will not delay issuance of the TPP.
Fingerprints: Yes. New fingerprint clearance card required every six years.
Law enacted: 1990, modified 2014

A.R.S. § 32-3620

§ 32-3620. Basis for denial of a license or certificate

A. The board may deny the initial issuance or renewal of a license or certificate as a registered trainee appraiser, a supervisory appraiser or a state licensed or state certified appraiser to an applicant who has been convicted of a felony or on any of the grounds prescribed in this chapter.

B. To assist in determining whether grounds exist to deny the initial issuance or renewal of a license or certificate to an applicant, the board shall require the applicant to obtain a valid fingerprint clearance card issued pursuant to § 41-1758.03.

C. A person who is denied the issuance of a license or certificate may request, and if requested shall receive, a hearing in accordance with title 41, chapter 6, article 10.
Arkansas  **New! (Effective January 1, 2017)**

Initial license: Yes  
Renewal: No  
Reciprocal: Unknown  
Temporary Practice Permit: No  
Fingerprints: Yes  
Law enacted: 2015

**AR ST § 17–14–203**

In accordance with these general powers and duties, the Arkansas Appraiser Licensing and Certification Board shall:

(2)   
(A) Receive applications for registering, licensing, and certification.

(B) The application shall include the applicant's consent to a state criminal background check and a national fingerprint-based criminal background check performed by the Federal Bureau of Investigation in compliance with federal law and regulations;

(4)   
(A)(i) Approve and issue registration, licenses, and certificates to qualified applicants or disapprove applications for registering, licensing, and certification for applicants who do not meet the minimum requirements as prescribed in this chapter.

(ii) The minimum requirements shall include a determination that the applicant possesses a background that does not call into question public trust or the applicant's fitness for registration, licensure, or certification.

(6)   
(E)(i) Every application for registering, licensing, and certification shall be accompanied by an application and examination fee, as applicable, and a criminal background check fee that the Arkansas Appraiser Licensing and Certification Board may establish by regulation rule.

(ii) However, the Arkansas Appraiser Licensing and Certification Board, at its discretion, may direct each applicant to pay the actual cost of the examination fee directly to a testing service engaged by the Arkansas Appraiser Licensing and Certification Board to administer the examination.

(G) The total annual resident registering, licensing, certification, and application fees established by the Arkansas Appraiser Licensing and Certification Board shall not exceed three hundred dollars ($300), excluding fees for:

(i) Applicable examination and federal pass-through fees; and

(ii) Criminal background check fees.

(12)   
(A) Obtain a state criminal background check performed by the Identification Bureau of the Department of Arkansas State Police and a national fingerprint-based criminal background check performed by the Federal Bureau of Investigation in compliance with federal law and regulations for all applicants for a real property appraiser registration, license, or certification to
determine if the applicant possesses a background that does not call into question public trust or the applicant's fitness for registration, licensure, or certification.

(B) An applicant shall provide all information requested by the Arkansas Appraiser Licensing and Certification Board to assist making the determination.

(C) Factors to consider in making the determination include without limitation whether the applicant:

   (i) During the five (5) years immediately preceding the date of the application was convicted of, or pled guilty or nolo contendere to, a crime that would call into question the applicant's fitness for registration, licensure, or certification, including without limitation a crime involving:

      (a) Moral turpitude;

      (b)  (1) An act substantially related to the qualifications, functions, or duties of an appraiser.

             (2) A crime or act may be deemed substantially related to the qualifications, functions, or duties of an appraiser if, to a substantial degree, the crime or act evidences present or potential unfitness of a person applying for or holding a real property appraiser credential to perform the functions authorized by the credential;

     (c) Taking, appropriating, or retaining the funds or property of another;

     (d) Forging, counterfeiting, or altering an instrument affecting the rights or obligations of another;

     (e) Evasion of a lawful debt or obligation, including without limitation a tax obligation;

     (f) Trafficking in narcotics or controlled substances;

     (g) Violation of a relation of trust or confidence;

     (h) Theft of personal property or funds;

     (i) An act of violence or threatened violence against persons or property; or

     (j) A sexually related crime or act under §5–14–101, et seq.;

   (ii) Has had an appraiser registration, license, certification, or credential of any type revoked in any governmental jurisdiction;

   (iii) Performed any act which if done by an appraiser would be grounds to revoke or suspend the appraiser's license or certification;
(iv) Knowingly made a false statement of material fact required to be disclosed in an application for any professional license or certification;

(v) Has been prohibited from participating in the affairs of an insured depository institution under Section 19(a) of the Federal Deposit Insurance Act, 12 U.S.C. § 1829;

(vi) Misrepresented facts or information on the appraiser registration, license, or certification application; or

(vii) Cheated on an examination for a real property appraiser registration, license, or certification.
**California**

Initial license: Yes  
Renewal: No  
Reciprocal: Yes  
Temporary Practice Permit: No  
Fingerprints: Yes  
Law enacted: 2009

**West's Ann.Cal.Bus. & Prof.Code § 11343**

§ 11343. Fingerprint images; submission to Department of Justice; fee

(a) Each real estate appraiser license applicant and each controlling person of each applicant for registration as an appraisal management company shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice via LiveScan for the purposes of allowing the office to obtain information as to the existence and content of a record of state or federal convictions and state or federal arrests and also information as to the existence and content of a record of state or federal arrests for which the Department of Justice establishes that the person is free on bail or on his or her own recognizance pending trial or appeal. If the applicant is located out of state, then the applicant shall include his or her fingerprint card with the application package and the office shall submit the fingerprint cards to the Department of Justice for the purposes of this subdivision.

(b) When received, the Department of Justice shall forward to the Federal Bureau of Investigation requests for federal summary criminal history information received pursuant to this section. The Department of Justice shall review the information returned from the Federal Bureau of Investigation and compile and disseminate a response to the office.

(c) The Department of Justice shall provide a response to the office pursuant to paragraph (1) of subdivision (p) of Section 11105 of the Penal Code.

(d) The office shall request from the Department of Justice subsequent arrest notification service, as provided pursuant to Section 11105.2 of the Penal Code, for persons described in subdivision (a).

(e) The Department of Justice shall charge a fee sufficient to cover the cost of processing the request described in this section.
Colorado

Initial license: Yes
Renewal: Yes
Upgrade: Yes
Reciprocal: Yes
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2014

C.R.S.A. § 12-61-706

§ 12-61-706. Qualifications for licensing and certification of appraisers--continuing education--definitions—rules

(6)(a) The board shall not issue a license or certification until the applicant demonstrates that he or she meets the fitness standards established by board rule and submits a set of fingerprints to the Colorado bureau of investigation for the purpose of conducting a state and national fingerprint-based criminal history record check utilizing records of the Colorado bureau of investigation and the federal bureau of investigation. Each person submitting a set of fingerprints shall pay the fee established by the Colorado bureau of investigation for conducting the fingerprint-based criminal history record check to the bureau. Upon completion of the criminal history record check, the bureau shall forward the results to the board. The board may require a name-based criminal history record check for an applicant who has twice submitted to a fingerprint-based criminal history record check and whose fingerprints are unclassifiable. The board may deny an application for licensure or certification based on the outcome of the criminal history record check and may establish criminal history requirements more stringent than those established by any applicable federal law. At a minimum, the board shall adopt the criminal history requirements established by any applicable federal law.
Delaware

Initial license: Yes
Renewal: No
Upgrade: Yes
Reciprocal: Yes
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2013, Added by 79 Laws 2013, ch. 163, § 1, eff. Aug. 6, 2013

24 Del.C. § 4021
§ 4021. Criminal background checks of new applicants

An applicant for licensure or certification under § 4008 or § 4009 of this title shall submit, at the applicant's expense, fingerprints and other necessary information in order to obtain the following:

(1) A report of the individual’s entire criminal history record from the State Bureau of Identification or a statement from the State Bureau of Identification that the State Central Repository contains no such information relating to that person.

(2) A report of the individual's entire federal criminal history record pursuant to the Federal Bureau of Investigation appropriation of Title II of Public Law 92-544 (28 U.S.C. § 534). The State Bureau of Identification shall be the intermediary for purposes of this section and the Council shall be the screening point for the receipt of said federal criminal history records.
District of Columbia

No background check requirements in place as of February, 2015.
Florida

Initial license: Yes
Renewal: No
Upgrade: Yes
Reciprocal: No
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2000

West's F.S.A. § 475.615
475.615. Qualifications for registration or certification

(3) Appropriate fees, as set forth in the rules of the board pursuant to s. 475.6147, and a set of fingerprints must accompany all applications for registration or certification. The fingerprints shall be forwarded to the Division of Criminal Justice Information Systems within the Department of Law Enforcement for processing to determine whether the applicant has a criminal history record. The fingerprints shall also be forwarded to the Federal Bureau of Investigation to determine whether the applicant has a criminal history record. The information obtained by the processing of the fingerprints by the Department of Law Enforcement and the Federal Bureau of Investigation shall be sent to the department to determine whether the applicant is statutorily qualified for registration or certification.
Georgia

Initial license: Yes
Renewal: No
Upgrade: Yes
Reciprocal: Yes
Temporary Practice Permit: Yes
Fingerprints: No
Law enacted: Pre-2003

§ 43-39A-14. Refusal, suspension, or revocation of appraiser classification

(a) Appraiser classifications shall be granted only to persons who bear a good reputation for honesty, trustworthiness, integrity, and competence to transact real estate appraisal activity in such manner as to safeguard the interests of the public and only after satisfactory proof of such qualifications has been presented to the board.

(b)(1) As used in this subsection, the term:

(A) “Conviction” means a finding or verdict of guilty or a plea of guilty to a charge of a felony or any crime involving moral turpitude, regardless of whether an appeal of the conviction has been brought; a sentencing to first offender treatment without an adjudication of guilt pursuant to a charge of a felony or any crime involving moral turpitude; or a plea of nolo contendere to a charge of a felony or any crime involving moral turpitude.

(B) “Felony” means any offense committed:

(i) Within this state and deemed a felony under the laws of this state or under the laws of the United States; or
(ii) In another state and deemed a felony under the laws of that state or the laws of the United States.

(1.1) No person who has a conviction shall be eligible to become an applicant for a license or an approval authorized by this chapter unless such person has successfully completed all terms and conditions of any sentence imposed for such conviction, provided that if such individual has multiple convictions, at least five years shall have passed since the individual satisfied all terms and conditions of any sentence imposed for the last conviction before making application for licensure or approval; and provided, further, that if such individual has a single conviction, at least two years shall have passed since the individual satisfied all terms and conditions of any sentence imposed for the last conviction before making application for licensure or approval.

(1.2) A person who has a conviction in a court of competent jurisdiction of this state or any other state shall be eligible to become an applicant for a licensure or an approval authorized by this chapter only if:

(A) Such person has satisfied all terms and conditions of any conviction such person may have had before making application for licensure or approval, provided that if such individual has multiple convictions, at least five years shall have passed since the individual satisfied all terms and
conditions of any sentence imposed for the last conviction before making application for licensure or approval; and provided, further, that if such individual has been convicted of a single felony or of a single crime of moral turpitude, at least two years shall have passed since the individual satisfied all terms and conditions of any sentence imposed for the last conviction before making application for licensure or approval;

(B) No criminal charges for forgery, embezzlement, obtaining money under false pretenses, theft, extortion, conspiracy to defraud, a felony, a sexual offense, a probation violation, or a crime involving moral turpitude are pending against the person; and

(C) Such person presents to the commission satisfactory proof that the person now bears a good reputation for honesty, trustworthiness, integrity, and competence to transact the business of a licensee in such a manner as to safeguard the interest of the public.

(2) Where an applicant for any classification or approval authorized by this chapter has been convicted in a court of competent jurisdiction of this state or any other state of the offense of forgery, embezzlement, obtaining money under false pretenses, theft, extortion, or conspiracy to defraud or other like offense or offenses or has been convicted of a felony, a sexual offense, a probation violation, or a crime involving moral turpitude, such conviction in itself may be a sufficient ground for refusal of a classification or approval. An applicant for any classification or approval authorized by this chapter who has been convicted of any offense enumerated in this paragraph may be issued a classification or approval by the board only if:

(A) The time periods identified in paragraph (1.1) of this subsection have passed since the applicant was convicted, sentenced, or released from any incarceration, whichever is later;
(B) No criminal charges are pending against the applicant; and
(C) The applicant presents to the board satisfactory proof that the applicant now bears a good reputation for honesty, trustworthiness, integrity, and competence to transact real estate appraisal activity in such a manner as to safeguard the interest of the public.

c) Where an applicant or an appraiser has been found guilty of a violation of the federal fair housing law or Article 4 of Chapter 3 of Title 8 by an administrative law judge or a court of competent jurisdiction and after any appeal of such conviction is concluded, such conviction may in itself be a sufficient ground for refusal of an appraiser classification or the imposition of any sanction permitted by this chapter.

d) Where an applicant or an appraiser has made a false statement of material fact on an application or caused to be submitted or been a party to preparing or submitting any falsified application to the board, such action may, in itself, be a sufficient ground for the refusal, suspension, or revocation of the appraiser classification.

e) Grounds for suspension or revocation of an appraiser classification, as provided for by this chapter, shall also be grounds for refusal to grant an appraiser classification.

(f) The conduct provided for in subsections (a) through (d) and subsection (h) of this Code section which relates to the denial of an appraiser classification to an applicant shall also be grounds for the imposition of any sanction permitted by this chapter when the conduct is that of an appraiser.
(g) Whenever the board initiates an investigation as provided in Code Section 43-39A-22 to determine whether an appraiser has violated any provision of this chapter or the rules and regulations adopted pursuant to this chapter and such appraiser:

1. Surrendered or surrenders an appraiser classification to the board;
2. Allowed or allows an appraiser classification to lapse due to failure to meet education requirements provided by law; or
3. Allowed or allows an appraiser classification to lapse due to failure to pay any required fees, the board may issue an order revoking such appraiser’s classification. The order shall be effective ten days after the order is served on the appraiser unless the appraiser makes a written request for a hearing before the board, in which event, the board shall file a notice of hearing in accordance with Chapter 13 of Title 50, the “Georgia Administrative Procedure Act.” Service shall be accomplished as provided for in Code Section 43-39A-21.

(h) Whenever any occupational licensing body of this state or any other state has disciplined any license or classification of an applicant for any appraiser classification or whenever such an applicant has allowed a license or classification to lapse or has surrendered a license or classification to any occupational licensing body of this state or any other state after that occupational licensing body has initiated an investigation or a disciplinary process regarding such applicant’s licensure or classification, such discipline, lapsing, or surrender in itself may be a sufficient ground for refusal of an appraiser classification. Whenever any occupational licensing body of this state or any other state has revoked the license or classification of an applicant for a classification or whenever such an applicant has allowed a license or classification to lapse or has surrendered a license or classification to any occupational licensing body of this state or any other state after that body has initiated an investigation or a disciplinary process regarding such applicant’s license or classification, the board may issue an appraiser classification only if:

1. At least five years have passed since the date that the applicant's occupational registration, license, or certification was revoked or surrendered;
2. No criminal charges are pending against the applicant at the time of application; and
3. The applicant presents to the board satisfactory proof that the applicant now bears a good reputation for honesty, trustworthiness, integrity, and competence to transact real estate appraisal activity in such a manner as to safeguard the interests of the public.

(i) Whenever any appraiser is convicted of any offense enumerated in subsection (b) of this Code section, such appraiser shall immediately notify the board of that conviction. Such appraiser's appraiser classification shall automatically be revoked 60 days after the conviction unless the appraiser makes a written request to the board for a hearing during that 60 day period. Following any such hearing requested pursuant to this subsection, the board in its discretion may impose upon that appraiser any sanction permitted by this chapter.

(j) Where an applicant or licensee has been found not in compliance with an order for child support as provided in Code Section 19-6-28.1 or 19-11-9.3, such action shall be sufficient grounds for refusal of a license or suspension of a license. For purposes of this subsection, the hearing and appeal procedures provided for in such Code sections shall be the only such procedures required under this article.

(k) Where an applicant or licensee has been found to be a borrower in default who is not in satisfactory repayment status as provided in Code Section 20-3-295, such finding shall be sufficient grounds for refusal
of a license or suspension of a license. For purposes of this subsection, the hearing and appeal procedures provided for in Code Section 20-3-295 shall be the only such procedures required under this article.

(l) Where the board has previously sanctioned any applicant for a classification under Chapter 13 of Title 50, the “Georgia Administrative Procedure Act,” such sanction may in itself be a sufficient ground for refusing the classification.


§ 43-39A-22.1. Board authorized to obtain conviction data regarding applicants and appraisers under investigation; submission of fingerprints by applicants and appraisers

(a) As used in this Code section, the term “conviction data” means a record of a finding or verdict of guilty or plea of guilty or plea of nolo contendere with regard to any crime, regardless of whether an appeal of the conviction has been brought, or a record of a sentencing to first offender treatment without an adjudication of guilt.

(b) After the board has opened an investigation authorized by Code Section 43-39A-22, the board shall be authorized to obtain conviction data with respect to an applicant or appraiser who is the subject of such investigation. The board may require any applicant or appraiser who is the subject of an investigation conducted pursuant to Code Section 43-39A-22 and who has been convicted of, pled nolo contendere to, or been granted first offender treatment upon being charged with any criminal offense other than a traffic violation or any traffic violation that involved driving under the influence of alcohol or drugs, homicide or feticide by vehicle, fleeing the scene of an accident, attempting to elude a police officer, or impersonating a law enforcement officer to submit to the board two complete sets of classifiable fingerprints of the applicant or appraiser. Upon receipt thereof, the board shall submit both sets of fingerprints to the Georgia Crime Information Center which shall promptly transmit one set of fingerprints to the Federal Bureau of Investigation for a search of bureau records and an appropriate report. The Georgia Crime Information Center shall retain the other set of fingerprints and promptly conduct a search of its own records and records to which it has access. The Georgia Crime Information Center shall notify the board in writing of any derogatory finding, including, but not limited to, any conviction data regarding the fingerprint records check or if there is no such finding. All conviction data received by the board shall be used by it for the exclusive purpose of carrying out its responsibilities under this chapter, shall not be a public record, shall be privileged, and shall not be disclosed to any other person or agency except as provided in Code Section 43-39A-22.

Ga Comp. R. & Regs. 539-1-.05
539-1-.05. Applications.

(10) No more than 60 days prior to making application, each applicant for an appraiser classification, controlling person of an applicant appraisal management company, any individual with a direct ownership interest exceeding 50% of an applicant appraisal management company, an instructor approval, or the Director of a school applying for approval shall obtain, at the applicant's expense, and attach to the applicant's application for classification a certified criminal history report issued by the Georgia Crime Information Center of the Georgia Bureau of Investigation indicating whether the applicant has any record of a criminal history. If that report indicates that the applicant has a record in another jurisdiction, the applicant must, at the applicant's expense, provide any necessary fingerprints, fees, authorization, or other requirements for the Board to obtain a Federal Crime Information Center report from the Federal
Bureau of Investigation. If the criminal history report of such a candidate for classification reveals a prior criminal conviction(s) or if the candidate for classification has a prior professional classification or license disciplinary action, the candidate for classification shall comply with the provisions in paragraphs (8) and (9) of this rule and said candidate for classification shall be subject to the provisions of 43-40-15 (a) et seq.
Hawaii

As of February, 2015, Hawaii only requires an applicant to submit information regarding criminal history if an applicant indicates a criminal conviction on their application for an appraiser credential.
Idaho

Initial license: Yes
Renewal: No
Upgrade: No
Reciprocal: Unknown
Temporary Practice Permit: Unknown
Fingerprints: Yes
Law enacted: 2014, but not yet implemented

I.C. § 54-4106
§ 54-4106. Real estate appraisers--Real estate appraiser board--Powers and duties--Compensation

(2) The board shall have, in addition to the powers conferred elsewhere in this chapter, the following powers and duties:

(j) To require new applicants to submit to a satisfactory fingerprint-based criminal history check of the Idaho central criminal database and the federal bureau of investigation criminal history database and to collect fees from applicants for the costs of such background check.
Illinois

Initial license: Yes  
Renewal: No  
Upgrade: No  
Reciprocal: No  
Temporary Practice Permit: No  
Fingerprints: Yes  
Law enacted: 2014

225 ILCS 458/5-22
458/5-22. Criminal history records check

§ 5-22. Criminal history records check. Each applicant for licensure by examination or restoration shall have his or her fingerprints submitted to the Department of State Police in an electronic format that complies with the form and manner for requesting and furnishing criminal history record information as prescribed by the Department of State Police. These fingerprints shall be checked against the Department of State Police and Federal Bureau of Investigation criminal history record databases now and hereafter filed. The Department of State Police shall charge applicants a fee for conducting the criminal history records check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the records check. The Department of State Police shall furnish, pursuant to positive identification, records of Illinois convictions to the Department. The Department may require applicants to pay a separate fingerprinting fee, either to the Department or to a vendor. The Department may adopt any rules necessary to implement this Section.
Indiana

Initial license: Yes
Renewal: No. Attestation of no change in criminal history is required.
Upgrade: No
Reciprocal: No
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2008

IC 25-34.1-8-10
25-34.1-8-10 Qualification of applicants

Sec. 10. (a) To be licensed or certified as a real estate appraiser, an individual must meet the following conditions:

(1) Not have a conviction for any of the following:

   (A) An act that would constitute a ground for disciplinary sanction under IC 25-1-11.
   (B) A crime that has a direct bearing on the individual's ability to practice competently.
   (C) Fraud or material deception in the course of professional services or activities.
   (D) A crime that indicates the individual has the propensity to endanger the public.

(2) Have satisfied the requirements established under IC 25-34.1-3-8(f).

(b) After December 31, 2008, the board shall require each applicant for initial licensure or certification under this chapter to submit fingerprints for a national criminal history background check (as defined in IC 10-13-3-12) by the Federal Bureau of Investigation, for use by the board in determining whether the applicant should be denied licensure or certification under this chapter for any reason set forth in subsection (a)(1). The applicant shall pay any fees or costs associated with the fingerprints and background check required under this subsection. The board may not release the results of a background check described in this subsection to any private entity.

(c) The board may request evidence of compliance with this section in accordance with subsection (d). Evidence of compliance with this section may include any of the following:

   (1) Subject to subsections (b) and (d)(2), criminal background checks, including a national criminal history background check (as defined in IC 10-13-3-12) by the Federal Bureau of Investigation.
   (2) Credit histories.
   (3) Other background checks considered necessary by the board.

(d) The board may request evidence of compliance with this section at any of the following times:

   (1) The time of application for an initial license or certificate.
   (2) The time of renewal of a license or certificate.
   (3) Any other time considered necessary by the board.
(e) The commission, upon recommendation of the board, shall adopt rules under IC 4-22-2 to implement this section.
Iowa

Initial license: Yes
Renewal: No. Attestation of no change in background is required.
Upgrade: Yes
Reciprocal: No
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2013, effective January 1, 2017

I.C.A. § 543D.22
543D.22. Criminal background checks

1. The board may require a national criminal history check through the federal bureau of investigation for applicants for certification or registration, or for persons certified or registered, under this chapter if needed to comply with federal law or regulation, or the policies of the appraisal qualification board of the appraisal foundation.

2. The board may require applicants, certificate holders, or registrants to provide a full set of fingerprints, in a form and manner prescribed by the board. Such fingerprints, if required, shall be submitted to the federal bureau of investigation through the state criminal history repository for purposes of the national criminal history check.

3. The board may also request and obtain, notwithstanding section 692.2, subsection 5, criminal history data for applicants, certificate holders, and registrants. A request for criminal history data shall be submitted to the department of public safety, division of criminal investigation, pursuant to section 692.2, subsection 1.

4. The board shall inform the applicant, certificate holder, or registrant of the requirement of a national criminal history check or request for criminal history data and obtain a signed waiver from the applicant, certificate holder, or registrant prior to requesting the check or data.

5. The board may, in addition to any other fees, charge and collect such amounts as may be incurred by the board, the department of public safety, or federal bureau of investigation in obtaining criminal history information. Amounts collected shall be considered repayment receipts as defined in section 8.2, subsection 8.

6. Criminal history data and other criminal history information relating to an applicant, certificate holder, or registrant obtained by the board pursuant to this section is confidential. Such information may, however, be used by the board in a certificate or registration denial or disciplinary proceeding.

Iowa Admin. Code 193F-1.21(543D)
193F-1.21(543D) National criminal history check.

Effective January 1, 2017, all applicants for any of the classifications listed in 193F—1.17(543D) must satisfactorily complete a national criminal history check as provided in Iowa Code section 543D.22 as a
condition of registration as an associate real property appraiser or certification as a residential or general real property appraiser.

**Iowa Admin. Code 193F-4.1(543D)**
193F-4.1(543D) Qualifications to register as an associate appraiser.

4.1(3) **Background check.** Effective January 1, 2017, a national criminal history check as provided in Iowa Code section 543D.22 shall be performed on any new associate appraiser.

**Iowa Admin. Code 193F-5.7(543D)**
193F-5.7(543D) Upgrade to a certified general real property appraiser.

To upgrade from a certified residential real property appraiser to a certified general real property appraiser, an applicant must complete the following additional education, examination, and experience requirements and, effective January 1, 2017, a national criminal history check as provided in Iowa Code section 543D.22.  
5.7(5) **Background check.** Effective January 1, 2017, a national criminal history check as provided in Iowa Code section 543D.22 shall be performed on any appraiser upgrading to a certified general real property appraiser.

**Iowa Admin. Code 193F-6.7(543D)**
193F-6.7(543D) Background check.

Effective January 1, 2017, a national criminal history check as provided in Iowa Code section 543D.22 shall be performed on any appraiser upgrading to a new credential.
Kansas

Initial license: Yes
Renewal: Yes
Upgrade: No
Reciprocal: Yes
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2014

K.S.A. 58-4127
58-4127. Fingerprints; criminal history record check

(a) The real estate appraisal board may require the following individuals to be fingerprinted and submit to a state and national criminal history record check:

   (1) An individual applying for:

   (A) An original license or certification;
   (B) licensure by reciprocity or endorsement; or
   (C) renewal of a license or certification; or

   (2) a currently licensed or certified individual, if necessary, to investigate a complaint or if required by the appraisal subcommittee.

(b) The fingerprints shall be used to identify the individual and to determine whether the individual has a record of criminal history in this state or other jurisdiction. The board is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The board may use the information obtained from the fingerprinting and the individual's criminal history for purposes of verifying the identification of any individual and in the official determination of the qualifications and fitness of the individual to be issued, to maintain or to renew a license or certification.

(c) Local and state law enforcement officers and agencies shall assist the board in taking and processing fingerprints of individuals as required by this section and shall release all records of adult convictions to the board. Local law enforcement officers and agencies may charge a fee as reimbursement for expenses incurred in taking and processing fingerprints under this section.

(d) The board may fix and collect a fee in an amount necessary to reimburse the board for the cost of fingerprinting and the criminal history record check. The board is hereby authorized to adopt rules and regulations pertaining to such fee.

(e) This section shall be part of and supplemental to the state certified and licensed real property appraisers act.
Kentucky

Initial license: Yes
Renewal: No
Upgrade: No
Reciprocal: No
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2013

KRS § 324A.100
324A.100 Criminal background checks for initial applicants for licensure or certification as real property appraiser

(1) The Kentucky Real Estate Appraisers Board shall require a national and state criminal background check for each initial application to be a licensed or certified real property appraiser under the following requirements:

   (a) The applicant shall provide his or her fingerprints to the Department of Kentucky State Police for submission to the Federal Bureau of Investigation after a state criminal background check is conducted;

   (b) The results of the national and state criminal background check shall be sent to the board; and

   (c) Any fee charged by the Department of Kentucky State Police and the Federal Bureau of Investigation shall be an amount no greater than the actual cost of processing the request and conducting the check.
Louisiana

Initial license: Yes
Renewal: Unknown
Upgrade: Unknown
Reciprocal: Unknown
Temporary Practice Permit: Unknown
Fingerprints: TBD
Law enacted: 2013 – Not yet implemented as of February, 2015

LSA-R.S. 37:3396
§ 3396. Applications

(2) All applicants for a real estate appraiser license shall undergo a background screening as mandated by the Appraiser Qualifications Board (AQB) of the Appraisal Foundation and prescribed by the board.

(3) When an applicant has been convicted of forgery, embezzlement, obtaining money under false pretense, larceny, extortion, conspiracy to defraud, or theft, or has been convicted of a felony or a crime of moral turpitude in any court of competent jurisdiction, such untrustworthiness of the applicant or the conviction itself may be sufficient grounds for refusal to issue a license.

(4) When an applicant has made a false statement of material fact on his application, such false statement may in itself be sufficient grounds for refusal to issue a license.

E. Suspension or revocation or grounds for suspension or revocation of a real estate appraiser license, or its equivalent, or a real estate salesperson or broker license in any jurisdiction may be grounds for refusal to issue a real estate appraiser license.

F. (1) A real estate appraiser whose license has been revoked as a result of disciplinary action in any jurisdiction shall not be eligible to apply for a Louisiana real estate appraiser license for at least five years following the date on which the license, or its equivalent, was revoked.
Maine

Initial license: Yes
Renewal: No
Upgrade: Yes
Reciprocal: Yes. No fingerprints required.
Temporary Practice Permit: No fingerprints required.
Fingerprints: Yes for initial licensing. No for reciprocity or temporary practice
Law enacted: 2014

32 M.R.S.A. § 14021
§ 14021. General qualifications

This section governs the application for licensure under this chapter.

7. Fingerprinting. In accordance with standards adopted by the appraiser qualifications board, an applicant shall submit a set of the applicant's fingerprints, taken by a law enforcement officer, and any other information necessary for a statewide and nationwide criminal history record check to be completed by the Department of Public Safety, State Bureau of Identification and the Federal Bureau of Investigation, commencing at the time determined by the appraiser qualifications board. All costs associated with the criminal history record check are the responsibility of the applicant and must be submitted with the fingerprints. Criminal history records provided to the board of real estate appraisers are confidential and may only be used to determine an applicant's eligibility for licensure. The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of a criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal record check may inspect and review criminal history record information pursuant to Title 16, section 709.
Maryland

Initial license: Yes
Renewal: No
Upgrade: No
Reciprocal: No
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: Enacted in 2014 but not yet implemented as of February, 2015

MD Code, Business Occupations & Professions, § 16-303
§ 16-303. License application

Form of application, fee

(a) An applicant for a license shall:

   (3) apply to the Central Repository for a national and State criminal history records check on a form approved by the Director of the Central Repository;
   (4) submit to the Central Repository a complete set of legible fingerprints taken at any designated State or local law enforcement office in the State or other agency or location approved by the Secretary of Public Safety and Correctional Services;
   (5) pay the mandatory processing fee required by the Federal Bureau of Investigation for a national criminal history records check; and
   (6) pay the fee authorized under § 10-221(b)(7) of the Criminal Procedure Article for access to the State criminal history records.

Printed statement listing convictions and pleas of guilty or nolo contendere

(b) The Central Repository shall provide to the Commission:

   (1) the national and State criminal history records of each applicant requiring a criminal history records check under subsection (a) of this section and a printed statement listing any convictions and pleas of guilty or nolo contendere to any criminal charge; and

   (2) an acknowledged receipt of the application for a criminal history records check by an applicant requiring a criminal history records check.

Confidentiality of information

(c) Information obtained by the Commission from the Central Repository under this section shall be confidential and may be disseminated only to the individual who is the subject of the criminal history records check.
§ 16-505. Certificate application
Application form and fee

(a) An applicant for a certificate shall:

(3) apply to the Central Repository for a national and State criminal history records check on a form approved by the Director of the Central Repository;
(4) submit to the Central Repository a complete set of legible fingerprints taken at any designated State or local law enforcement office in the State or other agency or location approved by the Secretary of Public Safety and Correctional Services;
(5) pay the mandatory processing fee required by the Federal Bureau of Investigation for a national criminal history records check; and
(6) pay the fee authorized under § 10-221(b)(7) of the Criminal Procedure Article for access to the State criminal history records.

(b) The Central Repository shall provide to the Commission:

(1) the national and State criminal history records of each applicant requiring a criminal history records check under subsection (a) of this section and a printed statement listing any convictions and pleas of guilty or nolo contendere to any criminal charge; and
(2) an acknowledged receipt of the application for a criminal history records check by an applicant requiring a criminal history records check.

Confidentiality of information

(c) Information obtained by the Commission from the Central Repository under this section shall be confidential and may be disseminated only to the individual who is the subject of the criminal history records check.
Massachusetts

No formal background check requirements as of February, 2015. Applicants are required to explain any criminal convictions. The Massachusetts Board of Registration of Real Estate Appraisers has a Criminal Conviction and Discipline Review Policy available at http://www.mass.gov/ocabr/docs/dpl/boards/ra/convpolicy.pdf
Michigan

No formal background check requirements as of February, 2015.
Minnesota

Initial license: Yes
Renewal: Yes
Upgrade: No
Reciprocal: Unknown
Temporary Practice Permit: Unknown
Fingerprints: Yes
Law enacted: 2013, effective January 1, 2015

Note: More information on the Minnesota appraiser background check requirements can be found at http://mn.gov/commerce/licensees/appraiser-license/Individual-Licenses/background-check.jsp

M.S.A. § 82B.08
82B.08. Licensing requirements
Subd. 2a. Criminal history record check; fingerprints.

(a) An applicant for a license must:

(1) consent to a criminal history record check;
(2) submit a fingerprint card in a form acceptable to the commissioner; and
(3) pay the fee required to perform criminal history record checks with the Minnesota Bureau of Criminal Apprehension and the Federal Bureau of Investigation.

(b) The commissioner may contract for the collection and transmission of fingerprints required under this chapter and may order the fee for collecting and transmitting fingerprints to be payable directly to the contractor by the applicant. The commissioner may agree to a reasonable fingerprinting fee to be charged by the contractor.

(c) The commissioner shall submit the applicant's fingerprints, consent, and the required fee to the superintendent of the Bureau of Criminal Apprehension. The superintendent shall perform a check of the state criminal history repository and is authorized to exchange the applicant's fingerprints with the Federal Bureau of Investigation to obtain the national criminal history record. The superintendent shall return the results of the state and national criminal history records checks to the commissioner.

(d) This subdivision applies to an applicant for an initial license or a renewal license.
Mississippi

Initial license: Yes
Renewal: Yes
Upgrade: No
Reciprocal: Yes
Temporary Practice Permit: Yes
Fingerprints: Yes
Law enacted: 2014

Miss. Code Ann. § 73-34-14
§ 73-34-14. Background investigations of prospective real estate appraiser licensees

(1)(a) To qualify for a Mississippi real estate appraiser license, an applicant must have successfully been cleared for licensure through an investigation that shall consist of a determination that the applicant does not possess a background which calls into question public trust, as set forth below in subsection (2), and verification that the prospective licensee is not guilty of or in violation of any statutory ground for denial of licensure as set forth in Section 73-34-35.

(b) To assist the board in conducting its licensure investigation, on and after January 1, 2015, all applicants for a real estate appraiser license as a licensed real estate appraiser (license), licensed certified residential real estate appraiser (certification), or a licensed certified general real estate appraiser (certification), and all applicants for renewal of any real estate appraiser license or certification shall undergo a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database. Each applicant shall submit a full set of the applicant's fingerprints in a form and manner prescribed by the board, which shall be forwarded to the Mississippi Department of Public Safety (department) and the Federal Bureau of Investigation Identification Division for this purpose.

(c) Any and all state or national criminal history records information obtained by the board that is not already a matter of public record shall be deemed nonpublic and confidential information restricted to the exclusive use of the board, its members, officers, investigators, agents and attorneys in evaluating the applicant's eligibility or disqualification for licensure, and shall be exempt from the Mississippi Public Records Act of 1983. Except when introduced into evidence in a hearing before the board to determine licensure, no such information or records related thereto shall, except with the written consent of the applicant or by order of a court of competent jurisdiction, be released or otherwise disclosed by the board to any other person or agency.

(d) The board shall provide to the department the fingerprints of the applicant, any additional information that may be required by the department, and a form signed by the applicant consenting to the check of the criminal records and to the use of the fingerprints and other identifying information required by the state or national repositories.

(e) The board shall charge and collect from the applicant, in addition to all other applicable fees and costs, such amount as may be incurred by the board in requesting and obtaining state and national criminal history records information on the applicant.
(2)(a) The board must ensure that applicants for a real estate appraiser license or certification do not possess a background that could call into question public trust. An applicant found by the board to possess a background which calls into question the applicant's ability to maintain public trust shall not be issued a real estate appraiser license or certification.

(b) The board shall not issue a real estate appraiser license or certification if:

   (i) The applicant has had an appraiser license or certification revoked in any governmental jurisdiction within the five (5) year period immediately preceding the date of the application;
   (ii) The applicant has been convicted of, or pled guilty or nolo contendere to, a felony in a domestic, or foreign court:
       1. During the five-year period immediately preceding the date of the application for licensing or certification; or
       2. At any time preceding the date of the application, if such felony involved an act of fraud, dishonesty, or a breach of trust, or money laundering.
   (iii) The applicant has failed to demonstrate character and general fitness such as to command the confidence of the community and to warrant a determination that the appraiser will operate honestly, fairly and efficiently within the purpose of these criteria.

(c) The board shall evaluate and consider, by rules and regulations, additional background issues, including, but not limited to, those required by the Appraiser Qualifications Board of the Appraisal Foundation in compliance with federal requirements, prior to issuing (or taking disciplinary action against) a real estate appraiser.

(d) The board shall adopt rules and regulations necessary to implement, administer and enforce the provisions of this section.
Missouri

Initial license: Yes
Renewal: No
Upgrade: No
Reciprocal: Yes
Temporary Practice Permit: No
Law enacted: 2013

20 Mo. Code of State Regulations 2245-3.005
20 CSR 2245-3.005 Trainee Real Estate Appraiser Registration

(C) Proof of submission of fingerprints to the Missouri State Highway Patrol's approved vendor for both a Missouri State Highway Patrol and Federal Bureau of Investigation fingerprint background check. Any fees due for fingerprint background checks shall be paid by the applicant directly to the Missouri State Highway Patrol or its approved vendor;
Montana New! (Effective October 1, 2015)

Initial license: Yes
Renewal: No
Reciprocal: Unknown
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2015


(3) As a prerequisite to the issuance of a real estate appraiser license or real estate appraisal trainee license, the board shall require the applicant to submit fingerprints for the purpose of fingerprint and background checks by the Montana department of justice and the federal bureau of investigation as provided in 37–1–307.

(4) If an applicant has a history of criminal convictions, then pursuant to 37–1–203, the applicant has the opportunity to demonstrate to the board that the applicant is sufficiently rehabilitated to warrant the public trust, and if the board determines that the applicant is not, the license may be denied.


(6) As a prerequisite to certification as a real estate appraiser, the board shall require the applicant to submit fingerprints for the purpose of fingerprint and background checks by the Montana department of justice and the federal bureau of investigation as provided in 37–1–307.

(7) If an applicant has a history of criminal convictions, then pursuant to 37–1–203, the applicant has the opportunity to demonstrate to the board that the applicant is sufficiently rehabilitated to warrant the public trust, and if the board determines the applicant is not, the license may be denied.
Nebraska

Initial license: Yes
Renewal:

Credential holders will be selected at random to submit fingerprints along with their application for renewal and will undergo a criminal history record check through the Nebraska State Patrol and the Federal Bureau of Investigation.

Upgrade: Yes
Reciprocal: Yes
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2014

Neb.Rev.St. § 76-2228.01
76-2228.01. Trainee real property appraiser; applicant; qualifications; fingerprints; national criminal history record check; upgraded credential; requirements; scope of practice

(1) To qualify for a credential as a trainee real property appraiser, an applicant shall:

(e) Certify that he or she has not surrendered an appraiser credential, or any other registration, license, or certification, held for any other regulatory agency or in any other jurisdiction, in lieu of disciplinary action pending or threatened within the five-year period immediately preceding the date of application;

(f) Certify that his or her appraiser credential, or any other registration, license, or certification, held for any other regulatory agency or in any other jurisdiction, has not been revoked or suspended within the five-year period immediately preceding the date of application;

(g) Not have been convicted of, including a conviction based upon a plea of guilty or nolo contendere:

   (i) Any felony or, if so convicted, has had his or her civil rights restored;
   (ii) Any crime of fraud, dishonesty, breach of trust, money laundering, misrepresentation, or deceit involving real estate, financial services, or in the making of an appraisal within the five-year period immediately preceding the date of application; or
   (iii) A crime which is related to the qualifications, functions, or duties of a real property appraiser within the five-year period immediately preceding the date of application;

(h) Certify that no civil judicial actions, including dismissal with settlement, in connection with real estate, financial services, or in the making of an appraisal have been brought against him or her within the five-year period immediately preceding the date of application;

(i) Demonstrate character and general fitness such as to command the confidence and trust of the public; and
(j) Submit two copies of legible ink-rolled fingerprint cards or equivalent electronic fingerprint submissions to the Real Property Appraiser Board for delivery to the Nebraska State Patrol in a form approved by both the Nebraska State Patrol and the Federal Bureau of Investigation. A fingerprint-based national criminal history record check shall be conducted through the Nebraska State Patrol and the Federal Bureau of Investigation with such record check to be carried out by the Real Property Appraiser Board.

(3) To qualify for an upgraded credential, a trainee real property appraiser shall satisfy the appropriate requirements as follows:

(a) Submit two copies of legible ink-rolled fingerprint cards or equivalent electronic fingerprint submissions to the Real Property Appraiser Board for delivery to the Nebraska State Patrol in a form approved by both the Nebraska State Patrol and the Federal Bureau of Investigation. A fingerprint-based national criminal history record check shall be conducted through the Nebraska State Patrol and the Federal Bureau of Investigation with such record check to be carried out by the Real Property Appraiser Board; and

Neb.Rev.St. § 76-2230
76-2230. Credential as a licensed residential real property appraiser; applicant; qualifications; fingerprints; national criminal history record check; upgraded credential; requirements; scope of practice

(1) To qualify for a credential as a licensed residential real property appraiser, an applicant shall:

(f) Certify that he or she has not surrendered an appraiser credential, or any other registration, license, or certification, held for any other regulatory agency or in any other jurisdiction, in lieu of disciplinary action pending or threatened within the five-year period immediately preceding the date of application;

(g) Certify that his or her appraiser credential, or any other registration, license, or certification, held for any other regulatory agency or in any other jurisdiction, has not been revoked or suspended within the five-year period immediately preceding the date of application;

(h) Not have been convicted of, including a conviction based upon a plea of guilty or nolo contendere:

(i) Any felony or, if so convicted, has had his or her civil rights restored;

(ii) Any crime of fraud, dishonesty, breach of trust, money laundering, misrepresentation, or deceit involving real estate, financial services, or in the making of an appraisal within the five-year period immediately preceding the date of application; or

(iii) A crime which is related to the qualifications, functions, or duties of a real property appraiser within the five-year period immediately preceding the date of application;
(i) Certify that no civil judicial actions, including dismissal with settlement, in connection with real estate, financial services, or in the making of an appraisal have been brought against him or her within the five-year period immediately preceding the date of application;

(j) Demonstrate character and general fitness such as to command the confidence and trust of the public;

(k) Submit two copies of legible ink-rolled fingerprint cards or equivalent electronic fingerprint submissions to the Real Property Appraiser Board for delivery to the Nebraska State Patrol in a form approved by both the Nebraska State Patrol and the Federal Bureau of Investigation. A fingerprint-based national criminal history record check shall be conducted through the Nebraska State Patrol and the Federal Bureau of Investigation with such record check to be carried out by the Real Property Appraiser Board; and

(2) To qualify for an upgraded credential, a licensed residential real property appraiser shall satisfy the appropriate requirements as follows:

(a) Submit two copies of legible ink-rolled fingerprint cards or equivalent electronic fingerprint submissions to the Real Property Appraiser Board for delivery to the Nebraska State Patrol in a form approved by both the Nebraska State Patrol and the Federal Bureau of Investigation. A fingerprint-based national criminal history record check shall be conducted through the Nebraska State Patrol and the Federal Bureau of Investigation with such record check to be carried out by the Real Property Appraiser Board; and

Neb.Rev.St. § 76-2231.01
76-2231.01. Credential as a certified residential real property appraiser; applicant; qualifications; fingerprints; national criminal history record check; upgraded credential; requirements; scope of practice

(1) To qualify for a credential as a certified residential real property appraiser, an applicant shall:

(f) Certify that he or she has not surrendered an appraiser credential, or any other registration, license, or certification, held for any other regulatory agency or in any other jurisdiction, in lieu of disciplinary action pending or threatened within the five-year period immediately preceding the date of application;

(g) Certify that his or her appraiser credential, or any other registration, license, or certification, held for any other regulatory agency or in any other jurisdiction, has not been revoked or suspended within the five-year period immediately preceding the date of application;

(h) Not have been convicted of, including a conviction based upon a plea of guilty or nolo contendere:

(i) Any felony or, if so convicted, has had his or her civil rights restored;
(ii) Any crime of fraud, dishonesty, breach of trust, money laundering, misrepresentation, or deceit involving real estate, financial services, or in the making of an appraisal within the five-year period immediately preceding the date of application; or
(iii) A crime which is related to the qualifications, functions, or duties of a real property appraiser within the five-year period immediately preceding the date of application;
(i) Certify that no civil judicial actions, including dismissal with settlement, in connection with real estate, financial services, or in the making of an appraisal have been brought against him or her within the five-year period immediately preceding the date of application;

(j) Demonstrate character and general fitness such as to command the confidence and trust of the public;

(k) Submit two copies of legible ink-rolled fingerprint cards or equivalent electronic fingerprint submissions to the Real Property Appraiser Board for delivery to the Nebraska State Patrol in a form approved by both the Nebraska State Patrol and the Federal Bureau of Investigation. A fingerprint-based national criminal history record check shall be conducted through the Nebraska State Patrol and the Federal Bureau of Investigation with such record check to be carried out by the Real Property Appraiser Board; and

(l) Within the twelve months following approval of the applicant’s education and experience by the Real Property Appraiser Board, pass a certified residential real property appraiser examination or certified general real property appraiser examination, approved by the Appraiser Qualifications Board, prescribed by rule or regulation of the Real Property Appraiser Board, and administered by a contracted testing service.

(2) To qualify for an upgraded credential, a certified residential real property appraiser shall satisfy the following requirements:

(a) Submit two copies of legible ink-rolled fingerprint cards or equivalent electronic fingerprint submissions to the Real Property Appraiser Board for delivery to the Nebraska State Patrol in a form approved by both the Nebraska State Patrol and the Federal Bureau of Investigation. A fingerprint-based national criminal history record check shall be conducted through the Nebraska State Patrol and the Federal Bureau of Investigation with such record check to be carried out by the Real Property Appraiser Board; and

Neb.Rev.St. § 76-2232
76-2232. Credential as a certified general real property appraiser; applicant; qualifications; fingerprints; national criminal history record check; scope of practice

(1) To qualify for a credential as a certified general real property appraiser, an applicant shall:

(f) Certify that he or she has not surrendered an appraiser credential, or any other registration, license, or certification, held for any other regulatory agency or in any other jurisdiction, in lieu of disciplinary action pending or threatened within the five-year period immediately preceding the date of application;

(g) Certify that his or her appraiser credential, or any other registration, license, or certification, held for any other regulatory agency or in any other jurisdiction, has not been revoked or suspended within the five-year period immediately preceding the date of application;

(h) Not have been convicted of, including a conviction based upon a plea of guilty or nolo contendere:
(i) Any felony or, if so convicted, has had his or her civil rights restored;
(ii) Any crime of fraud, dishonesty, breach of trust, money laundering, misrepresentation, or deceit involving real estate, financial services, or in the making of an appraisal within the five-year period immediately preceding the date of application; or
(iii) A crime which is related to the qualifications, functions, or duties of a real property appraiser within the five-year period immediately preceding the date of application.

(i) Certify that no civil judicial actions, including dismissal with settlement, in connection with real estate, financial services, or in the making of an appraisal have been brought against him or her within the five-year period immediately preceding the date of application;

(j) Demonstrate character and general fitness such as to command the confidence and trust of the public;

(k) Submit two copies of legible ink-rolled fingerprint cards or equivalent electronic fingerprint submissions to the Real Property Appraiser Board for delivery to the Nebraska State Patrol in a form approved by both the Nebraska State Patrol and the Federal Bureau of Investigation. A fingerprint-based national criminal history record check shall be conducted through the Nebraska State Patrol and the Federal Bureau of Investigation with such record check to be carried out by the Real Property Appraiser Board; and

Neb.Rev.St. § 76-2233
76-2233. Reciprocity; credential; issuance; when; applicant; duties; fingerprints; national criminal history record check; verification of status

(3) To qualify for reciprocal credentialing, the applicant shall:

(b) Certify that disciplinary proceedings are not pending against him or her in any jurisdiction or state the nature of any pending disciplinary proceedings;
(c) Certify that he or she has not surrendered an appraiser credential, or any other registration, license, or certification, held by any other regulatory agency or in any other jurisdiction, in lieu of disciplinary action pending or threatened within the five-year period immediately preceding the date of application;
(d) Certify that his or her appraiser credential, or any other registration, license, or certification, held by any other regulatory agency or in any other jurisdiction, has not been revoked or suspended within the five-year period immediately preceding the date of application;
(e) Not have been convicted of, including a conviction based upon a plea of guilty or nolo contendere:

(i) Any felony or, if so convicted, has had his or her civil rights restored;
(ii) Any crime of fraud, dishonesty, breach of trust, money laundering, misrepresentation, or deceit involving real estate, financial services, or in the making of an appraisal within the five-year period immediately preceding the date of application; or
(iii) A crime which is related to the qualifications, functions, or duties of a real property appraiser within the five-year period immediately preceding the date of application;

(f) Certify that no civil judicial actions, including dismissal with settlement, in connection with real estate, financial services, or in the making of an appraisal have been brought against him or her within the five-year period immediately preceding the date of application;

(g) Demonstrate character and general fitness such as to command the confidence and trust of the public;

(h) Submit two copies of legible ink-rolled fingerprint cards or equivalent electronic fingerprint submissions to the board for delivery to the Nebraska State Patrol in a form approved by both the Nebraska State Patrol and the Federal Bureau of Investigation. A fingerprint-based national criminal history record check shall be conducted through the Nebraska State Patrol and the Federal Bureau of Investigation with such record check to be carried out by the board;

Neb.Rev.St. § 76-2233.02
76-2233.02. Credential; expiration; renewal; fees; random fingerprint audit program

(2) The board shall establish a number of credential holders to be selected at random to submit, along with the application for renewal, two copies of legible ink-rolled fingerprint cards or equivalent electronic fingerprint submissions to the board for delivery to the Nebraska State Patrol in a form approved by both the Nebraska State Patrol and the Federal Bureau of Investigation. A fingerprint-based national criminal history record check shall be conducted through the Nebraska State Patrol and the Federal Bureau of Investigation with such record check to be carried out by the board.
Nevada

Initial license: Yes
Renewal: No
Upgrade: Yes
Reciprocal: Yes
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: Pre-2003

N.R.S. 645C.300
645C.300. Submission of fees and fingerprints with application; investigation of applicant's background

1. Each application for a certificate, license or registration card must be accompanied by:

   (b) The fee to pay the costs of an investigation of the applicant's background; and
   (c) All information required to complete the application.

2. Each applicant must, as part of the application and at his or her own expense:

   (a) Arrange to have a complete set of fingerprints taken by a law enforcement agency or other authorized entity acceptable to the Division; and
   (b) Submit to the Division:

      (1) A completed fingerprint card and written permission authorizing the Division to submit the applicant's fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for a report on the applicant's background and to such other law enforcement agencies as the Division deems necessary; or

      (2) Written verification, on a form prescribed by the Division, stating that the fingerprints of the applicant were taken and directly forwarded electronically or by another means to the Central Repository and that the applicant has given written permission to the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for submission to the Federal Bureau of Investigation for a report on the applicant's background and to such other law enforcement agencies as the Division deems necessary.

3. The Division may:

   (a) Unless the applicant's fingerprints are directly forwarded pursuant to subparagraph (2) of paragraph (b) of subsection 2, submit those fingerprints to the Central Repository for submission to the Federal Bureau of Investigation and to such other law enforcement agencies as the Division deems necessary; and

   (b) Request from each such agency any information regarding the applicant's background as the Division deems necessary.
**New Hampshire**

Initial license: Yes  
Renewal: No  
Upgrade: No  
Reciprocal: Yes  
Temporary Practice Permit: No  
Fingerprints: Yes  
Law enacted: Effective June 20, 2013

**N.H. Rev. Stat. § 310-B:6-a**  
310-B:6-a Criminal History Record Checks.

I. Every applicant for initial licensure shall submit to the board a notarized criminal history record release form, as provided by the New Hampshire division of state police, department of safety, which authorizes the release of his or her criminal history record, if any, to the board.

II. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the department of safety. The board shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the board may, in lieu of the criminal history records check, conduct the national background check based on personal information.

III. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the board. The board shall maintain the confidentiality of all criminal history records information received pursuant to this section.

IV. The applicant shall bear the cost of a criminal history record check.
New Jersey

Initial license: Yes
Renewal: No
Upgrade: No
Reciprocal: Yes
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 1998

N.J.S.A. 45:14F-10.2

45:14F-10.2. Criminal history record checks; submission of fingerprints; agency retention of information; costs

a. An applicant and holder of a license or certificate shall submit to the board his name, address and fingerprints taken on standard fingerprint cards by a State or municipal law enforcement agency. The board is authorized to exchange fingerprint data with and receive criminal history record information from the Federal Bureau of Investigation and the Division of State Police for use in making the determinations required by section 3 of P.L.1997, c. 401 (C. 45:14F-10.1).

b. Upon receipt of the criminal history record information for a person from the Federal Bureau of Investigation or the Division of State Police, the board shall notify the applicant, licensee or certified individual, as applicable, in writing, of the person's qualification or disqualification for licensure or certification under section 3 of P.L.1997, c. 401 (C. 45:14F-10.1). If the applicant, licensee or certified individual, as applicable, is disqualified, the conviction or convictions which constitute the basis for the disqualification shall be identified in the written notice.

c. The applicant, licensee or certified individual, as the case may be, shall have 30 days from the date of written notice of disqualification to petition the board for a hearing on the accuracy of the criminal history record information or to establish his rehabilitation under subsection b. of section 3 of P.L.1997, c. 401 (C. 45:14F-10.1). The board may refer any case arising hereunder to the Office of Administrative Law for administrative proceedings pursuant to P.L.1968, c. 410 (C.52:14B-1 et seq.).

d. The board shall not maintain any individual's criminal history record information or evidence of rehabilitation submitted under this section for more than six months from the date of a final determination by the board as to the individual's qualification or disqualification to be licensed or certified pursuant to the provisions of this section and section 3 of this amendatory and supplementary act.

e. All costs associated with performing the criminal history check required by P.L.1997, c. 401 (C. 45:14F-10.1 et al.) shall be borne by the applicant for licensure or certification or the holder of any license or certification.
New Mexico

Initial license: Yes
Renewal: Unknown
Upgrade: Unknown
Reciprocal: No
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2014 (Not yet implemented)

Effective: May 21, 2014

N. M. S. A. 1978, § 61-30-15.1
§ 61-30-15.1. Criminal background checks

A. The board may adopt rules that provide for criminal background checks for all registrants, certified licensees and licensees to include:

(1) requiring criminal history background checks of applicants for registration, certified licensure or licensure pursuant to the Real Estate Appraisers Act;
(2) requiring applicants for registration, or certified licensure or licensure to be fingerprinted;
(3) providing for an applicant who has been denied registration or certified licensure or licensure to inspect or challenge the validity of the background check record;
(4) establishing a fingerprint and background check fee not to exceed fees as determined by the department of public safety to be paid by the applicant; and
(5) providing for submission of an applicant's fingerprint cards to the federal bureau of investigation to conduct a national criminal history background check and to the department of public safety to conduct a state criminal history check.

B. Arrest record information received from the department of public safety and the federal bureau of investigation shall be privileged and shall not be disclosed to persons not directly involved in the decision affecting the applicant.

C. Electronic live fingerprint scans may be used when conducting criminal history background checks.
**New York**

As of February, 2015 there are no background check or fingerprinting requirements in New York State.
North Carolina

Initial license: Yes
Renewal: No
Upgrade: Yes
Reciprocal: Yes
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2013, effective July 1, 2014

Effective: July 1, 2014

N.C.G.S.A. § 93E-1-6
§ 93E-1-6. Qualifications for registration, licensure, and certification; applications; application fees; examinations

(c1) The Board shall also make an investigation as it deems necessary into the background of the applicant to determine the applicant's qualifications with due regard to the paramount interest of the public as to the applicant's competency, honesty, truthfulness, and integrity. All applicants shall consent to a criminal history record check. Refusal to consent to a criminal history record check may constitute grounds for the Board to deny an application. The Board shall ensure that the State and national criminal history of an applicant is checked. The Board shall be responsible for providing to the North Carolina Department of Public Safety the fingerprints of the applicant to be checked, a form signed by the applicant consenting to the criminal history record check, and the use of fingerprints and other identifying information required by the State or National Repositories of Criminal Histories and any additional information required by the Department of Public Safety in accordance with G.S. 143B-961. The Board shall keep all information obtained pursuant to this section confidential. The Board shall collect any fees required by the Department of Public Safety and shall remit the fees to the Department of Public Safety for expenses associated with conducting the criminal history record check.

(c2) In addition, the Board may investigate and consider whether the applicant has had any disciplinary action taken against any other professional license in North Carolina or any other state, or if the applicant has committed or done any act which, if committed or done by any real estate trainee or appraiser, would be grounds under the provisions hereinafter set forth for disciplinary action including the suspension or revocation of registration, licensure, or certification, or whether the applicant has been convicted of or pleaded guilty to any criminal act. If the results of the investigation shall be satisfactory to the Board, and the applicant is otherwise qualified, then the Board shall issue to the applicant a trainee registration or certificate authorizing the applicant to act as a registered trainee real estate appraiser or certified real estate appraiser in this State.

21 NCAC 57A.0202 .0202 FITNESS FOR REGISTRATION, LICENSURE, OR CERTIFICATION

(a) The Appraisal Board shall consider the fitness for registration, licensure, or certification of each applicant. When the fitness of an applicant is in question, action by the Board shall be deferred until the applicant has demonstrated that the applicant possesses the requisite competency, truthfulness, honesty and integrity.
(b) When the application is deferred, the Board shall notify the applicant and the applicant shall be entitled to demonstrate his or her competency or fitness for registration or certification at a hearing before the Board.

(c) The inquiry into fitness for registration, licensure, or certification may include consideration of whether the applicant has:

(1) had disciplinary action taken against any professional license in North Carolina or any other state;
(2) committed or done any act that, if committed or done by any real estate trainee or appraiser, would be grounds pursuant to the North Carolina Appraiser's Act for disciplinary action including the suspension or revocation of registration, licensure, or certification; or
(3) been convicted of or pleaded guilty to any criminal act, or whether any such actions or charges are pending.

(d) All applicants for registration, licensure, or certification shall obtain a criminal records check that is satisfactory to the Board. This records check must have been performed within 60 days of the date the completed application for registration, licensure, or certification is received by the Board. Applicants shall pay the vendor directly for the cost of these reports.

(e) In order to be satisfactory to the Board, the criminal records check must contain all of the following:

(1) a state court felony and misdemeanor criminal records search for each state lived in for at least the last seven years;
(2) a state probation and incarceration check for each state lived in for at least the last seven years;
(3) a federal court felony and misdemeanor criminal records check;
(4) a state sex offender search for each state lived in for at least the last seven years;
(5) a federal sex offender search; and
(6) an address trace on the applicant's Social Security number.

(f) Notice to the applicant that his or her competency or fitness for registration, licensure, or certification is in question shall be sent by the Board in writing, by certified mail, return receipt requested, to the address shown upon the application. The applicant shall have 60 days from the date of receipt of this notice to request a hearing before the Board. Failure to request a hearing within this time constitutes a waiver of the applicant's right to a hearing on his or her application for registration, licensure, or certification, and the application shall be deemed denied. Nothing in this Rule shall be interpreted to prevent an applicant from reapplying for registration, licensure, or certification.

21 NCAC 57A.0211
.0211 APPLICANTS CERTIFIED IN ANOTHER STATE

(a) Applicants for certification who are not residents of North Carolina must file an application as stated in Rule .0101 of this Subchapter. In addition, nonresident applicants must also consent to service of process in this state and file an affidavit of residency with the application. If the applicant is licensed by the appraiser licensing board of the applicant's resident state, the applicant must also file with the application a letter of good standing from the appraiser licensing board of the resident, which was issued under seal by that licensing board no later than 30 days prior to the date application is made in this state.
(b) Applicants for certification who are residents of North Carolina and who are certified in another state may file an application as stated in Rule .0101 of this Subchapter. The applicant must file a letter of good standing from the other state, which was issued under seal by that licensing board no later than 30 days prior to the date application is made in this state.

(c) Applicants for registration or certification shall obtain a criminal records check from Carolina Investigative Research, Inc., an agency designated by the Appraisal Board to provide criminal record reports. This records check must have been performed within 60 days of the date the completed application for registration or certification is received by the Board. Applicants shall pay the designated reporting service for the cost of these reports.

(d) An appraiser whose certification is suspended in North Carolina may not apply for certification in this state under this Rule while the certification is suspended. An appraiser whose certification was revoked in North Carolina may not apply for certification in this state under this Rule for five years after the date of revocation.
North Dakota

Initial license: Yes
Renewal: No
Upgrade: Yes
Reciprocal: Yes
Temporary Practice Permit: Yes (Legislation – HB 1100 – is currently pending and would remove the requirement for background checks for temporary practice permits.
Fingerprints: Yes
Law enacted: 2013 (not yet implemented)

NDCC, 43-23.3-24
§ 43-23.3-24. Criminal history record checks

The board shall require an applicant for a permit, under sections 43-23. 3-04.1, 43-23.3-07, 43-23.3-08, 43-23.3-09, and 43-23.3-11, and may require a permittee to submit to a statewide and nationwide criminal history record check. The nationwide criminal history record check must be conducted in the manner provided in section 12-60-24. All costs associated with obtaining a background check are the responsibility of the applicant or permittee.

NDAC 101-02-02-03
101-02-02-03. Apprentice appraiser.

3. Background check. An applicant for an apprentice appraiser permit must undergo background screening to ensure that the applicant does not possess a background that could call into question public trust. The applicant shall submit fingerprints and any appropriate identifying information for submission to the federal bureau of investigation or government agency or entity authorized to receive such information in connection with a state and national background check.

a. All costs associated with obtaining a background check are the responsibility of the applicant.

b. An applicant will not be considered for an apprentice permit if:

   (1) The applicant has had an appraiser apprentice, license, or certification revoked in any governmental jurisdiction within the five-period immediately preceding the date of application.
   (2) The applicant has been convicted of, or pled guilty or nolo contendere to, a felony in domestic or foreign court:

       (a) During the five-year period immediately preceding the date of the application for an apprentice permit.
       (b) At any time preceding the date of application, if such felony involved an act of fraud, dishonesty, or a breach of trust, or money laundering.

   (3) The applicant has failed to demonstrate character and general fitness, such as to command the confidence of the community and to warrant a determination that the appraiser will operate honestly, fairly, and efficiently within the purposes of these criteria.
c. The following additional background issues will be evaluated and considered prior to issuing an apprentice permit:

(1) Convictions of any criminal offense involving dishonesty, breach of trust, or money laundering against the applicant or organizations controlled by the applicant, or agreements to enter into a pretrial diversion or similar program in connection with the prosecution for such an offense.
(2) Civil judicial actions against the individual in connection with financial services-related activities, dismissals with settlements, or judicial findings that the individual violated financial services-related statutes or regulations, except for actions dismissed without a settlement agreement.
(3) Actions or orders by a state or federal regulatory agency or foreign financial regulatory authority that:

   (a) Found the applicant to have made a false statement or omission or been dishonest, unfair, or unethical; to have been involved in a violation of a financial services-related regulation or statute; or to have been a cause of a financial services-related business having its authorization to do business denied, suspended, revoked, or restricted.

   (b) Are entered against the applicant in connection with a financial services-related activity.

   (c) Denied, suspended, or revoked the applicant's apprentice, license, or certification permit to engage in a financial services-related business or restricted the applicant activities.

   (d) Barred the applicant from association with an entity or its officers regulated by the agency or authority of from engaging in a financial services-related business.

(4) Final orders issued by a state or federal regulatory agency or foreign financial regulatory authority based on violations of any law or regulation that prohibits fraudulent, manipulative, or deceptive conduct.
(5) Revocation or suspension of the applicant's authorization to act as an attorney, accountant, or state or federal contractor.
(6) Customer-initiated financial services-related arbitration or civil action against the applicant that required action, including settlements, or which resulted in a judgment.

NDAC 101-02-02-05
101-02-02-05. Licensed appraiser.

3. Background check. An applicant for a licensed appraiser permit must undergo background screening to ensure that the applicant does not possess a background that could call into question public trust. The applicant shall submit fingerprints and any appropriate identifying information for submission to the federal bureau of investigation or government agency or entity authorized to receive such information in connection with a state and national background check.

   a. All costs associated with obtaining a background check are the responsibility of the applicant.

   b. An applicant will not be considered for a licensed permit if:

      (1) The applicant has had an appraiser apprentice, license, or certification permit revoked in any governmental jurisdiction within the five-year period immediately preceding the date of application.
(2) The applicant has been convicted of, or pled guilty or nolo contendere to, a felony in domestic or foreign court:

(a) During the five-year period immediately preceding the date of the application for licensure.
(b) At any time preceding the date of application, if such felony involved an act of fraud, dishonesty, or a breach of trust, or money laundering.

(3) The applicant has failed to demonstrate character and general fitness, such as to command the confidence of the community and to warrant a determination that the appraiser will operate honestly, fairly, and efficiently within the purposes of these criteria.

c. The following additional background issues will be evaluated and considered prior to issuing a licensed permit:

(1) Convictions of any criminal offense involving dishonesty, breach of trust, or money laundering against the applicant or organizations controlled by the applicant, or agreements to enter into a pretrial diversion or similar program in connection with the prosecution for such an offense.

(2) Civil judicial actions against the individual in connection with financial services-related activities, dismissals with settlements, or judicial findings that the individual violated financial services-related statutes or regulations, except for actions dismissed without a settlement agreement.

(3) Actions or orders by a state or federal regulatory agency or foreign financial regulatory authority that:

(a) Found the applicant to have made a false statement or omission or been dishonest, unfair, or unethical: to have been involved in a violation of a financial services-related regulation or statute: or to have been a cause of a financial services-related business having its authorization to do business denied, suspended, revoked, or restricted.
(b) Are entered against the applicant in connection with a financial services-related activity.
(c) Denied, suspended, or revoked the applicant’s apprentice, license, or certification permit to engage in a financial services-related business or restricted the applicant activities.
(d) Barred the applicant from association with an entity or its officers regulated by the agency or authority of from engaging in a financial services-related business.

(4) Final orders issued by a state or federal regulatory agency or foreign financial regulatory authority based on violations of any law or regulation that prohibits fraudulent, manipulative, or deceptive conduct.
(5) Revocation or suspension of the applicant’s authorization to act as an attorney, accountant, or state or federal contractor.
(6) Customer-initiated financial services-related arbitration or civil action against the applicant that required action, including settlements, or which resulted in a judgment.
101-02-02-05.1. Certified residential appraiser.

3. Background check. An applicant for a certified residential appraiser permit must undergo background screening to ensure that the applicant does not possess a background that could call into question public trust. The applicant shall submit fingerprints and any appropriate identifying information for submission to the federal bureau of investigation or government agency or entity authorized to receive such information in connection with a state and national background check.

a. All costs associated with obtaining a background check are the responsibility of the applicant.

b. An applicant will not be considered for the certified residential permit if:

   (1) The applicant has had an appraiser apprentice, license, or certification permit revoked in any governmental jurisdiction within the five-year period immediately preceding the date of application.
   (2) The applicant has been convicted of, or pled guilty or nolo contendere to, a felony in domestic or foreign court:
      (a) During the five-year period immediately preceding the date of the application for certification.
      (b) At any time preceding the date of application, if such felony involved an act of fraud, dishonesty, or a breach of trust, or money laundering.
   (3) The applicant has failed to demonstrate character and general fitness, such as to command the confidence of the community and to warrant a determination that the appraiser will operate honestly, fairly, and efficiently within the purposes of these criteria.

c. The following additional background issues will be evaluated and considered prior to issuing a certified residential permit:

   (1) Convictions of any criminal offense involving dishonesty, breach of trust, or money laundering against the applicant or organizations controlled by the applicant, or agreements to enter into a pretrial diversion or similar program in connection with the prosecution for such an offense.

   (2) Civil judicial actions against the individual in connection with financial services-related activities, dismissals with settlements, or judicial findings that the individual violated financial services-related statutes or regulations, except for actions dismissed without a settlement agreement.

   (3) Actions or orders by a state or federal regulatory agency or foreign financial regulatory authority that:
      (a) Found the applicant to have made a false statement or omission or been dishonest, unfair, or unethical: to have been involved in a violation of a financial services-related regulation or statute: or to have been a cause of a financial services-related business having its authorization to do business denied, suspended, revoked, or restricted.
      (b) Are entered against the applicant in connection with a financial services-related activity.
(c) Denied, suspended, or revoked the applicant’s apprentice, license, or certification permit to engage in a financial services-related business or restricted the applicant activities.

(d) Barred the applicant from association with an entity or its officers regulated by the agency or authority of from engaging in a financial services-related business.

(4) Final orders issued by a state or federal regulatory agency or foreign financial regulatory authority based on violations of any law or regulation that prohibits fraudulent, manipulative, or deceptive conduct.

(5) Revocation or suspension of the applicant’s authorization to act as an attorney, accountant, or state or federal contractor.

(6) Customer-initiated financial services-related arbitration or civil action against the applicant that required action, including settlements, or which resulted in a judgment.

NDAC 101-02-02-06
101-02-02-06. Certified general appraiser.

3. Background check. An applicant for a certified general appraiser permit must undergo background screening to ensure that the applicant does not possess a background that could call into question public trust. The applicant shall submit fingerprints and any appropriate identifying information for submission to the federal bureau of investigation or government agency or entity authorized to receive such information in connection with a state and national background check.

   a. All costs associated with obtaining a background check are the responsibility of the applicant.

   b. An applicant will not be considered for a certified general permit if:

      (1) The applicant has had an appraiser apprentice, license, or certification permit revoked in any governmental jurisdiction within the five-year period immediately preceding the date of application.

      (2) The applicant has been convicted of, or pled guilty or nolo contendere to, a felony in domestic or foreign court:

         (a) During the five-year period immediately preceding the date of the application for licensing or certification.

         (b) At any time preceding the date of application, if such felony involved an act of fraud, dishonesty, or a breach of trust, or money laundering.

      (3) The applicant has failed to demonstrate character and general fitness, such as to command the confidence of the community and to warrant a determination that the appraiser will operate honestly, fairly, and efficiently within the purposes of these criteria.

   c. The following additional background issues will be evaluated and considered prior to issuing a certified general permit:
(1) Convictions of any criminal offense involving dishonesty, breach of trust, or money laundering against the applicant or organizations controlled by the applicant, or agreements to enter into a pretrial diversion or similar program in connection with the prosecution for such an offense.

(2) Civil judicial actions against the individual in connection with financial services-related activities, dismissals with settlements, or judicial findings that the individual violated financial services-related statutes or regulations, except for actions dismissed without a settlement agreement.

(3) Actions or orders by a state or federal regulatory agency or foreign financial regulatory authority that:

   (a) Found the applicant to have made a false statement or omission or been dishonest, unfair, or unethical: to have been involved in a violation of a financial services-related regulation or statute: or to have been a cause of a financial services-related business having its authorization to do business denied, suspended, revoked, or restricted.

   (b) Are entered against the applicant in connection with a financial services-related activity.

   (c) Denied, suspended, or revoked the applicant's apprentice, license, or certification permit to engage in a financial services-related business or restricted the applicant activities.

   (d) Barred the applicant from association with an entity or its officers regulated by the agency or authority of from engaging in a financial services-related business.

(4) Final orders issued by a state or federal regulatory agency or foreign financial regulatory authority based on violations of any law or regulation that prohibits fraudulent, manipulative, or deceptive conduct.

(5) Revocation or suspension of the applicant's authorization to act as an attorney, accountant, or state or federal contractor.

(6) Customer-initiated financial services-related arbitration or civil action against the applicant that required action, including settlements, or which resulted in a judgment.
Ohio

Initial license: Yes
Renewal: No
Upgrade: Yes
Reciprocal: Yes, no fingerprints required.
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2007, amended in 2013

More information can be found at:


Effective: January 1, 2013

R.C. § 4763.05
4763.05 Initial certificates, licenses, and registrations; examinations

(b) Upon the filing of an application and payment of any examination and certification, registration, or licensure fees, the superintendent of real estate shall request the superintendent of the bureau of criminal identification and investigation, or a vendor approved by the bureau, to conduct a criminal records check based on the applicant's fingerprints in accordance with section 109.572 of the Revised Code. Notwithstanding division (K) of section 121.08 of the Revised Code, the superintendent of real estate shall request that criminal record information from the federal bureau of investigation be obtained as part of the criminal records check. Any fee required under division (C)(3) of section 109.572 of the Revised Code shall be paid by the applicant.

(2) The superintendent shall not issue a general real estate appraiser certificate, residential real estate appraiser certificate, residential real estate appraiser license, or real estate appraiser assistant registration to any person who has been convicted of or pleaded guilty to any criminal offense involving theft, receiving stolen property, embezzlement, forgery, fraud, passing bad checks, money laundering, or drug trafficking, or any criminal offense involving money or securities, including a violation of an existing or former law of this state, any other state, or the United States that substantially is equivalent to such an offense. However, if the applicant has pleaded guilty to or been convicted of such an offense, the superintendent shall not consider the offense if the applicant has proven to the superintendent, by a preponderance of the evidence, that the applicant's activities and employment record since the conviction show that the applicant is honest, truthful, and of good reputation, and there is no basis in fact for believing that the applicant will commit such an offense again.

OAC 1301:11-3-08
1301:11-3-08 Criminal records checks

(A) Within ten days after the date of filing an application for registration, licensure, or certification, an applicant shall submit fingerprints to the Ohio bureau of criminal identification and investigation [BCI&I] using a method authorized by BCI&I for a criminal records check pursuant to division (A)(1)(b) of section 4763.05 of the Revised Code. BC&I submits the results to the division of real estate and professional licensing within thirty days of BC&I's receipt of the applicant's fingerprints. The applicant shall pay any
required fee for the criminal records check and direct that the results be transmitted to the division of real estate and professional licensing.

(B) Failure to timely comply with the superintendent's request may constitute just cause for the superintendent to close the applicant's file and impose a forfeiture of any application fee.
Oklahoma

Initial license: Yes  
Renewal: No  
Upgrade: No  
Reciprocal: No  
Temporary Practice Permit: No  
Fingerprints: Yes  
Law enacted: 2014

59 Okl.St.Ann. § 858-709

§ 858-709. Applications for certification, renewal and examination--Fees--Pledge of compliance with Board standards--Temporary appraisers--Consent to suits and actions

A. Applications for original certification, renewal certification and examinations shall be made in writing to the Oklahoma Insurance Department on forms approved by the Real Estate Appraiser Board. Effective January 1, 2015, applicants for original certification must submit to a criminal history records search that complies with Section 4 of this act.

59 Okl.St.Ann. § 858-709A

§ 858-709A. Criminal history records check

For purposes of the Oklahoma Certified Real Estate Appraisers Act, the required criminal history records check shall include a state and national criminal history records search conducted by the Oklahoma State Bureau of Investigation that is not more than ninety (90) days old. Each criminal background check shall require:

1. The applicant shall submit a full set of usable fingerprints that is not more than ninety (90) days old to the Real Estate Appraiser Board for the purpose of permitting a state and federal criminal history records search pursuant to Section 150.9 of Title 74 of the Oklahoma Statutes. The OSBI may exchange these fingerprints with the Federal Bureau of Investigation (FBI);

2. The applicant shall furnish the Board fingerprints as established by Board rules and any applicable fees as required by a state or federal law enforcement agency to process the background check;

3. The Board shall forward the fingerprints along with the applicable fee for a national criminal records history search to the OSBI. The Bureau shall retain one set of fingerprints in the Automated Fingerprint Identification System and submit the other set to the FBI for a national criminal history records search;

4. Any and all state and federal criminal history record information obtained by the Board from the OSBI or the FBI that is not already a matter of public record shall be deemed confidential. The confidential information shall be restricted to the exclusive use of the Board, its members, officers, investigators, agents and attorneys in evaluating the applicant's eligibility or disqualification for licensure; and

5. Fingerprint images may be rejected by the OSBI or the FBI for a variety of reasons, including, but not limited to, fingerprint quality or an inability by the OSBI or the FBI to classify the fingerprints. These rejections require the applicant to be fingerprinted again. Applicants with fingerprints rejected will be
required to repay and be re-fingerprinted. Applicants are responsible for insuring and verifying that all data is correct in the fingerprinting process.

59 Okl.St.Ann. § 858-717
§ 858-717. Denial of certificate

A. The Board shall, in accordance with the provisions of the Oklahoma Certified Real Estate Appraisers Act relating to hearings on original certification and the requirement for such applicants to submit to a criminal history records search on and after January 1, 2015, deny the issuance of a certificate as a trainee, state-licensed, state-certified residential or state-certified general real estate appraiser to the applicant on any of the grounds stated below:

1. If the applicant has been convicted of, or pled guilty or nolo contendere to a felony in a domestic or foreign court during the five-year period immediately preceding the date of application;

2. If the applicant has been convicted of, or pled guilty or nolo contendere to a felony in a domestic or foreign court at any time preceding the date of application if such felony involved an act of fraud, dishonesty, a breach of trust or money laundering; or

3. The applicant has failed to demonstrate character and general fitness such as to warrant a determination that the applicant may not operate honestly and fairly in the conduct of appraisals as outlined within the real property appraisal qualifications criteria established by the Appraiser Qualifications Board.

B. The Board may for all other applicants, in accordance with the provisions of the Oklahoma Certified Real Estate Appraisers Act relating to hearings, deny the issuance of a certificate as a trainee, state licensed, state certified residential or state certified general real estate appraiser to an applicant on any of the grounds enumerated in the Oklahoma Certified Real Estate Appraisers Act.
Oregon

Initial license: Yes
Renewal: No
Upgrade: No
Reciprocal: Yes
Temporary Practice Permit: Yes
Fingerprints: No
Law enacted: 2005

O.R.S. § 674.105
674.105. Persons subject to fingerprinting for criminal records check for the Appraiser Certification and Licensure Board

For the purpose of requesting a state or nationwide criminal records check under ORS 181.534, the Appraiser Certification and Licensure Board may require the fingerprints of a person who is applying for, or holds, a license, certificate or registration, or is applying for renewal of a license, certificate or registration, that is issued by the board, or of a person who:
Pennsylvania

Pennsylvania has not yet enacted background check requirements. Legislation (HB 31) is currently pending in the Pennsylvania legislature to enact background check requirements.
Rhode Island

Initial license: Yes
Renewal: No
Upgrade: Yes
Reciprocal: Yes
Temporary Practice Permit: No
Fingerprints: No
Law enacted: Unknown

More information on Rhode Island’s background check requirements is available at

**South Carolina**

Initial license: Unknown  
Renewal: Unknown  
Upgrade: Unknown  
Reciprocal: Unknown  
Temporary Practice Permit: Unknown  
Fingerprints: Unknown  
Law enacted: 2014, not yet implemented

**Effective: May 16, 2014**  
**Code 1976 § 40-60-31**  

To qualify as an appraiser, an applicant shall:

(5) undergo a criminal background check in compliance with AQB requirements to be submitted by the applicant with his application;
South Dakota

Initial license: Yes
Renewal: No
Upgrade: No
Reciprocal: No
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2014 but not yet implemented

SDCL § 36-21B-2.2
36-21B-2.2. Criminal background checks

Each applicant for initial certification, licensure, or registration under this chapter in this state shall submit to a state and federal criminal background investigation by means of fingerprint checks by the Division of Criminal Investigation and the Federal Bureau of Investigation. Upon application, the department shall submit completed fingerprint cards to the Division of Criminal Investigation. Upon completion of the criminal background check, the Division of Criminal Investigation shall forward to the department all information obtained as a result of the criminal background check. This information must be obtained prior to certification of the applicant. The department may require a state and federal criminal background check for any licensee who is the subject of a disciplinary investigation by the department. Failure to submit or cooperate with the criminal background investigation is grounds for denial of an application or may result in revocation of a license. The applicant shall pay for any fees charged for the cost of fingerprinting and the criminal background investigation.
Tennessee

Initial license: Yes
Renewal: No
Upgrade: No
Reciprocal: No
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2014

T. C. A. § 62-39-301
§ 62-39-301. Applications

(d)(1) The commission shall require each applicant applying on or after January 1, 2015, for initial registration, licensure, or certification under this chapter to submit a full set of the applicant's fingerprints in order for the commission to obtain and receive National Criminal History Records from the FBI criminal justice information services division. Unless the commission contracts, or makes use of an existing contract pursuant to subdivision (d)(2), the commission shall submit the applicant's fingerprints and the fee required to perform the criminal history record checks to the Tennessee bureau of investigation and the federal bureau of investigation for state and national criminal history record checks. The commission may require any fingerprints submitted pursuant to this subsection (d) be provided in an electronic format.

(2) The commission may contract, or make use of any existing contract with this state, for the collection and transmission of fingerprints authorized under this section. If the commission contracts, or makes use of an existing contract, the commission may order the applicant to pay the fee for collecting and transmitting fingerprints to the contractor. The commission may agree to a reasonable fingerprinting fee to be charged by the contractor to the applicant.

(3) The commission shall treat and maintain an applicant's fingerprints and any criminal history record information obtained under this section as confidential and limit the use of records solely to the purposes authorized in this section. The fingerprints and any criminal history record information shall not be subject to subpoena, other than one issued in a criminal action or investigation, and shall be confidential by law and privileged, and shall not be subject to discovery or admissible in evidence in any private civil action.

(4) The commission shall refuse to issue an initial registration, license, or certification to an applicant who does not provide fingerprints in compliance with this subsection (d).

Tenn. Comp. R. & Regs. 1255-01-.16
1255-01-.16 FINGERPRINTING.

(1) Any applicant for initial registration, licensure, or certification who is required to submit a complete and legible set of fingerprints for the purpose of obtaining a criminal background check pursuant to T.C.A. § 62-39-301 shall submit said fingerprints in an electronic format.

(a) An applicant for initial registration, licensure, or certification shall be deemed to have supplied the required set of fingerprints if that applicant causes a private company contracted by the State
to electronically transmit that applicant's classifiable prints directly to the TBI and FBI to forward an electronic report based on that applicant's fingerprints to the Commission.

(b) All sets of classifiable fingerprints required by this rule shall be furnished at the expense of the applicant for initial registration, licensure, or certification.

(c) The applicant for initial registration, licensure, or certification shall make the arrangements for the processing of his or her fingerprints with the company contracted by the State to provide electronic fingerprinting services directly and shall be responsible for the payment of any fees associated with processing of fingerprints to the respective agent authorized by the TBI and FBI.

(d) All applicants for initial registration, licensure, or certification shall in all cases be responsible for paying application fees for registration, licensure, licensure as established by the Commission in addition to any fees required to submit a complete and legible set of fingerprints pursuant to T.C.A. § 62-39-102.

(2) In the event that an applicant for initial registration, licensure, or certification furnishes unclassifiable fingerprints or fingerprints which are unclassifiable in nature, the Commission shall refuse to issue the requested registration, license, or certification.

(a) For the purposes of this rule “unclassifiable fingerprints” means that the electronic scan or the print of the person's fingerprints cannot be read and, therefore, cannot be used to identify the person.

(b) Should an applicant for initial registration, licensure, or certification's fingerprints be rejected by the TBI or FBI, the applicant shall pay any fees assessed by the TBI or FBI for resubmission.

(3) The provisions of this rule shall apply to any applicant applying for initial registration, licensure, or certification on or after January 1, 2015.

Tenn. Comp. R. & Regs. 1255-01-.04
1255-01-.04 APPLICATION FOR APPRAISER LICENSE OR CERTIFICATE.

(1) All new applicants for a real property appraiser credential who are not currently licensed or certified and in good standing in another jurisdiction must undergo a State and national background check. Applicants shall submit fingerprints of the individual applying for the credential, in digital form if practicable, and any appropriate identifying information for submission to the Federal Bureau of Investigation and/or any governmental agency or entity authorized to perform such background checks.
Texas

Texas does not currently have requirements for all applicants for an appraiser credential to undergo background screening. Persons with criminal histories may request an evaluation by the Texas Appraiser Licensing and Certification Board.
Utah

Initial license: Yes, trainee only
Renewal: No
Upgrade: No
Reciprocal: No
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: Prior to 2011

U.C.A. 1953 § 61-2g-304.5
§ 61-2g-304.5. Background checks

(1) An individual applying for licensure, certification, or registration under this chapter shall:

   (a) submit, with the individual’s application, a fingerprint card in a form acceptable to the division; and
   (b) consent to a criminal background check by:

      (i) the Utah Bureau of Criminal Identification; and
      (ii) the Federal Bureau of Investigation.

(2) The division shall request that the Department of Public Safety complete a Federal Bureau of Investigation criminal background check for each applicant through the national criminal history system or any system that succeeds the national criminal history system.

(3) The applicant shall pay the cost of:

   (a) the fingerprint card described in Subsection (1)(a); and
   (b) a criminal background check.

(4)

   (a) A license, certification, or registration issued under this chapter is conditional pending completion of a criminal background check.
   (b) A license, certification, or registration issued under this chapter is immediately and automatically revoked if a criminal background check reveals that the applicant failed to accurately disclose a criminal history that:

      (i) relates to the appraisal industry; or
      (ii) includes a felony conviction based on fraud, misrepresentation, or deceit.

   (c) If a criminal background check reveals that an applicant failed to accurately disclose a criminal history other than a type described in Subsection (4)(b), the division shall review the application and, in accordance with rules made by the division pursuant to Title 63G, Chapter 3, Utah Administrative Rulemaking Act, may:
(i) place one or more conditions on the license, certification, or registration;
(ii) place one or more restrictions on the license, certification, or registration;
(iii) revoke the license, certification, or registration; or
(iv) refer the application to the board for a decision.

(d) An individual whose conditional license, certification, or registration is automatically revoked under Subsection (4)(b) or whose license, certification, or registration is conditioned, restricted, or revoked under Subsection (4)(c) may appeal the action in a hearing conducted by the board in accordance with Title 63G, Chapter 4, Administrative Procedures Act.

(e) The board may delegate to the division or an administrative law judge the authority to conduct a hearing described in Subsection (4)(d).

(f) The board, the division, or an administrative law judge may reverse an automatic revocation under Subsection (4)(b) only if:

   (i) the criminal history upon which the revocation was based did not occur or is the criminal history of another individual;
   (ii) at the time the applicant disclosed the applicant's criminal history, the applicant had a reasonable good faith belief that there was no criminal history to be disclosed; or
   (iii) the division failed to follow the prescribed procedure for the revocation.

(5)

(a) If an individual's conditional license, certification, or registration is revoked under Subsection (4) and the individual does not appeal the revocation in accordance with Subsection (4)(d), the individual may not apply for a new certification, license, or registration under this chapter for a period of 12 months after the day on which the conditional license, certification, or registration is revoked.

(b) If an individual's conditional license, certification, or registration is revoked, the individual appeals that revocation in accordance with Subsection (4)(d), and the revocation is upheld, the individual may not apply for a new license, certification, or registration under this chapter for a period of 12 months after the day on which the decision from the appeal is issued.

(6) The board may delegate to the division the authority to make a decision on whether relief from a revocation should be granted.

(7) Money an applicant pays for the cost of the criminal background check is nonlapsing.
Vermont

Initial license: Yes
Renewal: Yes
Upgrade: Yes
Reciprocal: Yes
Temporary Practice Permit: Yes
Fingerprints: Yes
Law enacted: 2014 but not yet implemented

26 V.S.A. § 3314
§ 3314. Board; powers and duties

(b) In addition to its other powers and duties under this chapter, the Board shall:

(5) inquire of the Vermont Crime Information Center for any information on criminal records of any and all applicants, and the Center shall provide such information to the Board. The Board, through the Vermont Crime Information Center, shall also inquire of the appropriate state criminal record repositories in all states in which it has reason to believe an applicant has resided or been employed, and it shall also inquire of the Federal Bureau of Investigation for any information on criminal records of applicants. The Board shall obtain fingerprints of the applicant, in digital form if practicable, and any appropriate identifying information for submission to the Federal Bureau of Investigation in connection with a state and national background check. Applicants shall bear all costs associated with background screening. The Board may also make additional inquiries it deems necessary into the character, integrity, and reputation of the applicant; and
Virginia

To date, Virginia has not enacted any statutes or regulations regarding appraiser background checks. Applicants must proactively provide information regarding criminal convictions.
Washington

To date, Washington has not enacted any states or regulation regarding appraiser background checks. However, legislation (HB 1996 and SB 5597) is currently pending that would require a fingerprint based criminal history records check for all new appraisers and those wishing to upgrade to a higher credential. The legislation also grants discretion to the Director of the Department of Labor as to whether or not to require background checks for existing credential holders.
West Virginia

Initial license: Yes
Renewal: No
Upgrade: No
Reciprocal: No
Temporary Practice Permit: No
Fingerprints: Yes


W. Va. Code, § 30-38-11
§ 30-38-11. Applications for license or certification; renewals

(b) To assist the board in determining whether grounds exist to deny the issuance of a license to an applicant, the board may require the fingerprinting of every applicant for an original license.

W. Va. Code St. R. § 190-2-4
§ 190-2-4. General Qualifications for Licensure or Certification.

4.1. Every person who applies to be classified as a licensed or certified appraiser shall:

4.1.a. Have a good reputation for honesty, truthfulness, and fair dealing, and be competent to transact the business of a licensed or certified appraiser in a manner that safeguards the interests of the public;

4.1.d. Not have been found guilty or pled guilty, regardless of adjudication, in any jurisdiction, of a misdemeanor involving moral turpitude or of any felony. Any plea of nolo contendere is considered a conviction for purposes of this subdivision. The record of a conviction authenticated in a form that is admissible in evidence under the laws of the jurisdiction where convicted is admissible as prima facie evidence of the conviction; and

4.1.e. Be at least 18 years of age.

4.5. The applicant shall submit to a state and national criminal history record check for the purpose of determining whether the applicant has been charged with, indicted for, or convicted of a crime that may have bearing upon the applicant's fitness to hold a license.

4.5.a. The criminal history record check shall be based on fingerprints submitted to the West Virginia State Police or its assigned agent for forwarding to the Federal Bureau of Investigation.

4.5.b. The applicant shall meet all requirements necessary to accomplish the state and national criminal history record check, including:

4.5.b.1. Submitting fingerprints for the purposes set forth in this subsection; and

4.5.b.2. Authorizing the board, the West Virginia State Police and the Federal Bureau of Investigation to use all records submitted and produced for the purpose of screening the applicant for a license.
4.5.c. The results of the state and national criminal history record check may not be released to or by a private entity except:

4.5.c.1. To the individual who is the subject of the criminal history record check;

4.5.c.2. With the written authorization of the individual who is the subject of the criminal history record check; or

4.5.c.3. Pursuant to a court order.

4.5.d. The criminal history record check and related records are not public records for the purposes of chapter twenty-nine-b of this code.

4.5.e. The applicant shall pay the actual costs of the fingerprinting and criminal history record check.

4.5.f. If the applicant for licensure actively holds an appraiser apprentice permit, licensed residential appraiser license, or certified residential appraiser license, issued by the board, and has previously completed a criminal background check conducted by the board, the results of the prior criminal background check shall satisfy the board's current criminal background investigation requirement.
Wisconsin

Initial license: Yes
Renewal: No
Upgrade: No
Reciprocal: No
Temporary Practice Permit: No
Fingerprints: Yes
Law enacted: 2014

Effective: April 18, 2014

W.S.A. 440.03

440.03. General duties and powers of the department

(c) The department shall require an applicant for a private detective license or a private security permit under s. 440.26, an applicant for a juvenile martial arts instructor permit under sub. (17), an applicant for a real estate appraiser certification under s. 458.06 or license under s. 458.08, and a person for whom the department conducts an investigation under par. (b), to be photographed and fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's fingerprints. The department of justice may submit the fingerprint cards, and the department of justice shall submit the fingerprint cards of all applicants for a real estate appraiser certification under s. 458.06 or license under s. 458.08, to the federal bureau of investigation for the purpose of verifying the identity of the persons fingerprinted and obtaining records of their criminal arrests and convictions.

Wis. Adm. Code s SPS 85.240

SPS 85.240 Background checks.

(1) All candidates for licensed or certified appraiser credentials shall undergo background screening in accordance with s. 440.03 (13) (c), Stats. The board may not issue a licensed or certified appraiser credential if any of the following applies:

(a) The applicant has had an appraiser license or certification revoked, or surrendered for cause, in any governmental jurisdiction within the 5 year period immediately preceding the date of application.

(b) The applicant has been convicted of, or plead guilty or nolo contendere to a felony in a domestic or foreign court, during the 5 year period immediately preceding the application for licensure or certification or at any time preceding the date of application, if such felony involved an act of fraud, dishonesty, or a breach of trust, or money laundering. The felony must be substantially related to the practice of certified or licensed real estate appraiser.

(c) The applicant has failed to demonstrate character and general fitness such as to command the confidence of the community and to warrant a determination that the appraiser will operate honestly and fairly.

(2) Subject to ss. 111.321, 111.322, and 111.335, Stats., an applicant who has a pending criminal charge or has a conviction record shall provide the department with all related information necessary for the
department to determine whether the circumstances of the pending charge or conviction substantially relate to the practice of real estate appraisal.

**Wyoming**

Initial license: Yes  
Renewal: No  
Upgrade: Yes  
Reciprocal: Yes  
Temporary Practice Permit: Yes  
Fingerprints: Yes  
Law enacted: 2007

W.S.1977 § 33-39-106  
§ 33-39-106. Additional powers and duties of the board; disposition of fees

(a) The board shall:

   (vii) Require criminal history record background checks on applicants for permits under this act.

§ 33-39-109. Permit process

(a) Any person who desires to engage in the practice of certified real estate appraisal in this state or to practice as a certified trainee shall make application, in writing, on forms prescribed by the board.

(b) Fees, as fixed by the board, shall accompany all applications for original permits, renewal permits, examinations and other applications authorized under this act.

(c) Each applicant for a trainee, certified residential or general permit shall have reached the age of majority.

(d) An application for a permit under this act shall be accompanied by fingerprints and other information necessary for a criminal history record background check as provided under W.S. 7-19-201.