

Readopt Asb 301.01-Asb 301.45, effective 5-9-19 (Doc. #12776), cited and to read as follows:

PART Asb 301 DEFINITIONS

Asb 301.01 “Abatement review” means to make an assessment recommendation to the municipal assessing officials or to make a change to an assessment that is in response to an abatement request from a taxpayer.

Asb 301.02 “Appraisal” means the act or process of developing a market value estimate of property which will be used as the basis for valuation, fulfilling a municipality’s statutory duties relative to property tax administration including, but not limited to those pursuant to RSA 75:1.

Asb 301.03 “Appraisal work” means the act or process of developing and making a market value estimate of property, or an adjustment to an assessment, which shall be used as the basis for the valuation of a municipality in accordance with statutory requirements including, but not limited to, those pursuant to RSA 75:1.

Asb 301.04 “Appraiser” means any person, firm, company, or corporation who makes an appraisal, an assessment, or provides appraisal work and meets one of the following conditions:

(a) Is certified by the department of revenue administration (DRA) in accordance with RSA 21-J:14-f; or

(b) Is statutorily given the authority to appraise property pursuant to RSA 75:1, RSA 81:1, RSA 41:2-g, or RSA 48:13.

Asb 301.05 “Approved continuing education” means:

(a) Completing all requirements of a course or workshop with designated credit hours pertaining to appraisal of real estate for tax purposes offered or approved by, but not limited to:

- (1) International Association of Assessing Officers;
- (2) American Society of Appraisers;
- (3) American Society of Farm Managers and Rural Appraisers;
- (4) Appraisal Institute;
- (5) International Right of Way Association;
- (6) National Association of Independent Fee Appraisers;
- (7) Lincoln Institute;
- (8) New Hampshire Association of Assessing Officials;
- (9) New Hampshire real estate appraisal board; or
- (10) The DRA; or

(b) Teaching a course or workshop as specified in (a) above.

Asb 301.06 “Assessing services” means the making of appraisals, reappraisals, assessments, or providing other services on behalf of municipal assessing officials for the statutory administration of property valuation and assessment including, but not limited to those pursuant to RSA 75:1.

Asb 301.07 “Assessment” means an estimate of the quality, amount, size, features, or worth of real estate which is used as a basis for a municipalities’ valuation in accordance with statutory requirements including, but not limited to those pursuant to RSA 75:1.

Asb 301.08 “Assessor” means any person, who is certified by the DRA as an assessor assistant, assessor, or assessor supervisor, who works on behalf of a municipality to:

- (a) Value real estate for ad valorem tax purposes;

(b) Provide appraisal work; or

(c) Provide assessing services.

Asb 301.09 “Bad faith” means dishonesty of belief or purpose, evasion of the spirit of the bargain, lack of diligence, willful rendering of an imperfect performance, abuse of a power to specify terms and interference with, or failure to cooperate in, the other party’s performance.

Asb 301.10 “Certification” means the process of applying for and meeting the experience and education requirements for the level of approval sought pursuant to RSA 21-J:14-f.

Asb 301.11 “Commissioner” means the commissioner of the department of revenue administration or the commissioner’s designee.

Asb 301.12 “Commissioner’s review and determination” means the DRA review of factors relevant to a charge of misconduct pursuant to Asb 308.13, and the disciplinary action taken by the DRA pursuant to Asb 308.14 and RSA 21-J:14-g, against any person, for failure to comply with the rules adopted by the assessing standards board (ASB) pursuant to RSA 21-J:14-f, II.

Asb 301.13 “Company” means the person, contractor, firm, or corporation with which the municipality has proposed or executed a contract or agreement for assessing services.

Asb 301.14 “Complainant” means a person who has filed a written charge of misconduct.

Asb 301.15 “Contract” means any agreement between the municipality and the contractor for making appraisals, reappraisals, assessments, or for appraisal work on behalf of a municipality within the state of New Hampshire.

Asb 301.16 “Contractor” means the person, firm, company, or corporation with which the municipality has executed a contract or agreement for assessing services.

Asb 301.17 “Cyclical inspection” means the process of a systematic measure and listing of all properties within a municipality over a specified period of time. The term includes “data collection” and “data verification.”

Asb 301.18 “Cyclical revaluation” means the process of combining a full statistical revaluation of the entire municipality with a cyclical inspection process.

Asb 301.19 “Data collection” means the inspection, measuring, or listing of property within a municipality. The term includes data verification.

Asb 301.20 “Deceit-fraud” means an intentional act of:

(a) Deception in order to secure an unlawful gain;

(b) Deception pertaining to contractual procurement or fulfillment; or

(c) Concealment of, or making a false impression of, a material fact, including when attempting to procure DRA certification at any level.

Asb 301.21 “Decertification” means the action taken, pursuant to RSA 21-J:14-g, I, by the commissioner to remove a person’s DRA certification.

Asb 301.22 “Department (DRA)” means the New Hampshire department of revenue administration, 109 Pleasant Street, Concord NH.

Asb 301.23 “Equivalent” means a determination by the DRA that:

(a) The individuals’ educational and professional work experience meets, or exceeds, all of the requirements to be a DRA-certified building measurer and lister or a DRA-certified property assessor assistant; or

(b) A course meets the core education curriculum requirements.

Asb 301.24 “Ethics” means the moral principles, values, and standards that govern the professional conduct in appraisal practice. The term includes “ethical”.

Asb 301.25 “Executed” means to transact, agree to, carry into effect, sign or act upon a contract or agreement to perform assessing services for a municipality. The term includes “executing”.

Asb 301.26 “Final field review” means the final comprehensive review of newly established values utilizing a parcel by parcel field review for the entire municipality, the affected property, or the classes of property to:

- (a) Ensure that the properties are valued at their highest and best use, and, as applicable, appraised pursuant to RSA 75:1;
- (b) Ensure that the appraised values are proportionate and equitable; and
- (c) Identify and correct any mechanical errors, inconsistencies, unusual features, or value influencing factors.

Asb 301.27 “Full revaluation” means the revaluation of all taxable and nontaxable properties in a municipality, with a complete measure and listing of all taxable and nontaxable properties to occur at the same time of the establishment of the new base year, to arrive at full and true value as of April 1. The term includes “full reappraisal” and “full reassessment.”

Asb 301.28 “Full statistical revaluation” means the process of a revaluation of all taxable and nontaxable properties in a municipality, using existing property data, to arrive at full and true value as of April 1. The term includes “statistical update” and “statistical reassessment.”

Asb 301.29 “Improvement” means any physical change to either land or to buildings that might affect value.

Asb 301.30 “In-house assessor” means an appraiser that has been hired to perform appraisal work as an employee of the municipality.

Asb 301.31 “Listing” means recording a description of the interior, exterior, and attributes of any improvements or the recording of the description of land features and attributes. The term includes “list”.

Asb 301.32 “Malfeasance” means an intentional act which is unlawful.

Asb 301.33 “Market analysis” means the study and processes utilized to determine the response of buyers and sellers of real estate, in a geographic area, to various data elements through the analysis of cost data, income data, and sale transactions in the performance of mass appraisal.

Asb 301.34 “Mass appraisal” means the utilization of standard commonly recognized techniques to value a group of properties as of a given date, using standard appraisal methods, employing common data and providing for statistical testing.

Asb 301.35 “Measure” means the physical inspection, verification, recording, or sketching of the exterior dimensions and attributes of any improvements made to a property.

Asb 301.36 “Misconduct” means:

- (a) A dereliction of duty;
- (b) A violation of appraisal practice ethical standards, such as, but not limited to:
 - (1) New Hampshire assessing standards board (ASB);
 - (2) International Association of Assessing Officers (IAAO);
 - (3) New Hampshire Association of Assessing Officials (NHAAO); or
 - (4) Uniform standards of professional appraisal practice (USPAP);
- (c) An affirmative act of misrepresentation or concealment of a material fact;

(d) Violation of assigned duties by malfeasance, misfeasance, or nonfeasance; or

(e) An act or failure to act when there is a duty to do so in reckless disregard of another's rights, committed voluntarily and intentionally.

Asb 301.37 "Misfeasance" means the improper execution of an act of lawful duty, or contractual obligation, which infringes upon the rights and privileges of third persons.

Asb 301.38 "Municipal assessing officials" means those charged by law with the duty of assessing taxes and being the:

- (a) Governing body of a municipality;
- (b) Board of assessors or selectmen of a municipality; or
- (c) County commissioners of an unincorporated place.

Asb 301.39 "Municipality" means a city, town, or unincorporated place.

Asb 301.40 "Nonfeasance" means the total omission or total neglect of a required duty.

Asb 301.41 "On-line course" means those courses offered by qualified entities by way of the internet in a non-classroom setting.

Asb 301.42 "Partial update" means the process of analyzing market sales throughout the entire municipality to identify and implement needed value changes to the affected areas, or classes of property, to bring those properties to the municipality's general level of assessment utilizing the existing base tax year and providing an addendum to the existing USPAP-compliant report. The term includes "partial revaluation."

Asb 301.43 "Qualified entities" means instructional providers approved by the DRA.

Asb 301.44 "Recertification" means written notification to the DRA that the applicant wishes to remain certified at their approved level, or recertified to another level, by providing any necessary documentation as required by the Asb 300 rules.

Asb 301.45 "Respondent" means a DRA-certified person against whom a charge of misconduct has been filed.

Readopt with amendment Asb 301.46, effective 5-9-19 (Document #12776), previously effective 7-24-20 (Document #13079, Emergency) and expired 1-20-21, to read as follows:

Asb 301.46 "Requirements of a course" to obtain certification by the DRA means successful completion of a classroom, live on-line or self-study course, which is determined by the DRA to meet the educational criteria, offered by qualified entities.

Readopt Asb 301.47-Asb 301.51, effective 5-9-19 (Document #12776), to read as follows:

Asb 301.47 "Revaluation" means the act of re-estimating the worth of real estate of the entire municipality using standard appraisal methods, calibration of the computer assisted mass appraisal (CAMA) tables and models, establishment of a new base year with a USPAP-compliant report, and providing for statistical testing whether by either:

- (a) A full revaluation; or
- (b) A full statistical revaluation. The term includes "reappraisal," "reassessment," and "value anew."

Asb 301.48 "Revaluation experience" means the number of years of work experience in the mass appraisal process as required by Asb 303 where applicable.

Asb 301.49 “Sales chasing” means the practice of knowingly changing an individual property assessment to or near to the recent selling price of that property thereby manipulating equalization ratio study results.

Asb 301.50 “Sale validation” means the process of verifying a real estate sale transaction to determine whether the sale was a valid or an invalid indicator of the market value of the sold property. The term includes “sale verification” and “sale qualification.”

Asb 301.51 “Sanction” means a level of disciplinary action determined by the commissioner to ensure the integrity of the DRA certification process by requiring a time period ranging from one month to 6 months in which the sanctioned person, at his or her own expense, is supervised by:

- (a) A DRA-certified property assessor; or
- (b) A DRA-certified property assessor supervisor.

Adopt Asb 301.52 to read as follows:

Asb 301.52 “Self-study” means an approved on-line course that allows for testing in person or proctored by an electronic monitoring service.

Readopt and renumber Asb 301.51-Asb 301.57, effective 5-19-19 (Document #12776), as Asb 301.53-Asb 301.58 to read as follows

Asb 301.53 “Statistical testing” means the use or application of numerical statistics to understand the results of a reappraisal or the need for a reappraisal.

Asb 301.54 “Suspension” means a level of disciplinary action determined by the commissioner to ensure the integrity of the DRA certification process by requiring a loss of certification for a time period up to 5 years pursuant to RSA 21-J:14-f.

Asb 301.55 “Unethical” means not in conformity with the ethics and standards that govern professional conduct in appraisal practice.

Asb 301.56 “Uniform standards of professional appraisal practice (USPAP)” means the generally accepted and recognized standards of appraisal practice printed by The Appraisal Foundation as authorized by Congress as the source of appraisal standards and appraiser qualifications.

Asb 301.57 “USPAP-compliant report” means an appraisal report based upon the standards established by the ASB pursuant to RSA 21-J:14-b, I, (c).

Asb 301.58 “Year of experience” means that one year of work experience is equivalent to 2,000 hours.

Readopt with amendments Asb 303.02-Asb 303.06, effective 5-9-19 (Document #12776), to read as follows:

Asb 303.02 Training of a Measurer and Lister.

- (a) Prior to training any person to conduct an assessment of real estate, the appraiser, contractor, or in-house assessor, shall comply with Asb 302.02.
- (b) The in-service supervised field training shall be in the presence of a DRA-certified appraiser as defined in Asb 301.04.
- (c) The in-service supervised field training shall be documented in writing by providing:
 - (1) The name of the municipalities in which the field training was performed;
 - (2) The dates that the supervised field training was performed;
 - (3) The number of hours of the supervised field training; and

(4) The name of the DRA-certified appraiser that accompanied and supervised the field training.

(d) Upon the completion of the 160 hours of supervised field training pursuant to Asb 303.03 (a)(1), the trainee shall immediately request to be certified as a DRA-certified building measurer and lister pursuant to Asb 306.01.

(e) Upon completion of the 160 hours of supervised field training, the DRA-certified property assessor, or the DRA-certified property assessor supervisor shall:

(1) Attest in writing to the completion of the 160 hours of supervised field training, pursuant to Asb 304.03 (a)(4) or Asb 304.04 (d); and

(2) Provide the written documentation of the in-service supervised field training as specified in Asb 303.02 (c) to the trainee for submission to the DRA in accordance with Asb 306.01.

(f) The DRA-certified property assessor, or the DRA-certified property assessor supervisor that is overseeing the supervised field training shall notify the DRA within 14 days if the person's employment is terminated prior to the completion of the certification.

Asb 303.03 Requirements to be a DRA-Certified Building Measurer and Lister. A person requesting certification under this section shall meet either of the following:

(a) The requirements to be a DRA-certified building measurer and lister shall include:

(1) A total of 160 documented hours of in-service accompanied supervised field training in measuring, listing, data collection, and data verification with at least 40 of those 160 hours conducted in the presence of:

- a. A DRA-certified property assessor; or
- b. A DRA-certified property assessor supervisor; and

(2) Training to:

- a. Measure and sketch improvements to scale;
- b. Understand and utilize the data collection manual;
- c. List improvements by:
 - 1. The number of stories;
 - 2. The height of the building;
 - 3. The type of heating system;
 - 4. A description of the plumbing system;
 - 5. The type of basement;
 - 6. A description of any additions or outbuildings;
 - 7. An indication whether any of the items in 1. through 6., above, are:
 - (i) Defective, but curable or incurable;
 - (ii) Functional; and
 - (iii) In good, fair, or poor condition; and
 - 8. The description of any other feature, attribute, or factor that may contribute value to a property;

d. Understand the duties of a DRA-certified building measurer and lister as specified in Asb 304.01; and

- e. Understand the ethics that govern professional conduct in appraisal practice; or
- (b) Equivalent professional work experience as listed in (a)(1) and (2) above in a similar field such as real estate brokerage, real estate appraisals for non-assessing services, or work in other assessing jurisdictions.

Asb 303.04 Requirements to be a DRA-Certified Property Assessor Assistant. A person requesting certification under this section shall meet either of the following:

- (a) The requirements to be a DRA-certified property assessor assistant shall be:
 - (1) All of the requirements for a DRA-certified building measurer and lister, specified in Asb 303.03;
 - (2) Signed documentation of successful completion, of International Association of Assessing Officers (IAAO) Course 101, or the equivalent requirements of a course focusing on the basic functions of the appraisal process and appraisal theories, offered by, but not limited to, those entities listed in Asb 301.05 (a);
 - (3) At least 2 years of experience which provides exposure to the application of the basic knowledge of property valuation and appraisal theories consisting of:
 - a. Work experience in the:
 - 1. Measuring and listing of property; and
 - 2. Assisting with property assessments; or
 - b. Work in a similar field, such as real estate brokerage or real estate appraisals for non-assessing purposes;
 - (4) Familiarity with common building construction for:
 - a. The quality of construction;
 - b. The approximate age of the structure;
 - c. Foundation;
 - d. Basement area;
 - e. Insulation;
 - f. Roofing;
 - g. Flooring;
 - h. Exterior cover;
 - i. Interior finish;
 - j. Fireplaces;
 - k. Heating and air conditioning systems;
 - l. Solar collectors;
 - m. Plumbing and plumbing fixtures;
 - n. Tiling;
 - o. Electric service;
 - p. The number of rooms or bedrooms;
 - q. Sprinkler systems;

- r. Elevators; and
- s. Any other structural features which would influence value;

(5) Thorough knowledge of the duties of a DRA-certified property assessor assistant as specified in Asb 304.02; and

(6) Attestation by a DRA-certified property assessor or DRA-certified property assessor supervisor that the individual has been trained, has read, and understands:

- a. Applicable NH property assessing statutes;
- b. Appraisal practice ethics; and
- c. Administrative rule Asb 300 and Rev 600; or

(b) Equivalent educational and professional work experience as listed in (a)(1) through (5) above or equivalent work in other assessing jurisdictions.

Asb 303.05 Requirements to be a DRA-Certified Property Assessor.

(a) In lieu of the requirements in (b)(1) and (2), below, a DRA-certified property assessor applicant may submit to the DRA a copy of his or her current New Hampshire Association of Assessing Officials' professional designation certificate.

(b) The requirements to be a DRA-certified property assessor shall be:

(1) All of the requirements for a DRA-certified property assessor assistant, in accordance with Asb 303.04;

(2) Signed documentation of successful completion of all requirements of:

- a. The International Association of Assessing Officers (IAAO) Course 300, or the equivalent requirements of a course pertaining to mass appraisal, offered by, but not limited to those listed in Asb 301.05 (a);
- b. The International Association of Assessing Officers (IAAO) Course 452 Fundamentals of Assessment Ratio Studies (Workshop);
- c. A recent USPAP course or workshop; and
- d. The NH state statutes part I and part II course relative to assessment and taxation;

(3) At the minimum, 4 years of experience consisting of:

- a. Three years of experience in the appraisal of various types of real estate; and
- b. One year of mass appraisal revaluation experience with 1,000 hours that is comprised of some combination of:
 - 1. Assistance with the development and or maintenance of a data collection manual;
 - 2. The basic understanding of how CAMA systems are implemented and utilized;
 - 3. Sale validation experience;
 - 4. Review and training on mass appraisal techniques, market analysis results, and assistance in the preparation of a USPAP-compliant report under the supervision of a DRA-certified property assessor supervisor; and
 - 5. Training and assistance in the process of abatement review and the defense of assessed values under the supervision of a DRA-certified property assessor or DRA-certified property assessor supervisor;

- (4) Documentation of the continuing education requirements in Asb 305.01, if the DRA property assessor certification has been held over the previous 5 years; and
 - (5) Thorough knowledge of the duties of a DRA-certified property assessor as specified in Asb 304.03.
- (c) A complete and signed resume shall:
- (1) Accompany the request for certification;
 - (2) Explain in detail the applicant's work and revaluation experience; and
 - (3) Document the applicant's educational qualifications.

Asb 303.06 Requirements to be a DRA-Certified Property Assessor Supervisor.

(a) In lieu of the requirements in (b)(1) and (2) below, a DRA-certified property assessor supervisor applicant may submit to the DRA a copy of his or her current New Hampshire Association of Assessing Officials' professional designation certificate.

- (b) The requirements to be a DRA-certified property assessor supervisor shall include:
- (1) The requirements of a DRA-certified property assessor in Asb 303.05;
 - (2) Signed documentation of successful completion, of all requirements of the International Association of Assessing Officers (IAAO) Course 102, or the equivalent requirements of a course focusing on capitalization of income to determine value by the income approach, offered by, but not limited to those listed in Asb 301.05(a);
 - (3) At the minimum 5 years of experience consisting of:
 - a. Two years of experience in the appraisal of various types of real estate; and
 - b. Three years of mass appraisal revaluation experience consisting of:
 - 1. Supervisory experience during the process of providing assessing services;
 - 2. Supervisory experience pertaining to adherence to the data collection manual, data collection accuracy, and CAMA data entry accuracy;
 - 3. Assistance with the development and or maintenance of a data collection manual;
 - 4. The basic understanding of how CAMA systems are implemented and utilized;
 - 5. Sale validation experience;
 - 6. Training on the calibration process for CAMA models;
 - 7. Review and training on mass appraisal technique;
 - 8. Providing assistance to a DRA-certified property assessor supervisor with the market analysis and USPAP-compliant report for a revaluation or a partial update; and
 - 9. Training and assistance in the process of abatement review and the defense of assessed values under the guidance and oversight of a DRA-certified property assessor supervisor;
 - (4) Documentation of the continuing education requirements in Asb 305.01, if the DRA property assessor supervisor certification has been held over the previous 5 years;
 - (5) Documentation of experience in providing expert testimony in the defense of assessed values before:
 - a. The New Hampshire board of tax and land appeals;

- b. The New Hampshire superior court;
 - c. New Hampshire superior court sanctioned mediation; or
 - d. An equivalent board or court in another state; and
- (6) Thorough knowledge of the duties of a DRA-certified property assessor supervisor as specified in Asb 304.04; and
- (7) Successful completion of a comprehensive exam that:
- a. Consists of 100 questions; and
 - b. Requires a 70% to pass;
 - c. If the individual does not pass the initial exam they may retake the exam within 30-days of the initial exam date; and
 - d. If the individual does not pass the exam on the retake, they shall be required to wait one year from the date of the retake, to take it again.
- (c) A DRA-certified assessor supervisor shall:
- (1) Explain on the resume, required pursuant to (d) below, or on an attached sheet if necessary, how the applicant has the experience necessary to:
 - a. Interpret:
 - 1. Deeds and transfers for determination of value; and
 - 2. Financial statements pertaining to the appraisal process;
 - b. Prepare reports;
 - c. Supervise subordinate property assessors, property assessor assistants and building measurer and listers;
 - d. Assist the municipal assessing officials in the use of the appropriate assessing manuals and the computer assisted mass appraisal system for their municipality;
 - e. Perform statistical testing to understand the results of a reappraisal or the need for a reappraisal;
 - f. Analyze sales of properties to produce a market analysis and USPAP-compliant report; and
 - g. Defend property values established for real property.
- (d) A complete and signed resume shall accompany the request for certification.

Readopt with Amendments Asb 304.03, effective 5-9-19 (Doc. #12776), to read as follows:

Asb 304.03 DRA-Certified Property Assessor Duties.

- (a) A DRA-certified property assessor may, in accordance with Asb 303.05:
 - (1) Perform appraisal work which includes:
 - a. The annual maintenance of assessments by using the base year data collection manual and USPAP-compliant report; and
 - b. The use of the computer assisted mass appraisal system existing models and cost data established by a DRA-certified property assessor supervisor during the year of the last revaluation for new appraisals;

- (2) Perform abatement reviews and the defense of value under the supervision of a DRA-certified property assessor supervisor;
- (3) Perform sale validation; and
- (4) Submit a signed and dated statement to the DRA attesting to the qualifications of a building measurer and lister, or a property assessor assistant, working under the DRA-certified property assessor's supervision to be true, accurate and correct.

(b) A DRA-certified property assessor shall not adjust the cost, land, depreciation, or other computer assisted mass appraisal tables resulting in a change to the values unless specifically authorized by a DRA-certified property assessor supervisor.

(c) A DRA-certified property assessor shall not establish and certify values.

(d) A DRA-certified property assessor shall not sign the USPAP-compliant report.

(e) A DRA-certified property assessor shall not conduct the final field review.

(f) A DRA-certified property assessor:

- (1) May participate in informal hearings; and
- (2) Shall not supervise informal hearings.

Readopt with Amendments Asb 305.01, effective 5-9-19 (Doc. #12776), to read as follows:

Asb 305.01 Continuing Education Requirements.

(a) Each DRA-certified property assessor assistant, DRA-certified property assessor and DRA-certified property assessor supervisor shall provide documentation that he or she has, over the previous 5 years, completed a total of 50 hours of approved continuing education, as defined in Asb 301.05(a), which includes:

- (1) A uniform standards of professional appraisal practice course or workshop; and
- (2) The NH state statute course Part 1 or Part II, or the one-day state statutes update.

(b) An approved course or workshop taken more than once within the 5-year cycle shall not be allowed as continuing education unless authorized by the DRA.

(c) Individuals seeking continuing education credit for teaching courses as specified in Asb 301.01(b) shall receive full credit:

- (1) For hours taught up to the total credit hours required for continuing education; and
- (2) Only once during a recertification cycle for teaching the same course.

(d) Any person holding a New Hampshire Association of Assessing Officials' professional designation certificate may request to have continuing educational requirements verified in writing by the New Hampshire Association of Assessing Officials' certification committee and forwarded to the DRA.

(e) On-line or self-study course(s) shall qualify as continuing education credits.

Readopt with Amendments Asb 306.01, effective 5-9-19 (Doc. #12776), to read as follows:

Asb 306.01 Requesting Certification or Recertification.

(a) A person, or an employee of a municipality or company requesting certification and meeting the requirements of Asb 303.01 through Asb 303.06 excluding a conditional approval provided in Asb 306.01(f), who has not committed any conduct that would be prohibited under Asb 307.02, shall complete and file a form provided by the DRA, "Request for Certification or Recertification", or, in lieu of filing the form, a request in writing, to the DRA, to be certified by providing:

- (1) The level of certification requested;
- (2) The attested to documentation of the person's work experience;
- (3) Copies of certificates, or evidence, of educational requirements unless copies have previously been supplied to the DRA; and
- (4) Criminal background check results obtained within 30 days of submitting a complete request to be certified.

(b) A person requesting certification shall request in writing, to the DRA, to be recertified at the same level, or certified to another level, by providing detailed documentation of having met the requirements contained in Asb 303.02 through Asb 303.06.

(c) A person whose certification has been suspended may request in writing, to the DRA, by providing detailed documentation of having met the requirements as specified in the commissioner's suspension order, for:

- (1) Reinstatement at the approved certification level at the conclusion of the suspension period; or
- (2) A new certification, if the certification expired during the suspension period.

(d) Any person from out-of- state having an equivalent designation as a DRA-certified assessor excluding completion of NH state statutes courses parts 1 and 2 and USPAP shall:

- (1) Submit all documentation as required in Asb 303.05 (b)(1) and (2); and
- (2) Request a conditional approval to complete the education requirement.

(e) Any person from out-of-state having an equivalent designation as a DRA-certified assessor supervisor excluding completion of NH state statutes courses parts 1 and 2 and USPAP shall:

- (1) Submit all documentation as required in Asb 303.06 (b)(1) and (2); and
- (2) Request a conditional approval to complete the education requirement.

(f) The DRA shall:

- (1) Review the documentation provided; and
- (2) Notify the person within 30 days of receipt of the request that:
 - a. A conditional approval has been granted to complete the education requirement and include the expiration date, which shall be one year after the date of the approval; or
 - b. The conditional approval has been denied and the reason for the denial.

Readopt with Amendments Asb 306.03, effective 5-9-19 (Doc. #12776), to read as follows:

Asb 306.03 Certification Duration.

- (a) Certification at all levels shall be effective upon DRA approval.
- (b) Certification duration for the approval of new applicants or for approval that will change the level of DRA certification, when approved on or before June 30, shall:
 - (1) Start January 1 of the year of the DRA's approval; and
 - (2) End December 31 of the 5th year.
- (c) Certification duration for the approval of new applicants or for approval that will change the level of DRA certification, when approved on or after July 1, shall:
 - (1) Start July 1 of the year of the DRA's approval; and

(2) End June 30 of the 5th year.

(d) A recertification approval, that will remain at the same level of DRA certification, shall begin the following January 1st after the previous approval's expiration date.

Appendix

Rule	Specific State Statute the Rule Implements
Asb 301	RSA 21-J:14-b, I-a, RSA 21-J:14-f, II
Asb 303.02-Asb 303.06	RSA 21-J:14-b, I-a, RSA 21-J:14-f, II
Asb 304.03	RSA 21-J:14-b, I-a, RSA 21-J:14-f, II
Asb 305.01	RSA 21-J:14-b, I-a, RSA 21-J:14-f, II
Asb 306.01	RSA 21-J:14-b, I-a, RSA 21-J:14-f, II
Asb 306.03	RSA 21-J:14-b, I-a, RSA 21-J:14-f, II