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Notice of Intended Regulatory Action (NOIRA)
Agency Background Document

Agency name	Real Estate Appraiser Board
Virginia Administrative Code (VAC) Chapter citation(s)	18 VAC130-20
VAC Chapter title(s)	Real Estate Appraiser Board Rules and Regulations
Action title	HB 1102/SB 252 Amendment (Renewable Energy Continuing Education)
Date this document prepared	July 30, 2026

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of the subject matter, intent, and goals of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation).

The Real Estate Appraiser Board (“the Board") intends to amend the Real Estate Appraiser Board Rules and Regulations to implement the requirements of Chapters 733 (HB 1102) and 734 (SB 252) of the 2026 Acts of Assembly, effective July 1, 2026, which direct the Board to promulgate regulations requiring the development of a continuing education curriculum and required training for all licensees that includes how to properly determine the increase in value of real estate created by reductions in building energy costs associated with solar, geothermal, and solar water heating investments for the purposes of real estate appraisals.

The goal of this action is to make changes to the regulation to provide for a continuing education curriculum and required training as described in the legislation, as well as any other changes necessary and appropriate to accomplish the purpose and intent of the legislation.

Acronyms and Definitions

Define all acronyms or technical definitions used in this form.

No acronyms or technical definitions are used in this form.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation, (e.g., new or modified mandate, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

The mandate for this regulatory action is found in Chapters 733 and 734 of the 2026 Acts of Assembly. The third enactment clause of the legislation states, in part:

> "…[P]ursuant to § 54.1-2014 of the Code of Virginia, the Real Estate Appraiser Board (the Board) shall promulgate regulations requiring the development of a continuing education curriculum and required training for all licensees that includes how to properly determine the increase in value of real estate created by reductions in building energy costs associated with solar, geothermal, and solar water heating investments for the purposes of real estate appraisals."

Legal Basis

Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.

The promulgating agency is the Real Estate Appraiser Board.

Section 54.1-2013 of the Code of Virginia states, in part:

> A. The Board shall have all of the powers of a regulatory board under Chapter 2 (§ 54.1-200 et seq.). The Board may do all things necessary and convenient for carrying into effect the provisions of this chapter, Chapter 20.2 (§ 54.1-2020 et seq.), and all things required or expected of a state appraiser certifying and licensing agency under Title 11 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (12 U.S.C. § 3331 et seq.). The Board shall promulgate necessary regulations.
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> The Board shall include in its regulations educational and experience requirements as conditions for licensure, provisions for the supervision of appraiser practices, provisions for the enforcement of standards of professional appraiser practice, and provisions for the disposition of referrals of improper appraiser conduct from any person or any federal agency or instrumentality. This paragraph shall not be construed to limit the powers and authority of the Board.

In addition, § 54.1-2014 of the Code of Virginia states, in part:

> The Board may establish in regulations requirements for continuing education as a prerequisite to renewal of a license issued under this chapter.

In addition, § 54.1-201 of the Code of Virginia states, in part:

> A. The powers and duties of regulatory boards shall be as follows:
>
> 1. To establish the qualifications of applicants for certification or licensure by any such regulatory board, provided that all qualifications shall be necessary to ensure either competence or integrity to engage in such profession or occupation.
>
> 5. To promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) necessary to assure continued competency, to prevent deceptive or misleading practices by practitioners, and to effectively administer the regulatory system administered by the regulatory board. The regulations shall not be in conflict with the purposes and intent of this chapter or of Chapters 1 (§ 54.1-100 et seq.) and 3 (§ 54.1-300 et seq.).

Further, Chapters 733 and 734 of the 2026 Acts of Assembly authorize the Board to promulgate regulations pursuant to § 54.1-2014 of the Code of Virginia.

Purpose

Describe the specific reasons why the agency has determined that this regulation is essential to protect the health, safety, or welfare of citizens. In addition, explain any potential issues that may need to be addressed as the regulation is developed.

The General Assembly has charged the Board with the responsibility for regulating those who provide an analysis, opinion, or conclusion relating to the nature, quality, value, or utility of specified interest in, or aspects of, identified real estate or identified real property for compensation or valuable consideration by requiring such individuals obtain a license.

As mandated by the General Assembly, the Board protects the public welfare, in part, by establishing through regulation (i) the minimum qualifications of applicants for certification or licensure, provided that all qualifications are necessary to ensure either competence or integrity to engage in the profession or occupation; (ii) minimum standards to assure continued competency and to prevent deceptive or misleading practices by practitioners; and (iii) requirements to effectively administer the regulatory system administered by the Board.

The General Assembly, through its legislation, has determined that this regulation is necessary to protect the public health, safety and welfare. Requiring a continuing education curriculum and training as described in the legislation will ensure continued competency as required by § 54.1-201(A)(5) of the Code of Virginia.

As the regulation is developed, the Board may need to address (i) the required training topics for the continuing education curriculum; (ii) the minimum length of any required training; and (iii) standards for the approval of education offerings for such training. Other issues that may need to be addressed include (i) what entity will be required to develop and conduct the continuing education; and (ii) can such entity do so in compliance with applicable federal requirements governing real estate appraisers. These issues are not inclusive of all potential issues that may be addressed during development of the regulation.

Substance

Briefly identify and explain the new substantive provisions that are being considered, the substantive changes to existing sections that are being considered, or both.

As provided for in the legislation, the Board will consider amending the regulation to provide for a continuing education curriculum and required training addressing how to properly determine the increase in value of real estate created by reductions in building energy costs associated with solar, geothermal, and solar water heating investments for the purposes of real estate appraisals.

In addition, the Board will consider any other relevant changes determined to be necessary and appropriate to accomplish the purpose and intent of the legislation.

Alternatives to Regulation

Describe any viable alternatives to the regulatory change that were considered, and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the regulatory change. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulatory change.

Chapters 733 and 734 of the 2026 Acts of Assembly require the Board to "…promulgate regulations requiring the development of a continuing education curriculum and required training for all licensees that includes how to properly determine the increase in value of real estate created by reductions in building energy costs associated with solar, geothermal, and solar water heating investments for the purposes of real estate appraisals." Accordingly, no viable alternatives to the regulatory change were considered.

As the regulation is developed, the Board will consider potential alternatives to requirements that may be less burdensome or intrusive while still meeting the essential purpose of the regulation.

Periodic Review and Small Business Impact Review Announcement

If you wish to use this regulatory action to conduct, and this NOIRA to announce, a periodic review (pursuant to § 2.2-4017 of the Code of Virginia and the ORM procedures), and a small business impact review (§ 2.2-4007.1 of the Code of Virginia) of this regulation, keep the following text. Modify it as necessary for your agency. Otherwise, delete the paragraph below and insert "This NOIRA is not being used to announce a periodic review or a small business impact review."

This NOIRA is not being used to announce a periodic review or small business impact review.

Public Participation

Indicate how the public should contact the agency to submit comments on this regulation, and whether a public hearing will be held, by completing the text below. In addition, as required by § 2.2-4007.02 of the Code of Virginia, describe any other means that will be used to identify and notify interested parties and seek their input, such as regulatory advisory panels or general notices.

A standing committee of the Board composed of Board members will develop this regulation. Meetings of the standing committee will include opportunities for public comment.

The Board is providing an opportunity for comments on this regulatory proposal, including but not limited to (i) the costs and benefits of the regulatory proposal, (ii) any alternative approaches, and (iii) the potential impacts of the regulation.

Anyone wishing to submit written comments for the public comment file may do so through the Public Comment Forums feature of the Virginia Regulatory Town Hall web site at: https://townhall.virginia.gov.

Comments may also be submitted by mail, email or fax to:

Anika Coleman
Executive Director
9960 Mayland Drive
Perimeter Center, Suite 400
Richmond, VA 23233
Email: reappraisers@dpor.virginia.gov
Fax: (866) 826-8863

In order to be considered, comments must be received by 11:59 pm on the last day of the public comment period.

A public hearing will be held following the publication of the proposed stage, and notice of the hearing will be posted on the Virginia Regulatory Town Hall website (https://townhall.virginia.gov) and on the Commonwealth Calendar website (https://commonwealthcalendar.virginia.gov/). Both oral and written comments may be submitted at that time.