

<h1 style="margin: 0;">Regulatory Analysis Form</h1> <p style="margin: 0;">(Completed by Promulgating Agency)</p> <p style="margin: 0;"><b>(All Comments submitted on this regulation will appear on IRRC's website)</b></p>		<p><b>INDEPENDENT REGULATORY REVIEW COMMISSION</b></p> <p><b>RECEIVED</b></p> <p>Independent Regulatory Review Commission</p> <p>April 14, 2026</p>
<p>(1) Agency Department of State, Bureau of Professional and Occupational Affairs, State Board Certified Real Estate Appraisers</p>		<p>IRRC Number: 3485</p>
<p>(2) Agency Number: 16A Identification Number: 7026</p>		
<p>(3) PA Code Cite:  49 Pa. Code §§ 36.201, 36.202, 36.204, 36.221, 36.221a, 36.222</p>		
<p>(4) Short Title: General Revisions- Certified Pennsylvania Evaluators</p>		
<p>(5) Agency Contacts (List Telephone Number and Email Address):  Primary Contact: Ronald K. Rouse, Board Counsel, State Board of Certified Real Estate Appraisers, P.O. Box 69523, Harrisburg, PA 17106-9523 (phone 717-783-7200) (fax 717-787-0251) <a href="mailto:rorouse@pa.gov">rorouse@pa.gov</a>.  Secondary Contact: Jacqueline A. Wolfgang, Senior Regulatory Counsel, Department of State, P.O. Box 69523, Harrisburg, PA 17106-9523 (phone 717-783-7200) (fax 787-0251) <a href="mailto:jawolfgang@pa.gov">jawolfgang@pa.gov</a>.</p>		
<p>(6) Type of Rulemaking (check applicable box):</p> <p><input checked="" type="checkbox"/> <b>PROPOSED REGULATION</b></p> <p><input type="checkbox"/> Final Regulation</p> <p><input type="checkbox"/> Final Omitted Regulation</p>		<p><input type="checkbox"/> Emergency Certification Regulation;</p> <p><input type="checkbox"/> Certification by the Governor</p> <p><input type="checkbox"/> Certification by the Attorney General</p>
<p>(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)</p> <p>This proposed regulation is needed to conform the State Board Certified Real Estate Appraiser's (board) regulations to the amendments to the Assessors Certification Act (act) (63 P.S. §§ 458.1 – 458.17) under the act of October 29, 2020 (P.L. 731, No. 88) (Act 88 of 2020). Act 88 of 2020 clarified that revaluation company personnel who are directly responsible for the valuation of real property must be certified as a certified Pennsylvania evaluation. This proposed regulation updates the board's regulations to reflect the required certification. It also clarifies scope of practice issues and includes mandatory educational requirements.</p>		

(8) State the statutory authority for the regulation. Include specific statutory citation.

This proposed rulemaking is needed to conform the board’s regulations to the amendments to the act (63 P.S. §§ 458.1 – 458.17), under Act 88 of 2020, which amended definitions as well as the qualifications for and certification of Pennsylvania evaluators. Under section 3 of the act (63 P.S. § 458.3) the “board may promulgate rules and regulations consistent with the statutes of this Commonwealth to administer and enforce the provisions of this act.” Under section 6(b)(5) of the act (63 P.S. § 458.6(b)(5)), an applicant for certification is required to have “successfully completed a minimum of 90 hours of the basic courses of study approved by the board covering the appraisal assessing profession or any other professional courses acceptable to the board. The basic course of study shall include instruction on judicial interpretation of the uniformity clause of the Constitution of Pennsylvania.”

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

Except as set forth in question (8), the regulation is not mandated by any other federal or state law, court order, or federal regulation.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

This proposed rulemaking is needed to conform the board’s regulations to the 2020 amendments to the act concerning definitions as well as the qualifications for and certification of Pennsylvania evaluators. The act was amended in part to clarify that revaluation company personnel are among the persons who must obtain certification. Amending the regulations to conform to the statutory amendments will benefit the regulated community because the regulations will add clarity to the licensure standards. The Board also proposes to amend the regulations to reflect the board’s current application process.

This regulation benefits the public in general by ensuring consistency between the statutory and regulatory certification requirements for certified Pennsylvania evaluators. Revaluation companies and personnel will also benefit from the clarity provided in the proposed amendments. Certified Pennsylvania evaluator applicants will benefit from the clarity provided by the proposed amendments concerning qualifications. The board estimates approximately 60 applicants per year will be taking qualifying education courses for certification as a Pennsylvania evaluator. Since the act was amended, approximately six (6) revaluation company personnel per year apply for certification as Pennsylvania evaluators.

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

No. There are no provisions of this regulation that are more stringent than Federal standards.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

This proposed rulemaking is needed to conform the board's regulations to the amendments to the act. The amendments to the act mainly concern qualifications for and certification of Pennsylvania evaluators. In addition, the amended act clarifies that revaluation company personnel must be certified as Pennsylvania evaluators. This proposed rulemaking will not adversely affect Pennsylvania's ability to compete with the six states that are contiguous to Pennsylvania (Delaware, Maryland, New Jersey, New York, Ohio and West Virginia). Of the six states bordering Pennsylvania, only three (Delaware, New Jersey and New York) require certification of tax assessors/evaluators.

Delaware's regulations concerning qualifications for certified assessors are similar to Pennsylvania's regulations for certified Pennsylvania evaluators. Delaware requires assessor applicants to have a high school diploma or its equivalent, or two (2) years of assessing experience. In terms of qualifying education, Delaware requires 90 hours of coursework covering the same appraisal assessing topics as Pennsylvania. In addition, applicants must pass a comprehensive examination covering all phases of the appraisal process and the assessment function.

New Jersey's regulations for certification as a tax assessor requires four (4) years of study at an approved secondary school and graduation from a four (4) year course of study at a college of recognized standing. In lieu of graduation from a four-year course of study in college, a tax assessor applicant can provide evidence of full-time experience in real estate appraisal work or experience in property tax assessment on a year-for-year basis. In addition, applicants must pass a tax assessor examination.

New York's regulations contain certification requirements for elected and appointed assessors and county directors, as well as specific requirements for certification as a New York City Assessor. Elected and appointed assessors must complete a basic certification training program within three years of beginning an initial term of office. County directors must complete a basic certification training program within four years of beginning an initial term of office. Certification as a New York City Assessor requires graduation from high school or its equivalent and two (2) years of satisfactory full time paid experience in an occupation involving the valuation of real property. The education and experience requirements can also be fulfilled by graduating from a two-year college and having one year of experience, or graduating from a four-year college and having six (6) months of experience. In addition, an applicant for certification as a New York City Assessor must complete a basic course of training in eight (8) component areas and pass any required examination for each component.

Based on the information above, the board believes the amendments will not put Pennsylvania at a competitive disadvantage, but rather, will position Pennsylvania as one of the few jurisdictions that has clear statewide standards for certification of assessors/evaluators and revaluation company personnel. These standards will help foster public trust in the persons who are certified to perform the real property tax assessment function.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

This rulemaking does not affect other regulations of the board or other state agencies.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. (“Small business” is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

During the board’s December 15, 2020 regularly scheduled public meeting, the board discussed the need to amend its regulations to conform with the Act 88 of 2020 statutory amendments to the act. At the board’s February 25, 2021 meeting, the board approved the Annex for release to stakeholders as an Exposure Draft. The stakeholder list is comprised of individuals from the appraisal and assessing profession, including assessors for each of the 67 county assessment offices in Pennsylvania as well as appraisal, assessor and real estate professional associations. On March 12, 2021, an Exposure Draft was released to stakeholders and interested parties to solicit written comments. The comment period was open from March 12, 2021 through April 30, 2021. Written comments from two stakeholders were received.

At the May 20, 2021 regularly scheduled public meeting, the board discussed the comments it received regarding the Exposure Draft. Comments included a question as to why the definition of the term “assessor” was being deleted from the regulation. It was explained at the board meeting that the definition for “assessor” was deleted from section 2 of the act under the 2020 amendments to the act and, therefore, was being deleted in the proposed annex. Another suggestion was that the term “assessors,” as used in § 36.204 (relating to scope of practice) of the regulations, be replaced with the word “individuals;” this recommendation was adopted by the board. The board also considered a number of suggestions regarding the amendments to § 36.221 (relating to qualifications for certification as a Pennsylvania evaluator). First, it was recommended that the requirement of a high school diploma or its equivalent specifically indicate “a G.E.D.” as a minimum qualification. Because a G.E.D. is generally recognized as an equivalent to a high school diploma, this recommendation was not adopted. Second, the stakeholder suggested that 2 years of assessing experience should not be included as an alternative to having a high school diploma or its equivalent; however, the 2 years of assessing experience is an alternative that was statutorily required under the 2020 amendments. Finally, the board considered the comment suggesting that the board should require the 15-Hour National USPAP Course in its required course of study; the board voted to include this requirement in the annex.

At the August 12, 2021 regularly scheduled public meeting, the board approved the amended Proposed Annex for release as a Second Exposure Draft. On August 12, 2021, the Second Exposure Draft was released to stakeholders and interested parties to solicit written comments. The comment period was open from August 12, 2021 through September 17, 2021. No written comments were received regarding the Second Exposure Draft. At the regularly scheduled board meeting on September 30, 2021, the board adopted the Second Exposure Draft of the Proposed Annex. After receiving no comments on the second exposure draft, the board continued to work on drafting this proposed rulemaking. After additional public discussion, including a vote to not include the 15-Hour National USPAP Course as an additional requirement for certification, the Board voted to adopt this amended proposed rulemaking.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

Applicants for certification as Pennsylvania evaluators, including county tax assessors and revaluation company personnel, will have to comply with the qualifying education requirements in this proposed

rulemaking. The board estimates approximately 60 applicants per year will be taking qualifying education courses for certification as a Pennsylvania evaluator.

The board reviewed how this regulation would affect small businesses. Property assessors/evaluators provide their services for a variety of private and public sector employers. In the public sector, licensees are often employed in county tax assessor offices in government positions, such as county tax assessor, property assessor or appraiser, or real property assessor or appraiser. In the private sector, licensees are employed in revaluation companies and offices of real estate appraisers in positions, such as property assessor or appraiser, or real property assessor or appraiser.

According to the Small Business Administration (SBA), there are approximately 1,169,008 small businesses in Pennsylvania, which is 99.6% of all Pennsylvania businesses. Of the 1,169,008 small businesses, 230,244 are small employers (those with fewer than 500 employees) and the remaining 938,764 are non-employers. Thus, the vast majority of businesses in Pennsylvania are considered small businesses.

According to the U.S. Department of Labor, in 2020 (the most recent year for which data is available), property appraisers and assessors provide their services for a variety of private and public sector employers: 30% work in local government, excluding education and hospitals; 27% are self-employed; 25% work in real estate; and 8% work in the finance and insurance.

Small businesses are defined in Section 3 of Regulatory Review Act, (71 P.S. § 745.3), which provides that a small business is defined by the SBA's Small Business Size Regulations under 13 CFR Ch. 1 Part 121. These size standards have been established for types of businesses under the North American Industry Classification System (NAICS). In applying the NAICS standards to the types of businesses where many real estate appraisers and assessors work, small businesses in the category of "offices of real estate appraisers" (NAICS code 531320) has \$9.5 million or less in average annual receipts, which also includes self-employed professionals who obviously work in small businesses.

In considering all of the small business thresholds set by NAICS for the businesses in which real estate appraisers and assessors work, it is probable that, outside of public sector positions with governmental entities, approximately half of property assessors/evaluators work in small businesses. The board does not collect information on the size of the businesses where its licensees are employed. However, for purposes of determining the economic impact on small businesses, the board must assume that a large number of its licensees who do not work in government either are or work for small businesses as that term is defined by the SBA and Pennsylvania's Regulatory Review Act.

This rulemaking only affects individuals who apply for certification as a Pennsylvania evaluator. Certified Pennsylvania evaluator applicants are already required to pay a \$55 application fee and \$90 initial certification fee if certified on or after July 1st of odd-numbered years or on or before June 30th of even-numbered years, or \$45 initial certification fee if certified between July 1st of even-numbered years and June 30th of odd-numbered years under § 36.6 (relating to fees). Certified Pennsylvania evaluator applicants are also required to complete 90 hours of qualifying education courses. Qualifying education related to the judicial interpretation of the uniformity clause of the Pennsylvania Constitution will not have a fiscal impact on applicants or businesses because such training is required under the act as part of the 90 hours of basic appraisal assessing courses. Therefore, the application fee, initial certification fee, and registration fees for 90 hours of qualifying education do not present a new cost to applicants. Revaluation company personnel were required to be certified prior to the 2020 amendments; the amendments to the act clarified that requirement. The proposed regulations take the same approach and clarify regulatory

requirements relating to revaluation company personnel. To the extent that the regulated community is or was confused about certification requirements, those individuals would be financially impacted by the application fee, initial certification fee, and qualifying education costs. This financial impact, however, is based on statutory mandates that require revaluation company personnel to be certified as Pennsylvania evaluators.

Since the enactment of the 2020 amendments, approximately six (6) revaluation company personnel per year have applied for certification as Pennsylvania evaluators. Based on this consistent rate of applications, there is little evidence to suggest that the regulated community lacked clarity regarding certification requirements, even though the statutory language prior to the 2020 amendments may have been ambiguous.

Because the application fees, qualifying education registration fees, and other costs are incurred by individuals applying for initial certification, any business (small or otherwise) could avoid these costs by requiring employees to pay their own certification costs. As provided for in section 6(b)(5) of the act (63 P.S. § 458.6(b)(5)), at the discretion of the county commissioners, the county may reimburse county assessors for the costs of completing the 90 hours of qualifying education required by the act.

This regulation will have a positive impact on small businesses, including revaluation companies, as it provides clear statewide standards concerning the persons who must be certified to perform real property tax assessments and the qualifications for certification as a Pennsylvania evaluator.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

Applicants for certification as a Pennsylvania evaluator will have to comply with the qualifying education requirements of this rulemaking. The board estimates approximately 60 certified Pennsylvania evaluator applicants per year will be taking qualifying education courses. To the extent that there was confusion about certification requirements, revaluation companies and personnel may have been financially impacted by the application fee, initial certification fee, and qualifying education costs. This financial impact, however, is based on statutory requirements which requires revaluation company personnel to be certified as Pennsylvania evaluators. Since the act was amended, approximately six (6) revaluation company personnel per year apply for certification as Pennsylvania evaluators.

Small businesses will be impacted to the extent they voluntarily pay for qualifying education registration fees and other costs for applicants, such as application fees.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

There are no new costs concerning qualifying education as certified Pennsylvania evaluator applicants are already required to complete 90 hours of qualifying education courses.

The probable effect of this regulation will be positive because certified Pennsylvania evaluators will be adequately trained to perform tax assessments, which will foster public trust in the persons who are certified to perform the tax assessment function.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

This regulation does not impose a new financial burden on certified Pennsylvania evaluator applicants. The act and the proposed regulations clarify that revaluation company personnel who are directly responsible for the valuation of real property must be certified as Pennsylvania evaluators. The benefits of requiring at least 90 hours of qualifying education for certification will outweigh any risk of adverse effects.

The probable effect of this regulation on impacted small businesses, including revaluation companies, will be positive because certified Pennsylvania evaluators will be adequately trained to perform tax assessments. In addition, public trust will be fostered in the persons who are certified to perform the tax assessment function.

(19) Provide a specific estimate of the costs and/or savings to the **regulated community** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

The board estimates approximately 60 applicants per year will be taking qualifying education courses for certification as a Pennsylvania evaluator. Certified Pennsylvania evaluator applicants are already required to complete 90 hours of qualifying education courses; therefore, it does not present a new cost to the regulated community.

Of the 60 applicants per year for certification as Pennsylvania evaluators, the board estimates approximately six (6) applicants per year will be revaluation company personnel. As with other applicants, the application fee, initial certification costs, cost to complete 90 hours of qualifying education will not present new costs to revaluation company personnel. The act and the proposed regulations merely clarify that revaluation company personnel who are directly responsible for the valuation of real property must be certified as Pennsylvania evaluators.

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

This regulation would not result in costs or savings to local governments. However, as provided for in section 6(b)(5) of the act (63 P.S. § 458.6(b)(5)), the proposed regulation states that, at the discretion of the county commissioners, the county may reimburse county assessors for the costs of completing the 90 hours of qualifying education required by the act.

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

The board's operational costs associated with certified Pennsylvania evaluator applications are recouped in the form of fees from applicants. As with any assessor seeking certification, revaluation company personnel will have to pay the application fee and cost of initial certification as a Pennsylvania evaluator. These are not new costs for revaluation company personnel, as the act clarified that revaluation company personnel must be certified. Fees are not changing in this rulemaking.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork,

including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

There should be no legal, accounting or consulting procedures associated with this rulemaking. Like all other applicants under the board, affected individuals will be required to submit an application for certification accompanied by required documentation.

(22a) Are forms required for implementation of the regulation?

Yes, applicants are required to submit an online application. An application can be submitted by using the PALS website, at [www.pals.pa.gov](http://www.pals.pa.gov). The applicant will create an account, and then will be guided through the application process by answering a series of questions. Any supporting documents may be uploaded directly to the system and will be part of the application packet. Existing application documents will be modified to conform to the proposed regulatory amendments.

(22b) If forms are required for implementation of the regulation, **attach copies of the forms here**. If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported. **Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.**

The agency currently uses an online platform for the submission of applications for certification through PALS. Applicants are asked to apply through the online platform for certification and, to the extent necessary, this information is manually reviewed by board counsel and the board. Within the online platform, applicants are asked a series of questions. Applicants for certification are asked if they are currently licensed in another jurisdiction and the type of license for which they are applying. Applicants are required to indicate whether they have been disciplined by the jurisdiction in which they are currently licensed. Applicants with disciplinary history must upload appropriate documentation related to the discipline. Applicants for initial certification must provide a recent Criminal History Records Check (CHRC) from the state police or other state agency that is the official repository for criminal history record information for every state in which they have lived, worked or completed professional training/studies for the past five years. After the amendments to the act in 2020, a question on the online application was amended to ask whether the applicant is presently employed by a government entity or a revaluation company on contract with a governmental entity for real estate tax assessment for ad valorem taxation purposes. In addition, an application checklist is maintained on PALS. A sample of the initial application checklist for certified Pennsylvania evaluators is attached; amended language is underlined. See Attachment "A".

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY 25-26	FY +1 26-27	FY +2 27-28	FY +3 28-29	FY +4 29-30	FY +5 30-31
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A

State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Savings	N/A	N/A	N/A	N/A	N/A	N/A
COSTS:						
Regulated Community	\$0	\$0	\$0	\$0	\$0	\$0
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Costs	N/A	N/A	N/A	N/A	N/A	N/A
REVENUE LOSSES:						
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Revenue Losses	N/A	N/A	N/A	N/A	N/A	N/A

(23a) Provide the past three-year expenditure history for programs affected by the regulation.

Program	FY -3 (actual) 22-23	FY -2 (actual) 23-24	FY -1 (actual) 24-25	Current FY (estimated) 25-26
State Board of Certified Real Estate Appraisers	\$714,245.50	\$735,000	\$786,000	\$777,000

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.
  - (b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.
  - (c) A statement of probable effect on impacted small businesses.
  - (d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.
- (a) This rulemaking will not have an adverse impact on small businesses unless small businesses voluntarily pay application fees, qualifying education course registration fees, or other costs relating to initial certification as a Pennsylvania evaluator. Because these fees are incurred by individuals applying for initial certification, any business (small or otherwise) could avoid these costs by requiring the employee to pay their own application fee, qualifying education course registration fees, and other costs.

- (b) This rulemaking will not impose additional recordkeeping or other administrative costs on small businesses.
- (c) The probable effect on impacted small businesses would be positive because the regulation provides clear statewide standards concerning the persons who must be certified to perform real property tax assessments and the qualifications for certification as a Pennsylvania evaluator. Moreover, the board's regulations will encourage certified Pennsylvania evaluator candidates to pursue certification in Pennsylvania, which will enhance the workforce, provide more talent for businesses and help grow Pennsylvania's economy.
- (d) The board could discern no less costly or less intrusive alternative methods to effectuate the purpose of this proposed rulemaking that would be consistent with the board's mandate to produce enough revenue to cover its costs of operations and to administer the act in the public interest.

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

No special provisions have been developed for any affected groups or persons.

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

Other than the previous exposure drafts discussed in question (14), no alternative regulatory provisions were considered and rejected. The board believes this proposal represents the least burdensome acceptable alternative.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;
  - b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
  - c) The consolidation or simplification of compliance or reporting requirements for small businesses;
  - d) The establishment of performing standards for small businesses to replace design or operational standards required in the regulation; and
  - e) The exemption of small businesses from all or any part of the requirements contained in the regulation.
- a) & b) The board did not consider less stringent reporting requirements or deadlines for small businesses or for applicants that intend to work for small businesses. All applicants for licensure are treated equally.
  - c) There are no compliance or reporting requirements that could be consolidated or simplified. The application process is the same whether a particular licensee is employed by a small business or a large business.

d) The proposed regulations do not contain design or operational standards that need to be altered for small businesses. Any changes to small business operations would have been affected on the effective date of the amendments to the act in 2020.

e) To exclude any applicant from the requirements contained in the proposed regulation based on the size of their employers would not be consistent with the statute or the board's mandate.

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

No data, studies or references were used to justify the regulation.

(29) Include a schedule for review of the regulation including:

A. The length of the public comment period: 30 days.

B. The date or dates on which public meetings or hearings will be held:

No public hearings were scheduled or held. The board discusses its regulatory proposals at regularly scheduled public meetings. This proposed rulemaking was discussed at public board meetings in 2021 on: January 14, February 25, May 20, June 24, August 12, September 30, and December 16. The proposed rulemaking was discussed and adopted at the public board meeting on December 16, 2021. More recently, this proposed rulemaking was discussed in 2023 on: March 2, June 22, July 27 and September 7; and in 2025 on: April 24, July 17 and August 28. The amended proposed rulemaking was discussed and adopted at the public board meeting on November 20, 2025.

C. The expected date of promulgation of the proposed regulation as a final-form regulation: Spring 2026

D. The expected effective date of the final-form regulation: Upon publication as final.

E. The date by which compliance with the final-form regulation will be required: Upon publication as final.

F. The date by which required permits, licenses or other approvals must be obtained:

N/A

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

The board continually reviews the efficacy of its regulations, as part of its annual review process under Executive Order 1996-1. The board reviews its regulatory proposals at regularly scheduled public meetings. The board is scheduled to meet on the following dates in 2026: January 15, March 19, April 30, June 4, July 16, August 27, October 16, and December 3. More information can be found on the board's website.

# ATTACHMENT “A”

Evaluation results:

**Board/Commission:** Certified Real Est. Appraisers

**License Type:** Certified Pennsylvania Evaluator

**Obtained By:** Examination

<b>Checklist Name</b>	<b>Instructions</b>
<b>Application</b>	Applicant must have a high school diploma or its equivalent, or 2 years of assessing experience; be at least 18 years of age and a resident of this Commonwealth for at least 6 months. <u>The 6-month residency requirement does not apply to revaluation company personnel.</u>
<b>Application Fee</b>	NON-REFUNDABLE fee of \$55.00 must be paid at the time of submitting an application.
<b>Criminal History Check</b>	<p>List all states you have lived, worked, or completed professional training/studies in during the last 5 years.</p> <p>Provide a recent Criminal History Records Check (CHRC) from the state police or other state agency for every state in which you have lived, worked, or completed professional training/studies for the past five (5) years. The report(s) must be dated within 180 days of the date the application is submitted.</p> <p>To obtain a Pennsylvania record check, please visit <a href="https://epatch.pa.gov">https://epatch.pa.gov</a>. A volunteer record check will not be accepted.</p> <p>For a list of other state identification agency websites, please visit <a href="https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/identity-history-summary-checks/state-identification-bureau-listing">https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/identity-history-summary-checks/state-identification-bureau-listing</a>.</p> <p><b>Please note:</b> For applicants currently living, working, or completing training/studies in Arizona or California: Due to the laws of these states, the Board is not an eligible recipient of CHRC's or your CHRC will not be issued to you for upload to the Board. You must complete and submit the required affidavit form in lieu of a CHRC from these states. Please click <a href="#">here</a> to download the AZ Affidavit in Lieu of Criminal History Record Check. Please click <a href="#">here</a> to download the CA Affidavit in Lieu of Criminal History Record Check.</p>
<b>Educational Transcripts</b>	You must have successfully completed a minimum of 90 hours of <u>basic courses of study approved by the Board</u> covering the appraisal assessing profession, including coverage of the topics in § 36.222.
<b>Employment Verification</b>	You must list all employment for the past 3 years.
	Once you have successfully passed the CERTIFIED EVALUATOR

<b>Exam Results</b>	<p>EXAMINATION, you must upload your exam score sheet directly to the 'Exam Results' checklist area on your application and your application will be queued for re-evaluation. To complete the final process of your application, click on the 'shopping cart' icon on your PALS Dashboard (located in the upper right corner). You will be able to pay the 'Initial Certification Fee' with a credit/debit card. After submitting your payment, you will receive a receipt through your PALS email. Your application will then be queued for re-evaluation and certification issuance. The fee schedule is located under the 'Initial Certification Fee' checklist area for your review.</p>						
<b>Experience</b>	<p>Applies only to applicants who do not have a high school diploma or its equivalent. Two years assessing experience will be demonstrated by one of the following:</p> <ul style="list-style-type: none"> <li>• Submission of official county forms showing market value change for assessment purposes on a property or groups of properties with your signature or initials thereon indicating your responsibility at the time of the action. property records card, appraisals, electronic record information must show your direct responsibility for the work product. You must provide 4 property documents per year for the past three years; OR</li> <li>• Submission of documentation indicating you are responsible for defending an assessment valuation on a property or group of properties before the assessment board or similar entity. Your signature or initials must be present indicating your responsibility; OR</li> <li>• Submission of documentation indicating your responsibility in defending an assessment appeal in litigation. This can take the form of an appraisal or other documents.</li> </ul>						
<b>HS Diploma/GED</b>	<p>Upload a copy of your high school diploma, or its equivalent, unless qualifying under the two-year working experience requirement.</p>						
	<p>This fee is separate from the application fee and is collected after passing the exam. After uploading your exam results to the 'Exam Results' checklist area, you must go to the 'shopping cart', in the upper right-hand corner to pay the Initial Certification Fee. See below for the most recent fee schedule</p> <p><b><u>INITIAL</u> CERTIFICATION FEE SCHEDULE &amp; CONTINUING EDUCATION INFORMATION FOR CERTIFIED PENNSYLVANIA EVALUATORS.</b></p> <p><b>ALL FEES AND CONTINUING EDUCATION HOURS LISTED ARE SUBJECT TO CHANGE.</b></p> <table border="1" data-bbox="428 1770 1404 1946"> <thead> <tr> <th data-bbox="428 1770 699 1885"><b>INITIAL CERTIFICATION DATE</b></th> <th data-bbox="699 1770 800 1885"><b>FEES</b></th> <th data-bbox="800 1770 1404 1885"><b>EXPLANATION</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="428 1885 699 1946"></td> <td data-bbox="699 1885 800 1946"></td> <td data-bbox="800 1885 1404 1946">2nd Half of Biennium.</td> </tr> </tbody> </table>	<b>INITIAL CERTIFICATION DATE</b>	<b>FEES</b>	<b>EXPLANATION</b>			2nd Half of Biennium.
<b>INITIAL CERTIFICATION DATE</b>	<b>FEES</b>	<b>EXPLANATION</b>					
		2nd Half of Biennium.					

<b>Initial Cert Fee</b>	1/1/2025 TO 3/31/2025	\$45.00	<p>Certificate will <u>expire June 30, 2025.</u></p> <ul style="list-style-type: none"> <li>CONTINUING EDUCATION IS WAIVED FOR THIS PERIOD.MUST RENEW CERTIFICATION BY 6/30/2025.</li> </ul>
	4/1/2025 TO 6/30/2026	\$90.00	<p>1st Half of Biennium. Certificate will <u>expire June 30, 2027.</u></p> <ul style="list-style-type: none"> <li>28 HOURS OF CONTINUING EDUCATION MUST BE EARNED DURING THE BIENNIEL PERIOD BEGINNING 7/1/2025 AND ENDING 6/30/2027. CONTINUING EDUCATION INCLUDES THE 7-HOUR NATIONAL USPAP UPDATE COURSE AND 2-HOURS ON THE PENNSYLVANIA LAW AND RULES AND REGULATIONS</li> </ul>
	7/1/2026 TO 12/31/2026	\$45.00	<p>2nd Half of Biennium. Certificate will <u>expire June 30, 2027.</u></p> <ul style="list-style-type: none"> <li>28 HOURS OF CONTINUING EDUCATION MUST BE EARNED DURING THE BIENNIEL PERIOD BEGINNING 7/1/2025 AND ENDING 6/30/2027. CONTINUING EDUCATION INCLUDES THE 7-HOUR NATIONAL USPAP UPDATE COURSE AND 2-HOURS ON THE PENNSYLVANIA LAW AND RULES AND REGULATIONS</li> </ul>

**FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU  
(Pursuant to Commonwealth Documents Law)**

**RECEIVED**

Independent Regulatory  
Review Commission

April 14, 2026

DO NOT WRITE IN THIS SPACE

<p>Copy below is hereby approved as to form and legality. Attorney General</p> <p>BY: <u>Katherine P. Zimmermann</u> (DEPUTY ATTORNEY GENERAL)</p> <p><i>Digitally signed by Katherine P. Zimmermann Date: 2026.04.06 15:21:40 -04'00'</i></p> <p><u>April 6, 2026</u> DATE OF APPROVAL</p> <p><input type="checkbox"/> Check if applicable Copy not approved. Objections attached.</p>	<p>Copy below is here by certified to be a true and correct copy of a document issued, prescribed or promulgated by:</p> <p><u>State Board of Certified Real Estate Appraisers</u> (AGENCY)</p> <p>DOCUMENT/FISCAL NOTE NO. <u>16A-7026</u></p> <p>DATE OF ADOPTION: _____</p> <p><i>[Signature]</i></p> <p>BY: _____ <b>Mark V. Smeltzer, Sr.</b></p> <p>TITLE <u>Board Chairman</u> (EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)</p>	<p>Copy below is hereby approved as to form and legality. Executive or Independent Agencies.</p> <p><i>Digitally signed by Cynthia K. Montgomery DN: cn=Cynthia K. Montgomery, o, ou, email=cymontgome@pa.gov, c=US Date: 2026.02.17 09:10:23 -05'00'</i></p> <p>BY: _____ (Deputy General Counsel, <del>Chief Counsel,</del> <del>Independent Agency</del>) (Strike inapplicable title)</p> <p><u>February 17, 2026</u> DATE OF APPROVAL</p> <p><input type="checkbox"/> Check if applicable. No Attorney General approval or objection within 30 days after submission.</p>
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**NOTICE OF PROPOSED RULEMAKING**

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS**

**49 PA. CODE CHAPTER 36**

**§§ 36.201, 36.202, 36.204, 36.221, 36.221a, 36.222**

**GENERAL REVISIONS--CERTIFIED PENNSYLVANIA EVALUATORS**

The State Board of Certified Real Estate Appraisers (board) proposes to amend Chapter 36, Subchapter C by amending §§ 36.201, 36.204, 36.221 and 36.222, by deleting § 36.202 (relating to certification requirements), and by adding § 36.221a (relating to certification as a Pennsylvania evaluator required), to read as set forth in Annex A.

*Effective date*

The proposed amendments will be effective upon publication of the final-form rulemaking in the *Pennsylvania Bulletin*.

*Statutory Authority*

This proposed rulemaking is needed to conform the board’s regulations to the amendments to the Assessors Certification Act (act) (63 P.S. §§ 458.1 – 458.17) under the act of October 29, 2020 (P.L. 731, No. 88) (Act 88 of 2020), which amended definitions as well as the qualifications for and certification of Pennsylvania evaluators.

Under section 3 of the act (63 P.S. § 458.3) the “board may promulgate rules and regulations consistent with the statutes of this Commonwealth to administer and enforce the provisions of this act.” Under section 6(b)(5) of the act (63 P.S. § 458.6(b)(5), an applicant for certification is required to have “successfully completed a minimum of 90 hours of the basic courses of study approved by the board covering the appraisal assessing profession or any other professional courses acceptable to the board. The basic course of study shall include instruction on judicial interpretation of the uniformity clause of the Constitution of Pennsylvania.”

*Background and Need for the Amendments*

Under the 2020 amendments to section 2 of the act (63 P.S. § 458.2), definitions were added for “property valuation model” and “revaluation company personnel.” The definitions for “certified Pennsylvania evaluator” and “revaluation company” were amended and the definition

for “assessor” was deleted. Section 4 of the act (63 P.S. § 458.4) was amended to clarify that revaluation company personnel are among the persons who must obtain certification through the board as Pennsylvania evaluators. Counties typically contract with revaluation companies to perform mass appraisals. Mass appraisals involve the valuation of all properties in a defined area, such as a county, for ad valorem taxation purposes.

In addition, section 5 of the act (63 P.S. § 458.5) regarding qualifications was repealed and replaced with amendment to section 6 (63 P.S. § 458.6). Section 6(b) and (c) of the act provides the qualification requirements for certification as a Pennsylvania evaluator. Those subsections provide that an applicant shall: (1) have a high school diploma, or its equivalent, or 2 years of assessing experience; (2) be at least 18 years old; (3) be a resident of this Commonwealth for at least 6 months, however, a new exception states that this residency requirement does not apply to revaluation company personnel; (4) have successfully completed a minimum of 90 hours of the basic course of study approved by the board, including a new requirement for instruction on the judicial interpretation of the uniformity clause of the Pennsylvania Constitution; and (5) successfully complete a comprehensive examination.

Section 6.1 was added to the act (63 P.S. § 458.6a) and addresses employees of political subdivisions. Section 6.1 provides that employees may assist in data collection and fulfill other duties assigned by political subdivisions, except that employees may not value real property unless they are certified under section 6 of the act. Section 7 of the act (63 P.S. § 458.7), regarding disciplinary and correction measures, was amended to provide the board with authority to deny, suspend, revoke or otherwise limit and restrict a certificate holder for being convicted or pleading guilty to a crime that directly relates to or has a direct bearing on the fitness or ability to perform one or more of the duties or responsibilities necessarily related to the development of real property

assessments.

Section 8 of the act (63 P.S. § 458.8), regarding unlawful practice, was amended to prohibit any person from performing valuation of real property for ad valorem taxation purposes unless the person is currently certified by the board as a certified Pennsylvania evaluator. Section 8 was also amended to clarify that no revaluation company personnel shall determine the value of real property in this Commonwealth or develop property valuation models for use in this Commonwealth unless currently certified by the board as a certified Pennsylvania evaluator.

After discussing the impact of the amendments to the act, the board decided to amend its regulations to conform with the statutory amendments. At the board's February 25, 2021 meeting, the board approved the Annex for release as an Exposure Draft. On March 12, 2021, an exposure draft was released to stakeholders and interested parties to solicit written comments. The comment period was open from March 12, 2021 through April 30, 2021. Written comments from two stakeholders were received.

The board discussed the two comments it received regarding the exposure draft. The comments included why the definition of the term "assessor" was being deleted from the regulation. It was explained at the board meeting that the definition for "assessor" was deleted from section 2 of the act and, therefore, was being deleted in the proposed Annex. The board considered one suggestion that the term "assessors," as used in § 36.204 (relating to scope practice), be replaced with the word "individuals;" this recommendation was adopted by the board. A number of other suggestions were made with regard to § 36.221 (relating to qualifications for certification as a Pennsylvania evaluator). First, it was recommended that the requirement of a high school diploma or its equivalent specifically indicate "a G.E.D." as a minimum qualification. Because a G.E.D. is generally recognized as an equivalent to a high school diploma, this

recommendation was not adopted. Second, it was suggested that 2 years of assessing experience should not be included as an alternative to having a high school diploma or its equivalent; however, 2 years of assessing experience is an alternative that is statutorily required under the act. Finally, it was recommended that the 15-Hour Uniform Standards of Professional Appraisal Practice (USPAP) Course should be required in addition to the minimum 90 hours of basic appraisal assessing courses, to qualify for certification as a Pennsylvania evaluator. As certified Pennsylvania evaluators are required to comply with USPAP in the performance of their duties, the board voted to include the 15-Hour Course in the annex.

After making amendments to the annex, the board approved the amended annex for release as a second exposure draft. On August 12, 2021, the second exposure draft was released to stakeholders and interested parties to solicit written comments. No written comments were received regarding the second exposure draft. At the regularly scheduled Board meeting on September 30, 2021, the board adopted the second exposure draft of the Proposed Annex.

The board later received additional input from the Executive Director of the Assessors Association of Pennsylvania (AAP) who recommended including an amended definition of “assessor.” While the definition for “assessor” was deleted from the amended act, the term “assessor” continues to be used in the act. The Executive Director noted that one cannot understand the significance of a certified Pennsylvania evaluator without understanding the definition of an assessor. The word “assessor” means many things to many people and therefore, the AAP recommended adding a focused definition. After public discussion, the board voted to amend the Annex to revise the definition of assessor to read, “Any person employed by a county to perform valuations of real property for ad valorem taxation purposes.” The AAP supported the definition.

During the board’s November of 2025 board meeting, the board discussed its decision to

amend its regulations to require the 15-Hour National USPAP Course. Further public discussion led the board to conclude that adding the additional mandatory education was not necessary. In making this conclusion, the board considered the following: none of the six states contiguous to Pennsylvania require the 15-Hour National USPAP Course for certification of tax assessors or evaluators; the 15-Hour National USPAP Course would present an additional cost to applicants; USPAP is identified under § 36.222 (relating to required courses of study) as a topic that must be covered as part of an applicant’s coursework for certification as a Pennsylvania evaluator; the lack of recent disciplinary matters concerning USPAP violations committed by certified Pennsylvania evaluators; and under § 36.261 (relating to continuing education requirement) certified Pennsylvania evaluators are required to complete the 7-Hour National USPAP Course to comply with the continuing education requirement for each biennial renewal period as a condition of certification renewal. Accordingly, the board deleted the 15-Hour National USPAP Course requirement from the proposed rulemaking.

*Description of the Proposed Amendments*

The board proposes to amend Chapter 36, Subchapter C, by amending § 36.201 (relating to definitions) by adding definitions for the terms “property valuation model,” “revaluation company,” and “revaluation company personnel.” The definitions for these terms are based upon definitions in the act. Based on public discussion, and as recommended by an association for the regulated community, the board proposes to amend the definition of “assessor.” The board also proposes to amend the definition of “certified Pennsylvania evaluator” to conform with the definition found in the amended act. The board further proposes to amend the definition of “ad valorem taxation” and “real estate tax assessment” by replacing the term “government employe” with “assessor” to more accurately reflect who performs this function. Concerning the definition

of “real estate tax assessment,” the Board further proposes to replace the term “valuation” with “assessed value.” Use of the term “valuation” may be inaccurate because it can be interpreted as the assessed value of real property or the method used for determining the assessed value (e.g. market approach, cost approach, or income approach). A real estate tax assessment, however, is the official assessed value (i.e. a dollar amount) assigned to real property, as determined by an assessor, for calculating tax liability. The assessed value is used for governmental purposes, particularly for establishing a fair and uniform tax base to fund public services, including public education, infrastructure maintenance, local government operations, and social services. Consequently, the tax burden is distributed fairly among all real property owners in a locality relative to the value of their property. Therefore, the board proposes to amend the definition of “real estate tax assessment” to clarify that it is an “assessed value placed on real property for governmental purposes by an assessor or revaluation company personnel on contract with a government.” In addition, the board proposes an amendment to address a citation error in § 36.201.

The board proposes to delete § 36.202 (relating to certification requirements) because of the addition of proposed section § 36.221a (relating to certification as a Pennsylvania evaluator required), which will be discussed later in this preamble. Additionally, the board proposes to amend § 36.203 (relating to application process) to update its procedures to remove outdated application procedures.

Proposed § 36.204(a) (relating to scope of practice) provides that individuals and revaluation company personnel who receive certification as a Pennsylvania evaluator may perform appraisals of real property in limited circumstances; that is, for ad valorem tax assessment/governmental purposes. In amending subsection (a), the term “assessors” is replaced by the word “individuals.” The term “ad valorem” is added before “tax assessment/governmental

purposes” to highlight that a certified Pennsylvania evaluator performs an appraisal that establishes the value of real property for real estate tax assessment; the tax assessment is proportional to the value of the real property.

In discussing § 36.204, members of the regulated community pointed out the law that allows county commissioners to consult with both county assessors and certified real estate appraisers in determining fair market value of real property for certain transactions. The regulated community expressed concern that subsection (a), as currently written, needed clarification so that there was no conflict with the county commissioners’ authority.

Specifically, 16 Pa.C.S. § 16105(a) (relating to acquiring and using real property and exceptions) states the following:

The county commissioners may acquire real property by purchase for not more than the fair market value, gift, devise or eminent domain. The county commissioners may acquire, improve and maintain real property at the county seat or in other places as the county commissioners deem necessary for the purposes of a county courthouse, prison and other facilities necessary for county purposes. The fair market value of real property for a purchase valued in excess of \$10,000 shall be determined by the county commissioners in consultation with two of the following:

- (1) The county assessor.
- (2) Licensed real estate brokers.
- (3) Licensed real estate appraisers doing business within the county.

In addition, 16 Pa.C.S. § 16106(a) (relating to authority to sell or lease real property) states the following:

The county commissioners may sell any estate in real property for not less than the fair market value. If the county commissioners know or have reason to believe that the property to be sold contains oil, gas, coal, stone, timber or other mineral or forest products of commercial value, the knowledge or belief shall be advertised, together with the description of the land, in at least one newspaper of general circulation in the county. In the case that the fair market value of the real property is estimated to be in excess of \$10,000, the fair market value shall be determined by the county commissioners in consultation with two of the following:

- (1) The county assessor.
- (2) Certified broker-appraisers.

(3) Certified real estate appraisers doing business within the county.

Consistent with 16 Pa.C.S. §§ 16105 and 16106 and as recommended by the regulated community, the board proposes to add § 36.204(b) to clarify that nothing in this section may be construed to limit the authority of county commissioners to consult with the county assessor, in addition to a certified real estate appraiser, in determining the fair market value of real property for purchase (other than acquisition through eminent domain) or sale by the county under 16 Pa.C.S. §§ 16105 and 16106.

Proposed amendments to § 36.221 incorporate the language of section 6(b)(1) – (5) of the act (63 P.S. § 458.6(b)(1)-(5)). Section 36.221(a)(1) and (2) provides that applicants shall be at least 18 years old and have a high school diploma or its equivalent, or 2 years of assessing experience. Consistent with the amendments to the act, the board proposes to amend § 36.221(a)(3) to reflect that the 6-month residency requirement for applicants does not apply to revaluation company personnel. The board also proposes to amend § 36.221(a)(4) to clarify the new requirements relating to qualifying education. Specifically, an applicant shall have successfully completed a minimum of 90 hours of basic courses of study approved by the board covering the appraisal assessing profession.

Consistent with section 6(a) of the act (63 P.S. § 458.6(a)), proposed § 36.221a(a) states that no person may perform valuations of real property for ad valorem taxation purposes unless they are currently certified by the board as a certified Pennsylvania evaluator. The board was concerned, however, that § 36.221a(a) may limit a property owner's ability to engage the services of a certified real estate appraiser to opine as to the value of a property for ad valorem taxation purposes when appealing a county tax assessment. For example, a county assessor's office in Pennsylvania could develop and record an opinion of value of property for assessment purposes

that is a significant increase over the property’s prior value. If the property owner disagrees with the assessment, the property owner has a right to appeal under 53 Pa.C.S. § 8844 (relating to notices, appeals and certification of values). As is current practice, the property owner or their attorney could hire a certified real estate appraiser to conduct an appraisal for ad valorem taxation purposes to present as evidence of property value at a tax assessment appeal. As a result, the board proposes to add § 36.221a(b) to clarify that a person who holds an active certification as a certified residential or general real estate appraiser under the Real Estate Appraisers Certification Act (63 P.S. §§ 457.1-457.20) may perform valuations of real property for ad valorem taxation purposes in anticipation of or in preparation for a client’s tax assessment appeal before the County Board of Assessment Appeals or a court of competent jurisdiction. Proposed § 36.221a(c) is consistent with the language of section 8(a) and (a.1) of the act (63 P.S. § 458.8(a) and (a.1)), which prohibits revaluation company personnel from determining the value of real property in this Commonwealth or developing property valuation models for use in this Commonwealth unless currently certified by the board as a certified Pennsylvania evaluator.

The board proposes to amend § 36.222 (relating to required courses of study) in two places. Under § 36.222(a), the board proposes to add language to further clarify that the 90 classroom hours is the minimum amount. Under proposed § 36.222(a)(20), the judicial interpretation of the uniformity clause of the Pennsylvania Constitution will be added as a subject that must be covered as part of the 90 hours of required coursework for certified Pennsylvania evaluator applicants. This amendment is needed to align with section 6(b)(5) of the act (63 P.S. § 458.6(b)(5)), which requires the basic course of study to include instruction on the judicial interpretation of the uniformity clause of the Constitution of Pennsylvania. Article VIII, § 1 of the Pennsylvania Constitution states, “[a]ll taxes shall be uniform, upon the same class of subjects, within the territorial limits of

the authority levying the tax, and shall be levied and collected under general laws.”

#### *Fiscal Impact and Paperwork Requirements*

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The costs for required qualifying education courses are borne by the certified Pennsylvania evaluator candidates. Counties may choose, but are not required, to reimburse county assessors for the costs of completing the 90 hours of qualifying education required by the act.

#### *Sunset Date*

The board continuously monitors the cost effectiveness of the board’s regulations. Therefore, no sunset date has been assigned.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on April 14, 2026, the board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Consumer Protection and Professional Licensure Committee of the Senate and to the Chairpersons of the Professional Licensure Committee of the House of Representatives. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking by the board, the General Assembly and the Governor.

*Public Comment*

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Ronald K. Rouse, Esquire, Board Counsel, at P.O. Box 69523, Harrisburg, PA 17106-9523 or by e-mail at [RA-STRegulatoryCounsel@pa.gov](mailto:RA-STRegulatoryCounsel@pa.gov) within 30 days of publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Please reference 16A-7026 (General Revisions- Certified Pennsylvania Evaluators), when submitting comments.

Mark V. Smeltzer, Sr.  
*Chairman*

**Annex A**

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

**PART I. DEPARTMENT OF STATE**

**SUBPART A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**CHAPTER 36. STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS**

**Subchapter C. CERTIFIED PENNSYLVANIA EVALUATORS**

**GENERAL PROVISIONS**

**§ 36.201. Definitions.**

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

*Act*—The Assessors Certification Act (63 P.S. §§ 458.1 – ~~458.16~~ 458.17)

*Ad valorem taxation purposes*—The establishment of the value of real property as determined by **[a government employe] an assessor** or revaluation company personnel on contract with a governmental entity for real estate tax assessment.

*Appraisal assessing profession*—The body of individuals who are deemed to be qualified to perform ad valorem tax appraisals.

*Assessor*— **[A person responsible for the valuation of] Any person employed by a county to perform valuations of** real property for ad valorem taxation purposes.

*Business with which a certified Pennsylvania evaluator is associated*—A business in which the certified Pennsylvania evaluator or a member of the certified Pennsylvania evaluator’s immediate family is a director, officer, owner or **[employe] employee**, or has a financial interest.

*Certified Pennsylvania evaluator*— An individual **[who has completed a minimum of 90 hours of basic courses of study covering the appraisal assessing profession and has**

**successfully completed a comprehensive examination covering all phases of the appraisal process and the assessment function established by the assessment statutes of the Commonwealth] holding a valid certificate issued by the Board in accordance with section 6 of the Act (63 P.S. § 458.6).**

*Conflict of interest*—A situation in which a certified Pennsylvania evaluator uses the certified Pennsylvania evaluator’s employment or confidential information received through the course of the employment for the private pecuniary benefit of the certified Pennsylvania evaluator, a member of the certified Pennsylvania evaluator’s immediate family, or a business with which the certified Pennsylvania evaluator or a member of the certified Pennsylvania evaluator’s immediate family is associated.

*Financial interest*—A financial interest in a legal entity engaged in business for profit which comprises more than 5% of the equity of the business or more than 5% of the assets of the economic interest in indebtedness.

*Immediate family*—A parent, spouse, child, brother, sister, grandparent or grandchild and, when living in the family household (or under a common roof), all other individuals related by blood or marriage.

**Property valuation model— A model that expresses the forces of supply and demand at work in the local market and seeks to explain or predict the market value of properties from the available real estate data based on the sales comparison, cost and income approaches to value. The term includes those models developed for use in mass appraisals that value a universe of properties as of a given date using standard methodology, employ common data and allow for statistical testing.**

*Real estate appraisal*—A written analysis, opinion or conclusion relating to the nature, quality,

value or utility of specified interests in, or aspects of, identified real property, for or in expectation of compensation.

*Real estate tax assessment*—[A valuation] An assessed value placed on real property for governmental purposes by [a government employe] an assessor or revaluation company personnel on contract with a government.

**Revaluation company— A mass appraisal company conducting appraisals of real property within this Commonwealth.**

**Revaluation company personnel— Persons employed by a revaluation company, or by a contractor of a county or a revaluation company, and directly responsible for the valuation of real property or the development of a property valuation model.**

§ 36.202. [Certification requirements.] {Reserved.}

[An assessor employed on or before March 16, 1992, who does not hold the title of “certified Pennsylvania evaluator,” and an assessor employed after March 16, 1992, shall obtain certification as a Pennsylvania evaluator within 3 years from the effective date of employment as an assessor.]

§ 36.203. Application process.

- (a) [*Application forms*] Applications. [Application forms] An application for certification as a Pennsylvania evaluator may be [obtained from the Administrative Office of the Board, Post Office Box 2649, Harrisburg, Pennsylvania 17105-2649, (717) 783-4866] submitted in the manner and format prescribed by the Board.

- (b) *Application fee.* [The application form shall be accompanied by the fee for certification as a Pennsylvania evaluator as set forth in] **The applicant shall pay the application fee as prescribed under** § 36.6 (relating to fees). [The application fee is nonrefundable. Payment shall be in the form of a personal check or money order payable to the “Commonwealth of Pennsylvania.”]

**§ 36.204. Scope of practice.**

- (a) **Assessors** **Individuals** and revaluation company personnel who receive certification as a Pennsylvania evaluator may perform appraisals of real property only in limited circumstances, that is, for **ad valorem** tax assessment/governmental purposes.
- (b) **Nothing in this section may be construed to limit the authority of county commissioners to consult with their county assessor in addition to a certified real estate appraiser in determining the fair market value of real property for purchase (other than acquisition through eminent domain) or sale by the county under 16 Pa.C.S. §§ 16105 and 16106 (relating to acquiring and using real property and exceptions and authority to sell or lease real property).**

**QUALIFICATIONS FOR CERTIFICATION**

**§ 36.221. Qualifications for certification as a Pennsylvania evaluator.**

- (a) To be considered for certification as a Pennsylvania evaluator, an [assessor] **applicant** shall meet the following requirements. The [assessor] **applicant** shall:
- (1) Have a high school diploma or its equivalent, or 2 years of assessing experience.
  - (2) Be 18 years of age or older.

- (3) Be a resident of this Commonwealth for at least 6 months. **This paragraph does not apply to revaluation company personnel.**
- (4) Have successfully completed a minimum of 90 classroom hours of **basic** courses of study **approved by the Board** in subjects covering the appraisal assessing profession, including coverage of the topics in § 36.222 (relating to required courses of study).
- (5) Have successfully completed a comprehensive examination covering all phases of the appraisal process and the assessment function.

\*\*\*\*\*

**§ 36.221a. Certification as a Pennsylvania evaluator required.**

- (a) No person may perform valuations of real property for ad valorem taxation purposes unless the person is currently certified by the Board as a certified Pennsylvania evaluator.**
- (b) Notwithstanding subsection (a), a person who holds an active certification as a certified residential or general real estate appraiser under section 6 of the Real Estate Appraisers Certification Act (63 P.S. § 457.6) may perform valuations of real property for ad valorem taxation purposes in anticipation of or in preparation for a client’s tax assessment appeal before the County Board of Assessment Appeals or before a court of competent jurisdiction.**
- (c) Revaluation company personnel may not determine the value of real property in this Commonwealth or develop property valuation models for use in this Commonwealth unless currently certified by the Board as a certified Pennsylvania evaluator.**

**§ 36.222. Required courses of study.**

(a) *Courses of study.* The applicant for certification as a Pennsylvania evaluator shall submit evidence to the Board of having completed **a minimum of 90** classroom hours of courses in subjects covering the appraisal assessing profession, which include coverage of the following topics:

- (1) Influence in real estate value.
- (2) Legal considerations influencing value.
- (3) Types of values.
- (4) Economic principles.
- (5) Real estate markets and analysis.
- (6) Valuation process.
- (7) Property description.
- (8) Highest and best use analysis.
- (9) Appraisal statistical concepts.
- (10) Sales comparison approach.
- (11) Site value.
- (12) Cost approach.
- (13) Income approach, including direct and yield capitalization techniques.
- (14) Valuation of partial interests.

(15) Uniform Standards of Professional Appraisal Practice.

(16) Narrative report writing.

(17) Assessment law and practice.

(18) Mass appraisal systems.

(19) Mapping.

**(20) The judicial interpretation of the uniformity clause of the Pennsylvania**

**Constitution, Article VIII, § 1.**

- (b) *Length of classroom hour requirement.* Credit toward the classroom hour requirement will only be granted if the length of the educational offering is at least 15 hours of instruction, and the applicant successfully completes an examination pertinent to that educational offering. A classroom hour is defined as 50 minutes out of each **[60 minute] 60-minute** segment.
- (c) *Teaching credit.* Credit toward the classroom hour requirement will be awarded to teachers of appraisal or assessment related courses for actual classroom time. Credit will not be given for course repetition.



Pennsylvania  
Department of State

April 14, 2026

The Honorable George D. Bedwick., Chairman  
INDEPENDENT REGULATORY REVIEW COMMISSION  
Forum Place  
555 Walnut Street, Suite 804  
Harrisburg, PA 17101

Re: Proposed Rulemaking  
State Board of Certified Real Estate Appraisers  
16A-7026: General Revisions- Certified Pennsylvania Evaluators

Dear Chairman Bedwick:

Enclosed is a copy of a proposed rulemaking package of the State Board of Certified Real Estate Appraisers pertaining to Certified Pennsylvania Evaluators.

The Board will be pleased to provide whatever information the Commission may require during the course of its review of the rulemaking.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark V. Smeltzer, Sr.', written over a light gray rectangular background.

Mark V. Smeltzer, Sr., Chairperson  
State Board of Certified Real Estate Appraisers

JAW/MVS/jpp  
Enclosures

cc: Arion Claggett, Acting Commissioner of Professional and Occupational Affairs  
K. Kalonji Johnson, Deputy Secretary for Regulatory Programs  
Robert Beecher, Policy Director, Department of State  
Andrew LaFratte, Deputy Policy Director, Department of State  
Miguel Ruiz, Assistant Deputy Secretary of Policy and Planning  
Jason C. Giurintano, Deputy Chief Counsel, Department of State  
Jacqueline A. Wolfgang, Senior Regulatory Counsel, Department of State  
Ronald K. Rouse, Board Counsel, State Board of Certified Real Estate Appraisers  
State Board of Certified Real Estate Appraisers

RECEIVED

**From:** [Bulletin](#)  
**To:** [Porta, Jason](#)  
**Cc:** [Roland, Joel](#); [Worthington, Amber](#); [Adeline E. Gaydosh](#); [Alyssa M. Burns](#)  
**Subject:** [External] Re: 16A-7026 (General Revisions- Certified Pennsylvania Evaluators)  
**Date:** Tuesday, April 14, 2026 9:44:19 AM  
**Attachments:** [image003.png](#)

Independent Regulatory  
Review Commission

April 14, 2026

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**ATTENTION:** *This email message is from an external sender. Do not open attachments or click links from unknown senders. To report suspicious email, use the [Report Phishing button in Outlook](#).*

Hello Jason!

Thank you for sending Proposed Rulemaking 16A-7026. A member of our staff will be in touch regarding the publication date for this Proposed Rulemaking.

Have a great day!

Leah

---

**From:** Porta, Jason <jporta@pa.gov>  
**Sent:** Tuesday, April 14, 2026 8:20 AM  
**To:** Bulletin <bulletin@palrb.us>  
**Cc:** Roland, Joel <joeroland@pa.gov>; Worthington, Amber <agontz@pa.gov>  
**Subject:** 16A-7026 (General Revisions- Certified Pennsylvania Evaluators)

Please be advised that the State Board of Certified Real Estate Appraisers is electronically delivering the below-identified proposed rulemaking today, Tuesday, April 14, 2026.

- **16A-7026 (General Revisions- Certified Pennsylvania Evaluators)**

This proposed regulation is needed to conform the State Board Certified Real Estate Appraiser's (board) regulations to the amendments to the Assessors Certification Act (act) (63 P.S. §§ 458.1 – 458.17) under the act of October 29, 2020 (P.L. 731, No. 88) (Act 88 of 2020). Act 88 of 2020 clarified that revaluation company personnel who are directly responsible for the valuation of real property must be certified as a certified Pennsylvania evaluation. This proposed regulation updates the board's regulations to reflect the required certification. It also clarifies scope of practice issues and includes mandatory educational requirements.

**The Board is requesting a written (email) confirmation of receipt of this delivery from the designated contact person(s) from your office effectuating the electronic delivery.**

Thank you for your attention to this matter.



Jason Porta | Legal Assistant 2  
Office of Chief Counsel | Department of State  
Governor's Office of General Counsel

P.O. Box 69523 | Harrisburg, PA 17106-9523

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Review Commission

April 14, 2026

**From:** [Monoski, Jesse](#)  
**To:** [Worthington, Amber](#); [Dimm, Ian](#); [Kelly, Joseph](#); [Vazquez, Enid](#)  
**Cc:** [Porta, Jason](#)  
**Subject:** Re: 16A-7026 (General Revisions- Certified Pennsylvania Evaluators)  
**Date:** Tuesday, April 14, 2026 1:52:05 PM  
**Attachments:** [image003.png](#)

---

Received.

-Jesse Monoski

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**From:** Worthington, Amber <agontz@pa.gov>  
**Sent:** Tuesday, April 14, 2026 1:28:07 PM  
**To:** Monoski, Jesse <jesse.monoski@pasenate.com>; Dimm, Ian <ian.dimm@pasenate.com>; Kelly, Joseph <joseph.kelly@pasenate.com>; Vazquez, Enid <enid.vazquez@pasenate.com>  
**Cc:** Porta, Jason <jporta@pa.gov>  
**Subject:** FW: 16A-7026 (General Revisions- Certified Pennsylvania Evaluators)

■ EXTERNAL EMAIL ■

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Good Afternoon,

Apologies for being a pest, but we had 2 very similar looking regulation deliveries today. Our office received a reply for the other one, but Jason hadn't gotten a reply yet for this delivery and IRRC requires that we have confirmed proof of delivery in order for us to complete delivery to them.

Thanks for your assistance and again apologies for so many emails today.



Amber A. Worthington, PLS | Legal Office Administrator 2  
Office of Chief Counsel | Department of State  
Governor's Office of General Counsel

P.O. Box 69523 | Harrisburg, PA 17106-9523  
Office Phone 717.783.7200 | Fax: 717.787.0251  
[agontz@pa.gov](mailto:agontz@pa.gov) | [www.dos.pa.gov](http://www.dos.pa.gov)

Preferred Pronouns: We/Us, They/Them/Theirs

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**From:** Porta, Jason <jporta@pa.gov>

**Sent:** Tuesday, April 14, 2026 12:39 PM

**To:** Monoski, Jesse <jesse.monoski@pasenate.com>; Dimm, Ian <ian.dimm@pasenate.com>; joseph.kelly <joseph.kelly@pasenate.com>; Vazquez, Enid <enid.vazquez@pasenate.com>

**Cc:** Roland, Joel <joeroland@pa.gov>; Worthington, Amber <agontz@pa.gov>

**Subject:** RE: 16A-7026 (General Revisions- Certified Pennsylvania Evaluators)

**Importance:** High

**RECEIVED**

Independent Regulatory  
Review Commission

April 14, 2026

Good afternoon, I am following up to confirm delivery of the below-referenced regulation.

Thank you and have a nice day.

Please be advised that the State Board of Certified Real Estate Appraisers is electronically delivering the below-identified proposed rulemaking today, Tuesday, April 14, 2026.

- **16A-7026 (General Revisions- Certified Pennsylvania Evaluators)**

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**The Board is requesting a written (email) confirmation of receipt of this delivery from the designated contact person(s) from your office for the Minority Chair of your office effectuating the electronic delivery.**

Thank you for your attention to this matter.



Jason Porta | Legal Assistant 2  
Office of Chief Counsel | Department of State  
Governor's Office of General Counsel

P.O. Box 69523 | Harrisburg, PA 17106-9523  
Office Phone 717.783.7200 | Fax: 717.787.0251

[jporta@pa.gov](mailto:jporta@pa.gov) | [www.dos.pa.gov](http://www.dos.pa.gov)

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Review Commission

April 14, 2026

**From:** [Nicole Sidle](#)  
**To:** [Porta, Jason](#); [Cindy Sauder](#)  
**Cc:** [Roland, Joel](#); [Worthington, Amber](#)  
**Subject:** RE: [EXTERNAL]: 16A-7026 (General Revisions- Certified Pennsylvania Evaluators)  
**Date:** Tuesday, April 14, 2026 9:19:40 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)

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Good Morning—

This regulation has been received. Thanks!

Nicole

---

**From:** Porta, Jason <jporta@pa.gov>  
**Sent:** Tuesday, April 14, 2026 8:11 AM  
**To:** Nicole Sidle <Nsidle@pahousegop.com>; Cindy Sauder <Csauder@pahousegop.com>  
**Cc:** Roland, Joel <joeroland@pa.gov>; Worthington, Amber <agontz@pa.gov>  
**Subject:** [EXTERNAL]: 16A-7026 (General Revisions- Certified Pennsylvania Evaluators)  
**Importance:** High

Please be advised that the State Board of Certified Real Estate Appraisers is electronically delivering the below-identified proposed rulemaking today, Tuesday, April 14, 2026.

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Thank you for your attention to this matter.

Jason Porta | Legal Assistant 2  
Office of Chief Counsel | Department of State  
Governor's Office of General Counsel  
P.O. Box 69523 | Harrisburg, PA 17106-9523  
Office Phone 717.783.7200 | Fax: 717.787.0251  
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Preferred Pronouns: He/Him

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Review Commission

April 14, 2026

**From:** [Orchard, Kari L.](#)  
**To:** [Porta, Jason](#); [Barton, Jamie](#); [Brett, Joseph D.](#)  
**Cc:** [Roland, Joel](#); [Worthington, Amber](#)  
**Subject:** RE: 16A-7026 (General Revisions- Certified Pennsylvania Evaluators)  
**Date:** Tuesday, April 14, 2026 9:20:28 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)

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Received. Thank you!

**Kari Orchard**

Executive Director (D) | House Professional Licensure Committee  
Chairman Frank Burns, 72<sup>nd</sup> Legislative District

---

**From:** Porta, Jason <jporta@pa.gov>  
**Sent:** Tuesday, April 14, 2026 8:14 AM  
**To:** Orchard, Kari L. <KOrchard@pahouse.net>; Barton, Jamie <JBarton@pahouse.net>; Brett, Joseph D. <JBrett@pahouse.net>  
**Cc:** Roland, Joel <joeroland@pa.gov>; Worthington, Amber <agontz@pa.gov>  
**Subject:** 16A-7026 (General Revisions- Certified Pennsylvania Evaluators)  
**Importance:** High

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Thank you for your attention to this matter.

Jason Porta | Legal Assistant 2  
Office of Chief Counsel | Department of State  
Governor's Office of General Counsel  
P.O. Box 69523 | Harrisburg, PA 17106-9523  
Office Phone 717.783.7200 | Fax: 717.787.0251  
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Review Commission

April 14, 2026

**From:** [Smeltz, Jennifer](#)  
**To:** [Porta, Jason](#)  
**Subject:** RE: 16A-7026 (General Revisions- Certified Pennsylvania Evaluators)  
**Date:** Tuesday, April 14, 2026 9:12:05 AM  
**Attachments:** [image001.png](#)

---

Received.

*Jen Smeltz, Executive Director  
Consumer Protection and Professional Licensure Committee  
Office of Senator Pat Stefano  
Phone: (717) 787-7175*

---

**From:** Porta, Jason <jporta@pa.gov>  
**Sent:** Tuesday, April 14, 2026 8:14 AM  
**To:** Smeltz, Jennifer <jmsmeltz@pasen.gov>  
**Cc:** Roland, Joel <joeroland@pa.gov>; Worthington, Amber <agontz@pa.gov>  
**Subject:** 16A-7026 (General Revisions- Certified Pennsylvania Evaluators)  
**Importance:** High

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Thank you for your attention to this matter.

Jason Porta | Legal Assistant 2  
Office of Chief Counsel | Department of State