

HOUSE BILL 786

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HB 22/95 - ECM

2000 Regular Session
0lr1429

By: **Delegates Krysiak, Rosenberg, Kirk, DeCarlo, Dypski, Fulton, Hammen,
Harrison, Love, McHale, McIntosh, Minnick, Phillips, Oaks, and
Rawlings**

Introduced and read first time: February 10, 2000
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Real Estate Appraisal Services**

3 FOR the purpose of expanding the regulated practice of providing real estate
4 appraisal services to include appraisals of all real estate; repealing a certain
5 limitation on the scope of practice; requiring certain applicants for a real estate
6 license to meet certain requirements; requiring certain applicants for a
7 certificate for residential or general real estate appraisal to meet certain
8 requirements; and generally relating to real estate appraisal services.

9 BY repealing and reenacting, with amendments,
10 Article - Business Occupations and Professions
11 Section 16-101(k), 16-302, and 16-503
12 Annotated Code of Maryland
13 (1995 Replacement Volume and 1999 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Business Occupations and Professions**

17 16-101.

18 (k) "Provide real estate appraisal services" means to make for consideration
19 an appraisal of real estate or prepare or sign an appraisal report [in connection with
20 a federally related transaction, as defined in the federal Financial Institutions
21 Reform, Recovery, and Enforcement Act of 1989].

22 16-302.

23 (a) To qualify for a real estate appraisal license, an applicant shall be an
24 individual who meets the requirements of this section.

25 (b) An applicant shall be of good character and reputation.

1 (c) An applicant shall be at least 18 years old.

2 (d) (1) (I) An applicant shall satisfy the minimum real estate appraiser
3 qualifications for licensure established under the federal Financial Institutions
4 Reform, Recovery, and Enforcement Act of 1989.

5 (II) AN APPLICANT SHALL SATISFY THE REQUIREMENTS OF ITEM (I)
6 OF THIS PARAGRAPH REGARDLESS OF WHETHER THE APPLICANT PROVIDES REAL
7 ESTATE APPRAISAL SERVICES IN CONNECTION WITH A FEDERALLY RELATED
8 TRANSACTION, AS DEFINED IN THE FEDERAL FINANCIAL INSTITUTIONS REFORM,
9 RECOVERY, AND ENFORCEMENT ACT OF 1989.

10 (2) Classroom hours of study required by this section may be conducted
11 by:

12 (i) an accredited university, college, or community or junior college;

13 (ii) an approved appraisal society, institute, or association; or

14 (iii) another school that the Commission approves.

15 (3) The Commission shall approve all courses of study required under
16 this section.

17 (e) Except as otherwise provided in this subtitle, the applicant shall pass an
18 examination given by the Commission or the Commission's designee under this
19 subtitle.

20 (f) (1) If an applicant is not a resident of the State, the applicant shall
21 submit to the Commission an irrevocable consent, as provided under this subsection.

22 (2) The consent required under this section shall specify that service of
23 process on the Secretary shall bind the applicant in any action about the provision of
24 real estate appraisal services brought against the applicant in any county of the
25 State.

26 (g) The Commission shall adopt additional requirements under this section if
27 necessary to comply with the minimum real estate appraiser qualifications
28 established under the federal Financial Institutions Reform, Recovery, and
29 Enforcement Act of 1989.

30 (h) The Commission may monitor and review any course of study approved
31 under this section.

32 16-503.

33 (a) To qualify for a certificate for residential or general real estate appraisal,
34 an applicant shall be an individual who meets the requirements of this section.

35 (b) (1) An applicant shall:

- 1 (i) be of good character and reputation;
- 2 (ii) be at least 18 years old; and
- 3 (iii) satisfy the minimum real estate appraiser qualifications for
4 residential certification or general certification, as appropriate, established under the
5 federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

6 (2) AN APPLICANT SHALL SATISFY THE REQUIREMENTS OF PARAGRAPH
7 (1) OF THIS SUBSECTION REGARDLESS OF WHETHER THE APPLICANT PROVIDES
8 REAL ESTATE APPRAISAL SERVICES IN CONNECTION WITH A FEDERALLY RELATED
9 TRANSACTION, AS DEFINED IN THE FEDERAL FINANCIAL INSTITUTIONS REFORM,
10 RECOVERY, AND ENFORCEMENT ACT OF 1989.

11 [(2)] (3) Classroom hours of study required under this section may be
12 conducted by:

- 13 (i) an accredited university, college, or community or junior college;
- 14 (ii) an approved appraisal society, institute, or association; or
- 15 (iii) another school that the Commission approves.

16 [(3)] (4) The Commission shall approve all courses of study required
17 under this section.

18 (c) An applicant shall pass the examination for a certificate for residential or
19 general real estate appraisal given by the Commission or the Commission's designee
20 under this subtitle.

21 (d) (1) If an applicant is not a resident of the State, the applicant shall
22 submit to the Commission an irrevocable consent, as provided under this subsection.

23 (2) The consent required under this subsection shall specify that service
24 of process on the Secretary of State shall bind the applicant in any action about the
25 provision of certified real estate appraisal services against the applicant in any
26 county of the State.

27 (e) An applicant shall meet any other requirement that the Commission
28 adopts by regulation.

29 (f) The Commission shall adopt additional requirements under this section if
30 necessary to comply with the minimum real estate appraiser qualifications
31 established under the federal Financial Institutions Reform, Recovery, and
32 Enforcement Act of 1989.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 2000.