

# SENATE BILL 482

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By: **Senator Glassman**

Introduced and read first time: February 1, 2008

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Commission of Real Estate Appraisers and Home Inspectors - Real**  
3 **Estate Appraisers - Licensure**

4 FOR the purpose of expanding the definition of the practice of providing real estate  
5 appraisal services to include all appraisals; specifying that providing real estate  
6 appraisal services includes certain appraisals made as part of certain  
7 employment; requiring certain applicants to meet certain requirements under  
8 certain circumstances; providing for a delayed effective date; and generally  
9 relating to the licensure of real estate appraisers.

10 BY repealing and reenacting, with amendments,  
11 Article – Business Occupations and Professions  
12 Section 16–101(o), 16–302, and 16–503  
13 Annotated Code of Maryland  
14 (2004 Replacement Volume and 2007 Supplement)

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

17 **Article – Business Occupations and Professions**

18 16–101.

19 (o) (1) “Provide real estate appraisal services” means to make for  
20 consideration an appraisal of real estate or prepare or sign an appraisal report [in  
21 connection with a federally related transaction, as defined in the federal Financial  
22 Institutions Reform, Recovery, and Enforcement Act of 1989].

23 (2) **“PROVIDE REAL ESTATE APPRAISAL SERVICES” INCLUDES**  
24 **THE ACT OF MAKING FOR CONSIDERATION AN APPRAISAL OF REAL ESTATE OR**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **PREPARING OR SIGNING AN APPRAISAL REPORT AS PART OF EMPLOYMENT**  
2 **WITH A UNIT OF STATE GOVERNMENT.**

3 16-302.

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

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

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

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

11 (II) **AN APPLICANT SHALL SATISFY THE REQUIREMENTS OF**  
12 **SUBPARAGRAPH (I) OF THIS PARAGRAPH REGARDLESS OF WHETHER THE**  
13 **APPLICANT PROVIDES REAL ESTATE APPRAISAL SERVICES IN CONNECTION**  
14 **WITH A FEDERALLY RELATED TRANSACTION, AS DEFINED IN THE FEDERAL**  
15 **FINANCIAL INSTITUTIONS REFORM, RECOVERY, AND ENFORCEMENT ACT OF**  
16 **1989.**

17 (2) An applicant shall have completed at least 2,000 hours providing  
18 real estate appraiser services as a real estate appraiser trainee under the supervision  
19 of a licensed or certified appraiser.

20 (3) Classroom hours of study required by this section may be  
21 conducted by:

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

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

25 (iii) another school that the Commission approves.

26 (4) The Commission shall approve all courses of study required under  
27 this section.

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

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

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

4           (g)    The Commission shall adopt additional requirements under this section if  
5 necessary to comply with the minimum real estate appraiser qualifications established  
6 under the federal Financial Institutions Reform, Recovery, and Enforcement Act of  
7 1989.

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

10 16-503.

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

13           (b)    (1)    An applicant shall:

14                   (i)    be of good character and reputation;

15                   (ii)   be at least 18 years old; and

16                   (iii)   satisfy the minimum real estate appraiser qualifications for  
17 residential certification or general certification, as appropriate, established under the  
18 federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

19           (2)    **AN APPLICANT SHALL SATISFY THE REQUIREMENTS OF**  
20 **PARAGRAPH (1) OF THIS SUBSECTION REGARDLESS OF WHETHER THE**  
21 **APPLICANT PROVIDES REAL ESTATE APPRAISAL SERVICES IN CONNECTION**  
22 **WITH A FEDERALLY RELATED TRANSACTION, AS DEFINED IN THE FEDERAL**  
23 **FINANCIAL INSTITUTIONS REFORM, RECOVERY, AND ENFORCEMENT ACT OF**  
24 **1989.**

25           (3)    An applicant shall have completed at least 2,000 hours providing  
26 real estate appraiser services as a real estate appraiser trainee under the supervision  
27 of a licensed or certified appraiser.

28           ~~(3)~~ (4)    Classroom hours of study required under this section may be  
29 conducted by:

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

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

33                   (iii)   another school that the Commission approves.

1                    ~~[(4)]~~ **(5)**        The Commission shall approve all courses of study required  
2 under this section.

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

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

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

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

14            (f)        The Commission shall adopt additional requirements under this section if  
15 necessary to comply with the minimum real estate appraiser qualifications established  
16 under the federal Financial Institutions Reform, Recovery, and Enforcement Act of  
17 1989.

18            SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 July 1, 2010.