

Chapter 531

(Senate Bill 117)

AN ACT concerning

Real Estate Appraisers and Real Estate Appraiser Trainees – Licenses and Certificates – Experience, Renewal, and Reinstatement Requirements

FOR the purpose of altering the number of hours of experience required of an applicant to qualify for a real estate appraisal license or a certificate for residential or general real estate appraisal; altering the time period during which an individual may apply for reinstatement of a license to provide real estate appraisal services or a certificate to provide certified real estate appraisal services; authorizing the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors to reinstate a certain license or a certain certificate under certain circumstances; altering the number of terms for which a real estate appraiser trainee license may be renewed; repealing a provision of law requiring a real estate appraiser trainee licensee to pay a certain fee to renew a license; requiring the Commission to reinstate the license of a real estate appraiser trainee if the trainee meets certain requirements; and generally relating to real estate appraisers and real estate appraiser trainees.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 16–302(a), 16–503(a), and 16–5A–04(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 16–302(d), 16–310, 16–503(b), 16–512, and 16–5A–04(b)(1)
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

BY adding to
Article – Business Occupations and Professions
Section 16–5A–05
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

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

Article – Business Occupations and Professions

16–302.

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

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

(2) An applicant shall have completed at least ~~2,000~~ **1,000** hours] ~~THE MINIMUM NUMBER OF HOURS SET BY THE COMMISSION IN REGULATION~~ providing real estate appraiser services as a real estate appraiser trainee under the supervision of a certified appraiser.

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

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

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

16-310.

(A) The Commission shall reinstate the license of a real estate appraiser who has failed to renew the license, if the real estate appraiser:

(1) applies to the Commission for reinstatement within ~~[2]~~ **3** years after the license expires;

(2) meets the requirements of § 16-308 of this subtitle; and

(3) in addition to the renewal fee required under § 16-308 of this subtitle, pays to the Commission a reinstatement fee set by the Commission.

(B) (1) IF AN INDIVIDUAL FAILS TO RENEW A LICENSE FOR ANY REASON AND APPLIES TO THE COMMISSION FOR REINSTATEMENT MORE THAN 3 YEARS AFTER THE LICENSE HAS EXPIRED, THE COMMISSION MAY:

(I) REQUIRE THE INDIVIDUAL TO REAPPLY FOR A LICENSE UNDER § 16-302 OF THIS SUBTITLE; OR

(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, REINSTATE THE LICENSE.

(2) THE COMMISSION MAY REINSTATE A LICENSE UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION ONLY IF THE INDIVIDUAL:

(I) MEETS THE RENEWAL REQUIREMENTS OF § 16-308 OF THIS SUBTITLE;

(II) IF REQUIRED BY THE COMMISSION, STATES THE REASONS WHY REINSTATEMENT SHOULD BE GRANTED; AND

(III) IN ADDITION TO THE RENEWAL FEE REQUIRED UNDER § 16-308 OF THIS SUBTITLE, PAYS TO THE COMMISSION A REINSTATEMENT FEE SET BY THE COMMISSION.

16-503.

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

(b) (1) An applicant shall:

(i) be of good character and reputation;

(ii) be at least 18 years old; and

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

(2) An applicant shall have completed at least ~~1,200~~ **1,500** hours ~~THE MINIMUM NUMBER OF HOURS SET BY THE COMMISSION IN REGULATION~~ providing real estate appraiser services as a real estate appraiser trainee under the supervision of a certified appraiser.

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

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

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

(iii) another school that the Commission approves.

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

16-512.

(A) The Commission shall reinstate the certificate of a real estate appraiser who has failed to renew the certificate during the regular term of the certificate or the grace period, if the real estate appraiser:

(1) applies to the Commission for reinstatement within [2] 3 years after the certificate expires;

(2) meets the requirements of § 16-511 of this subtitle; and

(3) in addition to the renewal fee required under § 16-511 of this subtitle, pays to the Commission a reinstatement fee set by the Commission.

(B) (1) IF AN INDIVIDUAL FAILS TO RENEW A CERTIFICATE FOR ANY REASON AND APPLIES TO THE COMMISSION FOR REINSTATEMENT MORE THAN 3 YEARS AFTER THE CERTIFICATE HAS EXPIRED, THE COMMISSION MAY:

(I) REQUIRE THE INDIVIDUAL TO REAPPLY FOR A CERTIFICATE UNDER § 16-505 OF THIS SUBTITLE; OR

(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, REINSTATE THE CERTIFICATE.

(2) THE COMMISSION MAY REINSTATE A CERTIFICATE UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION ONLY IF THE INDIVIDUAL:

(I) MEETS THE RENEWAL REQUIREMENTS OF § 16-511 OF THIS SUBTITLE;

(II) IF REQUIRED BY THE COMMISSION, STATES THE REASONS WHY REINSTATEMENT SHOULD BE GRANTED; AND

(III) IN ADDITION TO THE RENEWAL FEE REQUIRED UNDER § 16-511 OF THIS SUBTITLE, PAYS TO THE COMMISSION A REINSTATEMENT FEE SET BY THE COMMISSION.

16-5A-04.

(a) Unless a real estate appraiser trainee license is renewed under this section, the license expires 3 years after the effective date of the license.

(b) (1) Before a real estate appraiser trainee license expires, the licensee **PERIODICALLY** may renew the license for **[one] AN** additional 3-year term if the licensee:

(i) is otherwise entitled to be licensed; **AND**

(ii) **[pays to the Commission a renewal fee set by the Commission;**
and

(iii)] submits to the Commission:

1. a renewal application on the form that the Commission requires; and

2. adequate evidence that the licensee meets the minimum continuing education requirements established under the federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

16-5A-05.

THE COMMISSION SHALL REINSTATE THE LICENSE OF A REAL ESTATE APPRAISER TRAINEE WHO FAILS TO RENEW THE LICENSE IF THE REAL ESTATE APPRAISER TRAINEE:

(1) APPLIES TO THE COMMISSION FOR REINSTATEMENT WITHIN 3 YEARS AFTER THE LICENSE EXPIRES;

(2) PROVIDES ADEQUATE EVIDENCE OF COMPLIANCE WITH THE CONTINUING EDUCATION REQUIREMENTS UNDER § 16-5A-04 OF THIS SUBTITLE FOR LICENSE RENEWAL;

(3) IF REQUIRED BY THE COMMISSION, STATES THE REASONS WHY REINSTATEMENT SHOULD BE GRANTED; AND

(4) PAYS TO THE COMMISSION A REINSTATEMENT FEE SET BY THE COMMISSION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.