

## **131st MAINE LEGISLATURE**

## **SECOND REGULAR SESSION-2024**

Legislative DocumentNo. 2062

H.P. 1324

House of Representatives, December 13, 2023

## An Act to Amend the Laws Governing Real Estate Appraisers and Appraisal Management Companies

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 203.

Received by the Clerk of the House on December 11, 2023. Referred to the Committee on Innovation, Development, Economic Advancement and Business pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative ROBERTS of South Berwick.

1	Be it enacted by the People of the State of Maine as follows:
2 3	Sec. 1. 32 MRSA §14011, sub-§7, as enacted by PL 2011, c. 286, Pt. L, §1, is amended to read:
4 5	<b>7. Exemption from standard.</b> The following are exempt from the requirements of the Uniform Standards of Professional Appraisal Practice, Standard 3 (2011):
6 7	A. A board member serving in the capacity of assigned complaint officer while performing an investigation or testifying at an adjudicatory hearing;
8 9	B. A board member serving in the capacity of reviewer while reviewing the work experience of an applicant for licensure; and
10 11	C. An investigator employed by or retained by the department while performing an investigation or testifying at an adjudicatory hearing.
12 13	<b>Sec. 2. 32 MRSA §14039, sub-§2,</b> as enacted by PL 2013, c. 547, §18 and affected by §19, is amended to read:
14 15 16 17 18	<b>2. Certified level license required.</b> A certified general real property appraiser or certified residential real property appraiser who has held a license <u>in any jurisdiction</u> for a minimum of 3 years and within the last 3 years has not had a license suspended or revoked or been subject to other disciplinary action that limits the licensee's legal eligibility to perform real estate appraisal activity may supervise a trainee real property appraiser.
19 20	Sec. 3. 32 MRSA §14042, sub-§4, as reenacted by PL 2017, c. 475, Pt. D, §1, is amended to read:
21 22	<b>4.</b> Appraisal management service. "Appraisal management service" means <u>one or more of the following</u> :
23	A. Recruiting, selecting and retaining appraisers;
24	B. Contracting with appraisers to perform appraisal assignments;
25 26 27 28 29	C. Managing the process of having an appraisal performed, including, but not limited to: providing administrative services such as receiving appraisal orders and appraisal reports, submitting completed appraisal reports to creditors and secondary market participants, collecting fees from creditors and secondary market participants for services provided and paying appraisers for services performed; and
30	(1) Providing administrative services;
31	(2) Receiving appraisal orders and appraisal reports;
32 33	(3) Submitting completed appraisal reports to creditors and secondary market participants;
34 35	(4) Collecting fees from creditors and secondary market participants for services provided; and
36	(5) Paying appraisers for services performed; and
37	D. Reviewing and verifying the work of appraisers.
38 39	Sec. 4. 32 MRSA §14042, sub-§18, as reenacted by PL 2017, c. 475, Pt. D, §1, is amended to read:

**18. Federally regulated appraisal management company.** "Federally regulated appraisal management company" means an appraisal management company that is owned and controlled by an insured depository institution, as defined in 12 United States Code, Section 1813 and regulated by the federal Office of the Comptroller of the Currency; Office of the Inspector General, the Board of Governors of the Federal Reserve System; or the Federal Deposit Insurance Corporation.

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## **SUMMARY**

8 This bill amends the laws governing the Board of Real Estate Appraisers to exempt a 9 board member from all parts of the Uniform Standards of Professional Appraisal Practice 10 when executing duties as a board member to review complaints and the work experience 11 of an applicant for licensure and an investigator employed by or retained by the Department 12 of Professional and Financial Regulation while performing an investigation or testifying at 13 an adjudicatory hearing. The bill also clarifies that a supervisory real property appraiser 14 may have been licensed in any jurisdiction for at least 3 years to qualify to supervise a trainee real property appraiser. Finally, the bill amends the definition of "appraisal 15 management service" to clarify the activities that constitute this service and the definition 16 17 of "federally regulated appraisal management company" to remove the federal Office of 18 the Inspector General as a regulating authority.