



General Assembly

February Session, 2000

Amendment

LCO No. 4978

Offered by:
REP. FOX, 144th Dist.

To: Subst. House Bill No. 5851 File No. 609 Cal. No. 457

"An Act Concerning The Solicitation Of Charitable Funds Act, The State Liquor Control Act, Home Improvement Contractors, Real Estate Appraisers, And Technical Revisions To Statutes Within Titles 20, 21 And 21a Of The General Statutes."

-
- 1 Strike lines 1 to 1777, inclusive, in their entirety
- 2 In line 1778, strike "Sec. 59." and insert "Section 1." in lieu thereof
- 3 Strike lines 1787 to 1866, inclusive, in their entirety, substitute the
- 4 following in lieu thereof:
- 5 "Sec. 2. Section 20-500 of the general statutes is repealed and the
- 6 following is substituted in lieu thereof:
- 7 As used in sections 20-500 to 20-528, inclusive, as amended by this
- 8 act, unless the context otherwise requires:
- 9 (1) "Appraisal Foundation" means the not-for-profit corporation
- 10 referred to in Section 1121 of Title XI of FIRREA.

11 (2) "Certified appraiser" means a person who has satisfied the
12 minimum requirements for a category of certification established by
13 the commission by regulation. Such minimum requirements shall be
14 consistent with guidelines established by the Appraisal Qualification
15 Board of the Appraisal Foundation. The categories of certification shall
16 include, but may be modified by the commission thereafter, one
17 category denoted as "certified residential appraiser" and another
18 denoted as "certified general appraiser".

19 (3) ["Tenured appraiser"] "Limited appraiser" means a person who
20 held a real estate appraisal license as of January 1, 1991, and has
21 satisfied the minimum requirements for a license as a [tenured] limited
22 appraiser as established by the commission by regulation. The
23 categories of [tenured] limited appraisal shall include one category
24 denoted as ["tenured"] "limited residential appraiser" and another
25 denoted as ["tenured"] limited general appraiser".

26 (4) "Commission" means the Connecticut Real Estate Appraisal
27 Commission appointed under the provisions of section 20-502, as
28 amended by this act.

29 (5) "Engaging in the real estate appraisal business" means the act or
30 process of estimating the value of real estate for a fee or other valuable
31 consideration.

32 (6) "FIRREA" means the Financial Institutions, Reform, Recovery
33 and Enforcement Act of 1989, P.L. 101-73, 103 Stat. 183.

34 (7) "Licensed appraiser" means a person who has satisfied the
35 minimum requirements for a category of licensing, other than licensed
36 [tenured] limited appraiser, established by the commission by
37 regulation. Such minimum requirements may be consistent with
38 guidelines established by the Appraisal Qualification Board of the
39 Appraisal Foundation. The categories of licensing shall include, but
40 may be modified by the commission thereafter, one category denoted
41 as "licensed residential appraiser" and another denoted as "licensed
42 general appraiser".

43 (8) "Person" means any individual. [, partnership, association,
44 limited liability company or corporation.]

45 (9) "Provisional appraiser" means a person engaged in the business
46 of estimating the value of real estate for a fee or other valuable
47 consideration under the supervision of a licensed or certified real
48 estate appraiser and who meets the minimum requirements, if any,
49 established by the commission by regulation for provisional appraiser
50 status.

51 (10) "Real estate appraiser" means a person engaged in the business
52 of estimating the value of real estate for a fee or other valuable
53 consideration.

54 Sec. 3. Section 20-501 of the general statutes is repealed and the
55 following is substituted in lieu thereof:

56 (a) No person shall act as a real estate appraiser or provisional
57 appraiser or engage in the real estate appraisal business without the
58 appropriate certification, license, [tenured] limited license or
59 provisional license issued by the commission, unless exempted by the
60 provisions of sections 20-500 to 20-528, inclusive, as amended by this
61 act.

62 [(b) Partnerships, associations or corporations may be granted a
63 certification or license to engage in the real estate appraisal business
64 provided every member or officer of such partnership, association or
65 corporation who actively participates in its real estate appraisal
66 business is a certified or licensed appraiser.]

67 (b) No person licensed as a limited appraiser shall perform an
68 appraisal in connection with a federally related transaction, as defined
69 in FIRREA. Limited appraiser licenses and renewals of such limited
70 appraiser licenses issued pursuant to the provisions of this chapter
71 shall expire no later than September 30, 2006. No limited appraiser
72 licenses shall be issued or renewed on or after October 1, 2006.

73 Sec. 4. Section 20-502 of the general statutes is repealed and the
74 following is substituted in lieu thereof:

75 (a) There is created in the Department of Consumer Protection the
76 Connecticut Real Estate Appraisal Commission.

77 (b) The commission shall consist of eight persons, electors of the
78 state, appointed by the Governor. Five of the members shall be
79 certified appraisers. Three of the members shall be public members.
80 Not more than a bare majority of the commission shall be members of
81 the same political party and there shall be at least one member from
82 each congressional district.

83 (c) The members of the commission shall serve until the expiration
84 of the term for which they were appointed and until their successors
85 have qualified. Members shall not be compensated for their services
86 but shall be reimbursed for necessary expenses incurred in the
87 performance of their duties. The Governor may remove any
88 commissioner for cause upon notice and an opportunity to be heard.
89 Upon the death, resignation or removal of a member, the Governor
90 shall appoint a successor to serve for the unexpired portion of the
91 vacated term and until [his] such successor's successor is appointed
92 and qualifies. Each member shall, before entering upon [his] such
93 member's duties, take and file with the commission, an oath faithfully
94 to perform the duties of [his] such member's office.

95 Sec. 5. Section 20-503 of the general statutes is repealed and the
96 following is substituted in lieu thereof:

97 (a) Within thirty days after the appointment of the members of the
98 commission, the commission shall meet in the city of Hartford for the
99 purpose of organizing by selecting such officers other than a chairman
100 as the commission may deem necessary and appropriate. A majority of
101 the members of the commission shall constitute a quorum for the
102 exercise of the powers or authority conferred upon it.

103 (b) (1) The commission shall authorize the Department of Consumer

104 Protection to issue certification, licenses, [tenured] limited licenses and
105 provisional licenses to real estate appraisers.

106 (2) The commission shall administer the provisions of sections 20-
107 500 to 20-528, inclusive, as amended by this act, as to certification,
108 licensing, [tenured] limited licensing, provisional licensing and
109 issuance, renewal, suspension or revocation of certifications, licenses,
110 [tenured] limited licenses and licenses concerning the real estate
111 appraisal business.

112 (c) The commission shall be provided with the necessary office
113 space in Hartford by the Commissioner of Public Works and the
114 commission and all files, records and property of the commission shall
115 at all times be and remain therein, except that inactive files shall be
116 stored at a location designated by the commission.

117 (d) The commission shall hold meetings and hearings in Hartford,
118 in space provided by the Commissioner of Administrative Services, or
119 at such places outside of Hartford as shall be determined by the
120 chairman of the commission. The commission shall meet at least once
121 in each three months' period and may meet more often on call of its
122 chairman. The chairman of the commission shall call a meeting of the
123 commission whenever requested to do so by a majority of the
124 members of the commission.

125 (e) The commission shall vote on all matters requiring a decision
126 and votes shall be recorded in the commission's minutes.

127 Sec. 6. Section 20-504 of the general statutes is repealed and the
128 following is substituted in lieu thereof:

129 The Commissioner of Consumer Protection, with advice and
130 assistance from the commission, may adopt such reasonable
131 regulations, in accordance with chapter 54, as the commissioner deems
132 necessary to carry out the provisions of sections 20-500 to 20-528,
133 inclusive, as amended by this act. Such regulations shall, at a
134 minimum, address real estate appraiser qualifications, continuing

135 education, discipline, real estate appraiser certification, licensing,
136 [tenured] limited licensing and provisional licensing applications and
137 renewals and shall require any real estate appraiser to comply with
138 generally accepted standards of professional appraisal practice as
139 described in the Uniform Standards of Professional Appraisal Practice
140 issued by the Appraisal Standards Board of the Appraisal Foundation
141 pursuant to Title XI of FIRREA. The regulations shall further require
142 (a) any real estate appraiser who wishes to enter in or upon any
143 premises not the subject of appraisal for purposes of estimating the
144 value of comparable real estate to (1) obtain the permission of the
145 owner or occupier of the premises and [to] (2) identify himself or
146 herself as an appraiser and (b) that a limited appraiser shall in any
147 written statement, including contracts, stationary and business cards,
148 state that such limited appraiser shall not perform an appraisal in
149 connection with a federally related transaction, as defined in FIRREA.

150 Sec. 7. Section 20-505 of the general statutes, as amended by section
151 8 of public act 99-51 and section 21 of public act 99-145, is repealed and
152 the following is substituted in lieu thereof:

153 The chairperson of the commission shall be bonded under the
154 provisions of section 4-20, as amended, in such sum as the State
155 Insurance and Risk Management Board may prescribe, with the
156 condition that the chairperson faithfully perform the duties of the
157 office and account for all funds received pursuant to the office.

158 Sec. 8. Section 20-507 of the general statutes is repealed and the
159 following is substituted in lieu thereof:

160 A certified, licensed, [tenured] limited or provisional appraiser shall
161 not be considered an employee under the provisions of section 31-275,
162 as amended, if substantially all of the remuneration for the services
163 performed by such appraiser, whether paid in cash or otherwise, is
164 directly related to sales or other output rather than to the number of
165 hours worked, and such services are performed by the appraiser
166 pursuant to a written contract that contains the following provisions:

167 (1) The appraiser, for purposes of workers' compensation, is
168 engaged as an independent contractor associated with the person for
169 whom services are performed;

170 (2) The appraiser shall not receive any remuneration related to the
171 number of hours worked, and shall not be treated as an employee with
172 respect to such services for purposes of workers' compensation;

173 (3) The appraiser shall be permitted to work any hours [he] the
174 appraiser chooses;

175 (4) The appraiser shall be permitted to work out of [his] the
176 appraiser's own home or the office of the person for whom services are
177 performed;

178 (5) The appraiser shall be free to engage in outside employment;

179 (6) The person for whom the services are performed may provide
180 office facilities and supplies for the use of the appraiser, but the
181 appraiser shall otherwise pay [his] the appraiser's own expenses,
182 including, but not limited to, automobile, travel and entertainment
183 expenses; and

184 (7) The contract may be terminated by either party at any time upon
185 notice given to the other.

186 Sec. 9. Section 20-508 of the general statutes is repealed and the
187 following is substituted in lieu thereof:

188 Any person possessing the qualifications prescribed in sections 20-
189 500 to 20-528, inclusive, as amended by this act, and in any regulations
190 adopted in conformity with said sections, who desires to engage in the
191 real estate appraisal business shall make application to the
192 commission, in writing, as provided in section 20-509, as amended by
193 this act, for the specific certification, license, [tenured] limited license
194 or provisional license desired.

195 Sec. 10. Section 20-509 of the general statutes is repealed and the

196 following is substituted in lieu thereof:

197 (a) Certifications, licenses, [tenured] limited licenses and provisional
198 licenses under sections 20-500 to 20-528, inclusive, as amended by this
199 act, shall be granted only to persons who bear a good reputation for
200 honesty, truthfulness and fair dealing and who are competent to
201 transact the business of a real estate appraiser in such manner as to
202 safeguard the interests of the public.

203 (b) Each application for a certification, license, [tenured] limited
204 license or provisional license under said sections, or for a renewal
205 thereof, shall be made in writing, on such forms and in such manner as
206 is prescribed by the Department of Consumer Protection and
207 accompanied by such evidence in support of such application as is
208 prescribed by the commission. The commission may require such
209 information with regard to an applicant as the commission deems
210 desirable, with due regard to the paramount interests of the public, as
211 to the honesty, truthfulness, integrity and competency of the applicant,
212 [and, where the applicant is a corporation, association or partnership,
213 as to the honesty, truthfulness, integrity and competency of the officers
214 of such corporation or the members of such association or
215 partnership.]

216 (c) Fees for applications under this section shall be paid to the
217 commission as follows: [Sixty] Forty-five dollars for certification; forty
218 dollars for licensing; forty dollars for [tenured] limited licensing and
219 forty dollars for provisional licensing. The payment of an application
220 fee shall entitle an applicant who otherwise meets the appropriate
221 requirements established by the commission to take the appropriate
222 written examination, where applicable, four times within the one-year
223 period from the date of payment. In addition to the application fee,
224 applicants taking an examination administered by a national testing
225 service shall be required to pay directly to such testing service an
226 examination fee covering the cost of such examination.

227 Sec. 11. Section 20-511 of the general statutes is repealed and the

228 following is substituted in lieu thereof:

229 (a) In order to obtain a certification, license, [tenured] limited license
230 or provisional license, persons who have met, to the satisfaction of the
231 commission, the minimum requirements established by the
232 commission for such certification, license, [tenured] limited license or
233 provisional license, shall pay to the commission, in addition to the
234 application fee described in subsection (c) of section 20-509, as
235 amended by this act, an initial fee of: [Four hundred fifty] Three
236 hundred dollars, in the case of certified appraisers; two hundred
237 twenty-five dollars, in the case of licensed appraisers and [tenured]
238 limited licensed appraisers; and fifty dollars, in the case of provisional
239 appraisers.

240 (b) All certifications, licenses, [tenured] limited licenses and
241 provisional licenses issued under the provisions of sections 20-500 to
242 20-528, inclusive, as amended by this act, shall expire [on the thirtieth
243 day of April each year] annually and be subject to renewal. The
244 renewal fee for certifications, licenses, [tenured] limited licenses and
245 provisional licenses, to be paid to the commission, shall be: [Three
246 hundred] Two hundred twenty-five dollars in the case of certified
247 appraisers; two hundred twenty-five dollars in the case of licensed and
248 [tenured] limited licensed appraisers; and fifty dollars, in the case of
249 provisional appraisers.

250 (c) In order for the commission to comply with federal law and
251 transmit a roster of real estate appraisers to the appropriate federal
252 regulatory entity, real estate appraisers shall pay to the Commissioner
253 of Consumer Protection, in addition to application and recordation
254 fees, an annual registry fee established by the commission.

255 (d) Any certification, license, [tenured] limited license or provisional
256 license which expires pursuant to this subsection may be reinstated by
257 the commission, if, not later than two years after the date of expiration,
258 the former certification holder, licensee, [tenured] limited licensee or
259 provisional licensee pays to the commission for each certification the

260 sum of [three hundred] two hundred twenty-five dollars, for each
261 license or [tenured] limited license the sum of two hundred twenty-
262 five dollars and for each provisional license the sum of fifty dollars for
263 each year or fraction thereof from the date of expiration of the previous
264 certification, license, [tenured] limited license or provisional license to
265 the date of payment for reinstatement, except that any certified,
266 licensed, [tenured] limited licensed or provisionally licensed appraiser
267 whose certification, license, [tenured] limited license or provisional
268 license expired after [his] entering military service shall be reinstated
269 without payment of any fee if an application for reinstatement is filed
270 with the commission within two years after the date of expiration. Any
271 such reinstated certification, license, [tenured] limited license or
272 provisional license shall expire [on the next succeeding April thirtieth]
273 annually. Any such reinstated certification, license, [tenured] limited
274 license or provisional license shall be subject to an annual renewal
275 thereafter.

276 (e) Any person whose application has been filed as provided in this
277 section and section 20-509, as amended by this act, who is refused a
278 certification, license, [tenured] limited license or provisional license
279 shall be given notice and afforded an opportunity for hearing as
280 provided in the regulations adopted by the Commissioner of
281 Consumer Protection.

282 Sec. 12. Section 20-513 of the general statutes is repealed and the
283 following is substituted in lieu thereof:

284 Any person holding a certification, license, [tenured] limited license
285 or provisional license under sections 20-500 to 20-528, inclusive, as
286 amended by this act, shall be permitted to perform the work covered
287 by such certification, license, [tenured] limited license or provisional
288 license in any municipality of this state without further examination or
289 the imposition of any additional requirements by such municipality.

290 Sec. 13. Section 20-514 of the general statutes is repealed and the
291 following is substituted in lieu thereof:

292 (a) No certification, license, [tenured] limited license or provisional
293 license, as the case may be, shall be denied by the commission under
294 sections 20-500 to 20-528, inclusive, as amended by this act, to any
295 applicant who has been convicted of forgery, embezzlement, obtaining
296 money under false pretenses, extortion, criminal conspiracy to
297 defraud, or other like offense or offenses, or to any association or
298 partnership of which such person is a member, or to any corporation
299 of which such person is an officer or in which as a stockholder such
300 person has or exercises a controlling interest either directly or
301 indirectly except in accordance with the provisions of section 46a-80.

302 (b) No certification, license, [tenured] limited license or provisional
303 license, as the case may be, shall be issued by the Department of
304 Consumer Protection under sections 20-500 to 20-528, inclusive, as
305 amended by this act, to any applicant (1) whose application for a
306 certification, license, [tenured] limited license or provisional license, as
307 the case may be, has, within one year prior to the date of [his] the
308 applicant's application, been rejected in this state, in any other state or
309 in the District of Columbia or (2) whose certification, license, [tenured]
310 limited license or provisional license, as the case may be, has, within
311 one year prior to the date of [his] the applicant's application, been
312 revoked in this state, in any other state or in the District of Columbia.

313 (c) No certification, license, [tenured] limited license or provisional
314 license, as the case may be, shall be issued under sections 20-500 to 20-
315 528, inclusive, as amended by this act, to any person who has not
316 attained the age of eighteen years.

317 Sec. 14. Section 20-515 of the general statutes is repealed and the
318 following is substituted in lieu thereof:

319 (a) A nonresident of this state may become a real estate appraiser by
320 conforming to all of the provisions of sections 20-500 to 20-528,
321 inclusive, as amended by this act. The commission shall recognize a
322 current, valid certification, license or provisional license, as the case
323 may be, issued to a currently practicing, competent real estate

324 appraiser by another state as satisfactorily qualifying [him] such
325 nonresident appraiser for a certification, license or provisional license,
326 as the case may be, as a real estate appraiser under said sections,
327 provided: (1) The laws of the state of which [he] such nonresident
328 appraiser is a resident require that applicants for certifications, licenses
329 or provisional licenses, as the case may be, as real estate appraiser
330 permit certifications, licenses or provisional licenses to be issued to
331 residents of this state, certified, licensed or provisionally licensed, as
332 the case may be, under said sections, without examination, and (2) the
333 certification, licensing and provisional licensing requirements of the
334 state of which [he] such nonresident appraiser is a resident are
335 substantially similar to, or higher than those of this state, including
336 establishment of competency by written examination in the case of
337 licensed and certified appraisers, and such appraiser has no
338 disciplinary proceeding or unresolved complaint pending against
339 [him] such nonresident appraiser. If the applicant is a resident of a
340 state which does not have such requirements, such applicant shall be
341 certified, licensed or provisionally licensed by a state in accordance
342 with Section 1116 of Title XI of FIRREA.

343 (b) Every nonresident applicant shall file an irrevocable consent that
344 suits and actions may be commenced against such applicant in the
345 proper court in any judicial district of the state in which a cause of
346 action may arise or in which the plaintiff may reside, by the service of
347 any process or pleading, authorized by the laws of this state, on the
348 chairman of the commission, such consent stipulating and agreeing
349 that such service of such process or pleading shall be taken and held in
350 all courts to be as valid and binding as if service had been made upon
351 such applicant in this state. If any process or pleadings mentioned in
352 this chapter are served upon the chairman of the commission, it shall
353 be by duplicate copies, one of which shall be filed in the office of the
354 commission, and the other immediately forwarded by registered or
355 certified mail, to the applicant against whom such process or pleadings
356 are directed, at the last-known address of such applicant as shown by
357 the records of the commission. No default in any such proceedings or

358 action shall be taken unless it appears by affidavit of the chairman of
359 the commission that a copy of the process or pleading was mailed to
360 the defendant as required in this subsection, and no judgment by
361 default shall be taken in any such action or proceeding within twenty
362 days after the date of mailing of such process or pleading to the
363 nonresident defendant.

364 (c) The Commissioner of Consumer Protection, with the advice and
365 assistance of the commission, pursuant to Section 1122(a) of Title XI of
366 FIRREA, shall adopt such reasonable regulations, in accordance with
367 chapter 54, as the commissioner deems necessary to effectuate
368 certification, licensing and provisional licensing of nonresident
369 appraisers. Such certification, licensing and provisional licensing shall
370 be recognized on a temporary basis in this state. The fee for a
371 temporary certification, license or provisional license shall be one
372 hundred [fifty] dollars. The temporary certification, license or
373 provisional license shall be effective for [ninety] one hundred eighty
374 days from issuance and [for only one appraisal assignment] may be
375 extended for one additional period not to exceed one hundred eighty
376 days for no additional fee.

377 Sec. 15. Section 20-516 of the general statutes is repealed and the
378 following is substituted in lieu thereof:

379 (a) The Department of Consumer Protection shall issue to each
380 certified, licensed, [tenured] limited licensed and provisional
381 appraiser, a certificate, in such size and form as it determines,
382 evidencing the real estate appraiser's status.

383 (b) A fee of twenty-five dollars shall be paid to the commission for
384 the issuance of a proof of certification, licensing, [tenured] limited
385 licensing or provisional licensing or a duplicate certification, license,
386 [tenured] limited license or provisional license certificate.

387 Sec. 16. Section 20-517 of the general statutes is repealed and the
388 following is substituted in lieu thereof:

389 (a) There is hereby established an annual renewal certification,
390 license, [tenured] limited license and provisional license to be issued
391 by the Department of Consumer Protection.

392 (b) The commission shall authorize the Department of Consumer
393 Protection to issue a renewal certification, license, [tenured] limited
394 license or provisional license, as the case may be, to any applicant who
395 possesses the qualifications specified and otherwise has complied with
396 the provisions of sections 20-500 to 20-528, inclusive, as amended by
397 this act, and any regulation adopted in conformity with said sections.

398 (c) Persons certified, licensed, [tenured] limited licensed or
399 provisionally licensed in accordance with the provisions of sections 20-
400 500 to 20-528, inclusive, as amended by this act, shall fulfill a
401 continuing education requirement. Applicants for an annual renewal
402 certification, license, [tenured] limited license or provisional license
403 shall, in addition to the other requirements imposed by the provisions
404 of said sections, biennially within any even-numbered year submit
405 proof of compliance with the continuing education requirements of
406 this subsection, if any, to the commission, accompanied by an eight-
407 dollar processing fee.

408 (d) The continuing education requirements for certified, licensed,
409 [tenured] limited licensed, or provisionally licensed appraisers shall be
410 satisfied by successful completion of the required number of hours of
411 classroom study, during the two-year period preceding such renewal
412 of certification, license, [tenured] limited license or provisional license
413 as provided by the commission or standards of the Appraiser
414 Qualification Board of the Appraisal Foundation, as the case may be.

415 (e) If the commission refuses to grant a renewal certification, license,
416 [tenured] limited license or provisional license, the certificate holder,
417 licensee, [tenured] limited licensee or provisional licensee, upon
418 written notice received as provided for in this chapter, may avail
419 himself or herself of any of the remedies provided by sections 20-511
420 and 20-520, as amended by this act.

421 (f) The Commissioner of Consumer Protection, in consultation with
422 the commission, shall adopt regulations in accordance with the
423 provisions of chapter 54, concerning the approval of schools,
424 institutions or organizations offering courses in current real estate or
425 real estate appraisal practices and licensing laws and the content of
426 such courses. Such regulations may include, but not be limited to: (1)
427 Specifications for meeting equivalent continuing educational
428 experience or study; (2) exceptions from continuing education
429 requirements for reasons of health or instances of individual hardship.

430 Sec. 17. Section 20-518 of the general statutes is repealed and the
431 following is substituted in lieu thereof:

432 The Department of Consumer Protection may, upon the request of
433 the commission or upon the verified complaint in writing of any
434 person, provided such complaint, or such complaint together with
435 evidence, documentary or otherwise, represented in connection with
436 such complaint, shall make out a prima facie case, investigate the
437 actions of any real estate appraiser or any person who assumes to act
438 in any of such capacities within this state. The commission shall have
439 the power temporarily to suspend or permanently to revoke any
440 certification, license, [tenured] limited license or provisional license, as
441 the case may be, issued under the provisions of sections 20-500 to 20-
442 528, inclusive, as amended by this act, and in addition to, or in lieu of,
443 such suspension or revocation, may, in its discretion, impose a fine of
444 not more than one thousand dollars for the first offense at any time
445 when, after proceedings as provided in section 20-519, as amended by
446 this act, it finds that the certification holder, licensee, [tenured] limited
447 licensee or provisional licensee has by false or fraudulent
448 misrepresentation obtained a certification, license, [tenured] limited
449 license or provisional license, as the case may be, or that the
450 certification holder, licensee, [tenured] limited licensee or provisional
451 licensee is guilty of any of the following: (1) Making any material
452 misrepresentation; (2) making any false promise of a character likely to
453 influence, persuade or induce; (3) acting for more than one party in a
454 transaction without the knowledge of all parties for whom he or she

455 acts; (4) conviction in a court of competent jurisdiction of this or any
456 other state of forgery, embezzlement, obtaining money under false
457 pretenses, larceny, extortion, conspiracy to defraud, or other like
458 offense or offenses, provided suspension or revocation under this
459 subdivision shall be subject to the provisions of section 46a-80; (5) any
460 act or conduct which constitutes dishonest, fraudulent or improper
461 dealings; (6) a violation of any provision of sections 20-500 to 20-528,
462 inclusive, as amended by this act, or any regulation adopted under
463 said sections.

464 Sec. 18. Section 20-519 of the general statutes is repealed and the
465 following is substituted in lieu thereof:

466 Before refusing, suspending or revoking any certification, license,
467 [tenured] limited license or provisional license, or imposing any fine,
468 the commission shall give notice and afford an opportunity for hearing
469 as provided in the regulations adopted by the Commissioner of
470 Consumer Protection.

471 Sec. 19. Section 20-521 of the general statutes is repealed and the
472 following is substituted in lieu thereof:

473 Any certification holder, licensee, [tenured] limited licensee or
474 provisional licensee convicted of a violation of any of the offenses
475 enumerated in subdivision (4) of section 20-518, as amended by this
476 act, shall incur a forfeiture of his or her certification, license, [tenured]
477 limited license or provisional license and all moneys that may have
478 been paid for such certification, license, [tenured] limited license or
479 provisional license. The clerk of any court in which such conviction has
480 been rendered shall forward to the commission without charge a
481 certified copy of such conviction. The commission, upon the receipt of
482 a copy of the judgment of conviction, shall, not later than ten days after
483 such receipt, notify the certification holder, licensee, [tenured] limited
484 licensee or provisional licensee, in writing, of the revocation of his or
485 her certification, license, [tenured] limited license or provisional
486 license, as the case may be, which notice shall be conclusive of such

487 revocation. Application for reinstatement of such certification, license,
488 [tenured] limited license or provisional license shall be subject to the
489 provisions of section 46a-80.

490 Sec. 20. Section 20-523 of the general statutes is repealed and the
491 following is substituted in lieu thereof:

492 (a) Any person who engages in the real estate appraisal business
493 without obtaining a certification, license, [tenured] limited license or
494 provisional license, as the case may be, as provided in sections 20-500
495 to 20-528, inclusive, as amended by this act, shall be fined not more
496 than one thousand dollars or imprisoned not more than six months or
497 both, and shall be ineligible to obtain a certification, license, [tenured]
498 limited license or provisional license for one year from the date of
499 conviction of such offense, except the commission, in its discretion,
500 may grant a certification, license, [tenured] limited license or
501 provisional license, as the case may be, to such person within such
502 one-year period upon application and after a hearing on such
503 application.

504 (b) No person who is not certified, licensed, [tenured] limited
505 licensed or provisionally licensed, as appropriate, by the commission
506 as a real estate appraiser shall represent himself or herself as being so
507 certified, licensed, [tenured] limited licensed or provisionally licensed
508 or use in connection with [his] such person's name or place of business
509 the term "real estate appraiser", "real estate appraisal", "certified
510 appraiser", "certified appraisal", "residential appraiser", "residential
511 appraisal", ["tenured] "limited licensed appraiser", "provisional
512 appraiser" or "provisional appraisal" or any words, letters,
513 abbreviations or insignia indicating or implying that [he] such person
514 is a certified, licensed, [tenured] limited licensed or provisionally
515 licensed, as appropriate, real estate appraiser in this state. Any person
516 who violates the provisions of this subsection shall be fined not more
517 than one thousand dollars or imprisoned not more than six months, or
518 both.

519 Sec. 21. Section 20-524 of the general statutes is repealed and the
520 following is substituted in lieu thereof:

521 The commission shall submit to the Governor, as provided in
522 section 4-60, a report of its official acts under sections 20-500 to 20-528,
523 inclusive, as amended by this act. The commission shall keep a record
524 of proceedings and orders pertaining to the matters under its
525 jurisdiction and of certifications, licenses, [tenured] limited licenses or
526 provisional licenses granted, refused, suspended or revoked by it and
527 of all reports sent to its office. The commission shall furnish without
528 charge, for official use only, certified copies of certifications, licenses,
529 [tenured] limited licenses, provisional licenses and documents relating
530 thereto, to officials of this state or any municipality in this state, to
531 officials of any other state and to any court in this state. Any certified
532 copy of any document or record of the commission, attested as a true
533 copy by the chairman of the commission, shall be competent evidence
534 in any court of this state of the facts contained in such document or
535 record.

536 Sec. 22. Section 20-525 of the general statutes is repealed and the
537 following is substituted in lieu thereof:

538 The Department of Consumer Protection, at the request of the
539 commission, may periodically compile and publish a bulletin
540 containing information and material relating to the commission, its
541 functions and certifications, licenses, [tenured] limited licenses,
542 provisional licenses and other information and material relating to the
543 real estate appraisal industry which might be of help and interest to
544 certificate holders, licensees, [tenured] limited licensees or provisional
545 licensees in their service of the public. The commission may also
546 request the department to publish such information and material in
547 any established periodical published in the state if, in the opinion of
548 the commission, such form of publication would ensure the widest
549 dissemination of such information and material to certification holders,
550 licensees, [tenured] limited licensees and provisional licensees and the
551 public.

552 Sec. 23. Section 20-526 of the general statutes is repealed and the
553 following is substituted in lieu thereof:

554 The provisions of sections 20-500 to 20-528, inclusive, as amended
555 by this act, concerning the certification, licensing, [tenured] limited
556 licensing or provisional licensing of real estate appraisers shall not
557 apply to (1) any person under contract with a municipality who
558 performs a revaluation of real estate for assessment purposes pursuant
559 to section 12-62, as amended, and (2) any licensed real estate broker or
560 real estate salesperson who estimates the value of real estate as part of
561 a market analysis performed for the purpose of (A) a prospective
562 listing or sale of such real estate, (B) providing information to the seller
563 or landlord under a listing agreement, or (C) providing information to
564 a prospective buyer or tenant under a buyer or tenant agency
565 agreement, provided such estimate of value shall not be referred to or
566 be construed as an appraisal."

567 In line 1867, strike "64" and insert "24" in lieu thereof

568 In line 1876, strike "65" and insert "25" in lieu thereof

569 In line 1892, strike "66" and insert "26" in lieu thereof

570 In line 1908, strike "67" and insert "27" in lieu thereof

571 In line 1952, strike "68" and insert "28" in lieu thereof

572 In line 1968, strike "69" and insert "29" in lieu thereof

573 In line 1985, strike "70" and insert "30" in lieu thereof

574 Strike lines 2005 to 2014, inclusive, in their entirety.