



General Assembly

**Substitute Bill No. 5417**

February Session, 2012

\* \_\_\_\_\_ HB05417BA \_\_\_\_\_ 032012 \_\_\_\_\_ \*

**AN ACT CONCERNING BROKER PRICE OPINIONS FOR MORTGAGE  
LOAN MODIFICATIONS.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Section 20-526 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) For purposes of this section, "loan modification" means a  
4 modification to an existing loan made by a lender in response to a  
5 borrower's long-term inability to repay the loan and may involve a  
6 reduction in the interest rate on the loan, an extension of the length of  
7 the term of the loan, or both.

8 (b) The provisions of sections 20-500 to 20-528, inclusive, concerning  
9 the certification, licensing, limited licensing or provisional licensing of  
10 real estate appraisers shall not apply to (1) any person under contract  
11 with a municipality who performs a revaluation of real estate for  
12 assessment purposes pursuant to section 12-62, [and] (2) any licensed  
13 real estate broker or real estate salesperson who estimates the value of  
14 real estate as part of a market analysis performed for the owner of the  
15 real estate or a designee of the owner, on such terms as may be agreed  
16 upon between such owner or the owner's designee and the real estate  
17 broker or real estate salesperson, and (3) any licensed real estate broker  
18 or real estate salesperson with at least five years of experience as a  
19 licensed real estate broker or real estate salesperson who estimates the

20 value of real estate as part of a loan modification on a mortgage loan  
21 secured by such real estate for the mortgagee, as defined in section 49-  
22 8a, such mortgagee's agent, or an attorney representing such  
23 mortgagee, mortgagee's agent or owner of such real estate on such  
24 terms as may be agreed upon between such mortgagee, mortgagee's  
25 agent or attorney and the real estate broker or real estate salesperson.

26 (c) (1) The estimate of value set forth in subsection (b) of this section  
27 shall be for the purpose of (A) a prospective listing or sale of such real  
28 estate, (B) providing information to the seller or landlord under a  
29 listing agreement, [or] (C) providing information to a prospective  
30 buyer or tenant under a buyer or tenant agency agreement, or (D)  
31 providing information to a mortgagee, a mortgage servicer, as defined  
32 in section 49-8a, or an attorney representing such mortgagee, mortgage  
33 servicer or owner of the real estate secured by a mortgage loan for  
34 purposes of a loan modification on such mortgage loan, provided such  
35 estimate of value shall not be referred to or be construed as an  
36 appraisal. If such owner executes a listing contract with the real estate  
37 broker or real estate salesperson who so estimated the value of the real  
38 estate for the sale of the real estate and such real estate contains any  
39 building or other structure, occupied or intended to be occupied by no  
40 more than four families, then such owner shall be credited against any  
41 compensation the owner pays on account of such listing contract for  
42 any fee paid by the owner for such estimate of value.

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| This act shall take effect as follows and shall amend the following sections: |                 |        |
| Section 1   | October 1, 2012 | 20-526 |

**BA**      *Joint Favorable Subst.*