



Substitute Senate Bill No. 205

Public Act No. 14-52

AN ACT MAKING MINOR AND TECHNICAL CHANGES TO REAL ESTATE APPRAISER AND APPRAISAL MANAGEMENT COMPANY DEFINITIONS AND STATUTES.

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

Section 1. Section 20-500 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

As used in sections 20-500 to 20-529e, inclusive, unless the context otherwise requires:

(1) "Appraisal" means the practice of developing an opinion of the value of real property, in conformance with the USPAP.

(2) "Appraisal Foundation" means the not-for-profit corporation referred to in Section 1121 of Title XI of FIRREA.

(3) "Appraisal management company" means any person, partnership, association, limited liability company or corporation that performs appraisal management services. "Appraisal management company" does not include:

(A) An appraiser that enters into a written or oral agreement with another appraiser for the performance of an appraisal, which is signed

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by both appraisers upon completion;

(B) An appraisal management company that (i) is wholly owned by a financial institution subject to regulation by an agency or department of the United States government or an agency of this state, and (ii) only receives appraisal requests from an employee of such financial institution. For the purposes of this subdivision, "financial institution" means a bank, as defined in section 36a-2, an out-of-state bank, as defined in section 36a-2, an institutional lender, any subsidiary or affiliate of such bank, out-of-state bank or institutional lender, or other lender licensed by the Department of Banking;

(C) A department or unit of a financial institution subject to regulation by an agency or department of the United States government or an agency of this state that only receives appraisal requests from an employee of such financial institution; or

(D) Any local, state or federal agency or department thereof.

(4) "Appraisal management services" means any of the following:

(A) The administration of an appraiser panel;

(B) The recruitment of certified [or licensed] appraisers to be part of an appraiser panel, including, but not limited to, the negotiation of fees to be paid to, and services to be provided by, such appraisers for their participation on such panel; or

(C) The receipt of an appraisal request or order and the delivery of such request or order to an appraiser panel.

(5) "Appraiser panel" means a network of appraisers who are certified [or licensed] in accordance with the requirements established by the commission by regulation, who are independent contractors of an appraisal management company and who have:

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(A) Responded to an invitation, request or solicitation from an appraisal management company to perform appraisals (i) requested or ordered through such company, or (ii) directly for such company on a periodic basis as assigned by the company; and

(B) Been selected and approved by such company.

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

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

[(8)] (7) "Commission" means the Connecticut Real Estate Appraisal Commission appointed under the provisions of section 20-502.

[(9)] (8) "Commissioner" means the Commissioner of Consumer Protection.

[(10)] (9) "Compliance manager" means a person who holds an appraiser [license or certificate] certification in at least one state and who is responsible for overseeing the implementation of, and compliance with, procedures for an appraisal management company to:

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(A) Verify that a person being added to the appraiser panel of the company holds a license in good standing in accordance with section 20-509, as amended by this act;

(B) Maintain detailed records of each appraisal request or order the company receives and of the appraiser who performs such appraisal; and

(C) Review on a periodic basis the work of all appraisers performing appraisals for the company to ensure that such appraisals are being conducted in accordance with the USPAP.

[(11)] (10) "Controlling person" means a person who has not had an appraiser license or a similar license or appraiser certificate denied, refused to be renewed, suspended or revoked in any state and who:

(A) Is an owner, officer or director of a partnership, association, limited liability company or corporation offering or seeking to offer appraisal management services in this state;

(B) Is employed by an appraisal management company and has the authority to enter into contracts or agreements for the performance of appraisal management services or appraisals, or is appointed or authorized by such company to enter into such contracts or agreements; or

(C) May exercise authority over or direct the management or policies of an appraisal management company.

[(12)] (11) "Engaging in the real estate appraisal business" means the act or process of estimating the value of real estate for a fee or other valuable consideration.

[(13)] (12) "FIRREA" means the Financial Institutions, Reform, Recovery and Enforcement Act of 1989, P.L. 101-73, 103 Stat. 183.

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

[(15)] (13) "Person" means [any] an individual.

[(16)] (14) "Provisional appraiser" means a person engaged in the business of estimating the value of real estate for a fee or other valuable consideration under the supervision of a [licensed or] certified real estate appraiser and who meets the minimum requirements, if any, established by the commission by regulation for provisional appraiser status.

(15) "Provisional license" means a license issued to a provisional appraiser.

[(17)] (16) "Real estate appraiser" or "appraiser" means a person engaged in the business of estimating the value of real estate for a fee or other valuable consideration.

[(18)] (17) "USPAP" means the Uniform Standards of Professional Appraisal Practice [as developed] issued by the Appraisal Standards Board of the Appraisal Foundation pursuant to Title XI of FIRREA.

Sec. 2. Section 20-501 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

[(a)] No person shall act as a real estate appraiser or provisional appraiser or engage in the real estate appraisal business without the appropriate certification [, license, limited license] or provisional

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license issued by the commission, unless exempted by the provisions of sections 20-500 to 20-528, inclusive, as amended by this act.

[(b) No person licensed as a limited appraiser shall perform an appraisal in connection with a federally related transaction, as defined in FIRREA. Notwithstanding any provision of this chapter: (1) Limited appraiser licenses and renewals of such limited appraiser licenses issued pursuant to this chapter shall expire no later than September 30, 2006; and (2) no limited appraiser licenses shall be issued or renewed on or after October 1, 2006.

(c) Notwithstanding any provision of this chapter: (1) Licenses and renewals for licensed appraisers issued pursuant to this chapter shall expire no later than September 30, 2003; and (2) no such license shall be issued or renewed on or after October 1, 2003.]

Sec. 3. Subsection (b) of section 20-503 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

(b) (1) The commission shall authorize the Department of Consumer Protection to issue certification [, licenses, limited licenses] and provisional licenses to real estate appraisers.

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

Sec. 4. Section 20-504 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

The Commissioner of Consumer Protection, with advice and

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assistance from the commission, may adopt such reasonable regulations, in accordance with chapter 54, as the commissioner deems necessary to carry out the provisions of sections 20-500 to 20-528, inclusive, as amended by this act. Such regulations shall, at a minimum, address [real estate] appraiser qualifications, continuing education, discipline, [real estate] appraiser certification, provisional licensing [, limited licensing] and [provisional licensing] applications for and renewals of such certifications and licenses, and shall require any [real estate] appraiser to comply with generally accepted standards of professional appraisal practice as described in the Uniform Standards of Professional Appraisal Practice issued by the Appraisal Standards Board of the Appraisal Foundation pursuant to Title XI of FIRREA. The regulations shall further require [(1)] any [real estate] appraiser who wishes to enter in or upon any premises not the subject of appraisal for purposes of estimating the value of comparable real estate to [(A)] (1) obtain the permission of the owner or [occupier] occupant of the premises, and [(B)] (2) identify himself or herself as an appraiser. [, and (2) that a limited appraiser shall in any written statement, including contracts, stationary and business cards, state that such limited appraiser shall not perform an appraisal in connection with a federally related transaction, as defined in FIRREA.]

Sec. 5. Section 20-507 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

A certified [, licensed, limited or] appraiser or licensed provisional appraiser shall not be considered an employee under the provisions of section 31-275 if substantially all of the remuneration for the services performed by such appraiser, whether paid in cash or otherwise, is directly related to sales or other output rather than to the number of hours worked, and such services are performed by the appraiser pursuant to a written contract that contains the following provisions: (1) The appraiser, for purposes of workers' compensation, is engaged

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as an independent contractor associated with the person for whom services are performed; (2) the appraiser shall not receive any remuneration related to the number of hours worked, and shall not be treated as an employee with respect to such services for purposes of workers' compensation; (3) the appraiser shall be permitted to work any hours the appraiser chooses; (4) the appraiser shall be permitted to work out of the appraiser's own home or the office of the person for whom services are performed; (5) the appraiser shall be free to engage in outside employment; (6) the person for whom the services are performed may provide office facilities and supplies for the use of the appraiser, but the appraiser shall otherwise pay the appraiser's own expenses, including, but not limited to, automobile, travel and entertainment expenses; and (7) the contract may be terminated by either party at any time upon notice given to the other.

Sec. 6. Section 20-508 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

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

Sec. 7. Section 20-509 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

(a) Certifications [, licenses, limited licenses] and provisional licenses issued under the provisions of sections 20-500 to 20-528, inclusive, as amended by this act, shall be granted only to persons who bear a good reputation for honesty, truthfulness and fair dealing and who are competent to transact the business of a real estate appraiser in

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such manner as to safeguard the interests of the public.

(b) Each application for [a] an appraiser certification [, license, limited license] or provisional license under said sections, or for a renewal thereof, shall be made in writing, on such forms and in such manner as is prescribed by the Department of Consumer Protection and accompanied by such evidence in support of such application as is prescribed by the commission. The commission may require such information with regard to an applicant as the commission deems desirable, with due regard to the paramount interests of the public, as to the honesty, truthfulness, integrity and competency of the applicant.

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

Sec. 8. Section 20-510 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

In order to determine the competency of any applicant for a real estate appraiser's certification or provisional license, the commission shall, and, in the case of an applicant for a provisional license, may, subject such applicant to personal written examination as to the applicant's competency to act as a real estate appraiser. Such examination shall be prepared by the Appraisal Qualification Board of the Appraisal Foundation, the Department of Consumer Protection or

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by a national testing service designated by the Commissioner of Consumer Protection, shall be administered to applicants by the Department of Consumer Protection or by such testing service at such times and places as the commissioner may deem necessary and shall be consistent with guidelines established by the Appraisal Qualification Board of the Appraisal Foundation. The commission may waive the written examination requirement in the case of an applicant who, in the opinion of the commission, has taken an equivalent written examination in another state and has received a score deemed satisfactory by the commission.

Sec. 9. Section 20-511 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

(a) In order to obtain [a] an appraiser certification [, license, limited license] or a provisional license, [persons who have] each person who has met, to the satisfaction of the commission, the minimum requirements established by the commission for such certification [, license, limited license] or provisional license [.] shall pay to the commission, in addition to the application fee described in subsection (c) of section 20-509, as amended by this act, an initial fee of: Three hundred seventy-five dollars [.] in the case of certified appraisers [; two hundred eighty-five dollars, in the case of licensed appraisers and limited licensed appraisers;] and one hundred dollars [.] in the case of provisional [appraisers] licensees.

(b) All certifications [, licenses, limited licenses] and provisional licenses issued under the provisions of sections 20-500 to 20-528, inclusive, as amended by this act, shall expire annually and be subject to renewal. The renewal fee for certifications [, licenses, limited licenses] and provisional licenses, to be paid to the commission, shall be: Two hundred eighty-five dollars in the case of certified appraisers [; two hundred eighty-five dollars in the case of licensed and limited licensed appraisers;] and one hundred dollars [.] in the case of

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provisional [appraisers] licensees.

(c) In order for the commission to comply with federal law and transmit a roster of real estate appraisers to the appropriate federal regulatory entity, certified real estate appraisers shall pay to the Commissioner of Consumer Protection, in addition to application and recordation fees, an annual registry fee established by the [commission] appraisal subcommittees of the Federal Financial Institutions Examination Council.

(d) Any certification [, license, limited license] or provisional license [which] that expires pursuant to this [subsection] section may be reinstated by the commission, if, not later than two years after the date of expiration, the former certification holder [, licensee, limited licensee] or provisional licensee pays to the commission [for each certification the sum of two hundred twenty-five dollars, for each license or limited license the sum of two hundred twenty-five dollars and for each provisional license the sum of fifty dollars] all past due fees for each year or fraction thereof from the date of expiration of the previous certification [, license, limited license] or provisional license to the date of payment for reinstatement, except that any certified [, licensed, limited licensed] or provisionally licensed appraiser whose certification [, license, limited license] or provisional license expired after entering military service shall be reinstated without payment of any fee if an application for reinstatement is filed with the commission within two years after the date of expiration. Any such reinstated certification [, license, limited license] or provisional license shall expire annually. Any such reinstated certification [, license, limited license] or provisional license shall be subject to an annual renewal thereafter.

(e) Any person whose application has been filed as provided in this section and section 20-509, as amended by this act, who is refused a certification [, license, limited license] or provisional license shall be

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given notice and afforded an opportunity for hearing as provided in the regulations adopted by the Commissioner of Consumer Protection.

Sec. 10. Section 20-512 of the 2014 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

(a) The Commissioner of Consumer Protection, with the advice and assistance of the commission, may adopt such reasonable regulations, in accordance with chapter 54, as the commissioner may deem necessary relating to the approval of schools offering courses in real estate appraisal principles and practice and related subjects, the content of such courses [or programs] and the advertising to the public of the services of such schools. Such regulations may require approval of instructors at such schools.

(b) Each such school shall obtain a registration as a real estate appraisal school from the commission before offering approved courses in real estate appraisal prerequisite education or continuing education. Each application for such school registration shall be made on forms prescribed by the Commissioner of Consumer Protection.

(c) Each real estate appraisal school registration shall expire biennially and may be renewed. The application fee for such registration shall be one hundred dollars. The initial registration fee and renewal fee for such registration shall be two hundred dollars each.

(d) Each course in appraisal prerequisite education or continuing education shall require a separate application and be approved by the commissioner. The application fee for each course in appraisal prerequisite education or continuing education shall be one hundred dollars.

Sec. 11. Section 20-513 of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective July 1, 2014*):

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

Sec. 12. Section 20-514 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

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

(b) No certification [, license, limited license] or provisional license, as the case may be, shall be issued by the Department of Consumer Protection under the provisions of sections 20-500 to 20-528, inclusive, as amended by this act, to any applicant (1) whose application for a certification [, license, limited license] or provisional license, as the case may be, has, within one year prior to the date of the applicant's application, been rejected in this state, in any other state or in the District of Columbia or (2) whose certification [, license, limited license] or provisional license, as the case may be, has, within one year

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prior to the date of the applicant's application, been revoked in this state, in any other state or in the District of Columbia.

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

Sec. 13. Section 20-515 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

(a) A person who is certified or provisionally licensed in another state as a real estate appraiser may become a certified or provisionally licensed real estate appraiser in this state by conforming to all of the provisions of sections 20-500 to 20-528, inclusive, as amended by this act. The commission shall recognize a current, valid certification [, license] or provisional license, as the case may be, issued to a currently practicing, competent real estate appraiser by another state as satisfactorily qualifying such appraiser for a certification [, license] or provisional license, as the case may be, as a real estate appraiser under said sections, provided: (1) The laws of the state in which such appraiser is certified or provisionally licensed allow certifications [, licenses] or provisional licenses, as the case may be, to be issued to a resident of this state, without examination, who is certified [, licensed] or provisionally licensed, as the case may be, under said sections 20-500 to 20-528, inclusive, as amended by this act, and (2) the certification [, licensing] and provisional licensing requirements of the state in which such appraiser is licensed are substantially similar to or higher than those of this state, including establishment of competency by written examination in the case of [licensed and] certified appraisers, and such appraiser has no disciplinary proceeding or unresolved complaint pending against such appraiser. If the applicant is licensed in a state that does not have such requirements, such applicant shall be certified [, licensed] or provisionally licensed by a state in accordance

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with Section 1116 of Title XI of FIRREA.

(b) Every applicant who is certified or provisionally licensed in another state as a real estate appraiser shall file an irrevocable consent that suits and actions may be commenced against such applicant in the proper court in any judicial district of the state in which a cause of action may arise or in which the plaintiff may reside, by the service of any process or pleading, authorized by the laws of this state, on the chairperson of the commission, such consent stipulating and agreeing that such service of such process or pleading shall be taken and held in all courts to be as valid and binding as if service had been made upon such applicant in this state. If any process or pleadings mentioned in this chapter are served upon the chairperson of the commission, it shall be by duplicate copies, one of which shall be filed in the office of the commission, and the other immediately forwarded by registered or certified mail, to the applicant against whom such process or pleadings are directed, at the last-known address of such applicant as shown by the records of the commission. No default in any such proceedings or action shall be taken unless it appears by affidavit of the chairperson of the commission that a copy of the process or pleading was mailed to the defendant as required in this subsection, and no judgment by default shall be taken in any such action or proceeding within twenty days after the date of mailing of such process or pleading to the out-of-state defendant.

(c) The Commissioner of Consumer Protection, with the advice and assistance of the commission, pursuant to Section 1122(a) of Title XI of FIRREA, shall adopt regulations, in accordance with chapter 54, as the commissioner deems necessary to effectuate certification [, licensing] and provisional licensing of persons who are certified or provisionally licensed in other states as appraisers. Such certification [, licensing] and provisional licensing shall be recognized on a temporary basis in this state. The fee for a temporary certification [, license] or provisional

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license shall be one hundred dollars. The temporary certification [, license] or provisional license shall be effective for one hundred eighty days from issuance and may be extended for one additional period not to exceed one hundred eighty days for no additional fee.

Sec. 14. Section 20-516 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

(a) The Department of Consumer Protection shall issue to each certified [, licensed, limited licensed and provisional] and provisionally licensed appraiser [,] a certificate or provisional license, as the case may be, in such size and form as it determines, evidencing the real estate appraiser's status.

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

Sec. 15. Section 20-517 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

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

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

(c) Persons certified [, licensed, limited licensed] or provisionally licensed in accordance with the provisions of sections 20-500 to 20-528,

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inclusive, as amended by this act, shall fulfill a continuing education requirement. Applicants for an annual renewal certification [, license, limited license] or provisional license shall, in addition to the other requirements imposed by the provisions of said sections, biennially within any even-numbered year submit proof of compliance with the continuing education requirements of this subsection, if any, to the commission, accompanied by a sixteen-dollar processing fee.

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

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

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

Sec. 16. Section 20-518 of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective July 1, 2014*):

The Department of Consumer Protection may, upon the request of the commission or upon the verified complaint in writing of any person, provided such complaint, or such complaint together with evidence, documentary or otherwise, represented in connection with such complaint, shall make out a prima facie case, investigate the actions of any real estate appraiser or any person who assumes to act in any of such capacities within this state. The commission shall have the power temporarily to suspend or permanently to revoke any certification [, license, limited license] or provisional license, as the case may be, issued under the provisions of sections 20-500 to 20-528, inclusive, as amended by this act, and in addition to, or in lieu of, such suspension or revocation, may, in its discretion, impose a fine of not more than one thousand dollars for the first offense at any time when, after proceedings as provided in section 20-519, as amended by this act, it finds that the certification holder [, licensee, limited licensee] or provisional licensee has by false or fraudulent misrepresentation obtained a certification [, license, limited license] or provisional license, as the case may be, or that the certification holder [, licensee, limited licensee] or provisional licensee is guilty of any of the following: (1) Making any material misrepresentation; (2) making any false promise of a character likely to influence, persuade or induce; (3) acting for more than one party in a transaction without the knowledge of all parties for whom he or she acts; (4) conviction in a court of competent jurisdiction of this or any other state of forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, or other like offense or offenses, provided suspension or revocation under this subdivision shall be subject to the provisions of section 46a-80; (5) any act or conduct [which] that constitutes dishonest, fraudulent or improper dealings; or (6) a violation of any provision of sections 20-500 to 20-528, inclusive, as amended by this act, or any regulation adopted under said sections.

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Sec. 17. Section 20-519 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

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

Sec. 18. Section 20-521 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

Any certification holder [, licensee, limited licensee] or provisional licensee convicted of a violation of any of the offenses enumerated in subdivision (4) of section 20-518, as amended by this act, shall incur a forfeiture of his or her certification [, license, limited license] or provisional license and all moneys that may have been paid for such certification [, license, limited license] or provisional license. The clerk of any court in which such conviction has been rendered shall forward to the commission without charge a certified copy of such conviction. The commission, upon the receipt of a copy of the judgment of conviction, shall, not later than ten days after such receipt, notify the certification holder [, licensee, limited licensee] or provisional licensee, in writing, of the revocation of his or her certification [, license, limited license] or provisional license, as the case may be, which notice shall be conclusive of such revocation. Application for reinstatement of such certification [, license, limited license] or provisional license shall be subject to the provisions of section 46a-80.

Sec. 19. Section 20-522 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

Any person wilfully misrepresenting any fact required to be disclosed in any application or in any other form, paper or document

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required to be filed with the commission in connection with an application for a certification [, license, tenured license] or provisional license shall be fined not more than five hundred dollars or imprisoned not more than six months, or both.

Sec. 20. Section 20-523 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

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

(b) No person who is not certified [, licensed, limited licensed] or provisionally licensed, as [appropriate] the case may be, by the commission as a real estate appraiser shall represent himself or herself as being so certified [, licensed, limited licensed] or provisionally licensed or use in connection with such person's name or place of business the term "real estate appraiser", "real estate appraisal", "certified appraiser", "certified appraisal", "residential appraiser", "residential appraisal", ["limited licensed appraiser,"] "provisional appraiser" or "provisional appraisal" or any words, letters, abbreviations or insignia indicating or implying that such person is a certified [, licensed, limited licensed] or provisionally licensed, as [appropriate] the case may be, real estate appraiser in this state. Any person who violates the provisions of this subsection shall be fined not more than one thousand dollars or imprisoned not more than six

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months, or both.

Sec. 21. Section 20-524 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

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

Sec. 22. Section 20-525 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

The Department of Consumer Protection, at the request of the commission, may periodically compile and publish a bulletin containing information and material relating to the commission, its functions and certifications, [licenses, limited licenses,] provisional licenses and other information and material relating to the real estate appraisal industry [which] that might be of help and interest to certificate holders [, licensees, limited licensees] or provisional licensees in their service of the public. The commission may also request the department to publish such information and material in any established periodical published in the state if, in the opinion of the commission, such form of publication would ensure the widest

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dissemination of such information and material to certification holders [, licensees, limited licensees] and provisional licensees and the public.

Sec. 23. Section 20-526 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

The provisions of sections 20-500 to 20-528, inclusive, as amended by this act, concerning the certification [, licensing, limited licensing] or provisional licensing of real estate appraisers shall not apply to (1) any person under contract with a municipality who performs a revaluation of real estate for assessment purposes pursuant to section 12-62, and (2) any licensed real estate broker or real estate salesperson who estimates the value of real estate as part of a market analysis performed for the owner of the real estate or a designee of the owner, on such terms as may be agreed upon between such owner or the owner's designee and the real estate broker or real estate salesperson, for the purpose of (A) a prospective listing or sale of such real estate, (B) providing information to the seller or landlord under a listing agreement, or (C) providing information to a prospective buyer or tenant under a buyer or tenant agency agreement, provided such estimate of value shall not be referred to or be construed as an appraisal. If such owner executes a listing contract with the real estate broker or real estate salesperson who so estimated the value of the real estate for the sale of the real estate and such real estate contains any building or other structure, occupied or intended to be occupied by no more than four families, then such owner shall be credited against any compensation the owner pays on account of such listing contract for any fee paid by the owner for such estimate of value.

Sec. 24. Subsection (c) of section 20-529 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

(c) Before issuing or renewing a certificate of registration, the

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commissioner may:

(1) Certify that each appraisal management company applying for a certificate of registration has procedures in place to (A) verify that a person being added to the appraiser panel of the company holds a [license] certificate in good standing in accordance with section 20-509, as amended by this act, (B) maintain detailed records of each appraisal request or order it receives and of the appraiser who performs such appraisal, and (C) review on a periodic basis the work of all appraisers performing appraisals for the company, to ensure that such appraisals are being conducted in accordance with the USPAP;

(2) Determine to the commissioner's satisfaction that each person owning more than ten per cent of an appraisal management company is of good moral character and such person has submitted to a background investigation, as deemed necessary by the commissioner; and

(3) Determine to the commissioner's satisfaction that the controlling person (A) has never had an appraiser license or certificate denied, refused to be renewed, suspended or revoked in any state, (B) is of good moral character, and (C) has submitted to a background investigation, as deemed necessary by the commissioner.

Sec. 25. Subsection (b) of section 20-529b of the 2014 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

(b) Any employee of an appraisal management company or any contractor working on behalf of such company who has any involvement in the performance of appraisals in this state or review and analysis of completed appraisals in this state shall be [licensed or] certified and in good standing pursuant to the provisions of sections 20-500 to 20-528, inclusive, as amended by this act. This subsection

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shall not prohibit an individual who is not so [licensed or] certified from performing job functions that (1) are confined to an examination of an appraisal or an appraisal report for grammatical, typographical or clerical errors, and (2) do not involve the formulation of opinions or comments about (A) the appraiser's data collection, analyses, opinions, conclusions or valuation, or (B) compliance of such appraisal or appraisal report with the USPAP.

Approved May 28, 2014