



General Assembly

Substitute Bill No. 7286

January Session, 2019



AN ACT CONCERNING HOME INSPECTORS AND APPRAISERS.

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

1 Section 1. (NEW) (*Effective October 1, 2019*) The Commissioner of
2 Consumer Protection or his or her duly authorized agent shall publish
3 and maintain a list of all home inspectors licensed pursuant to chapter
4 400f of the general statutes on the Department of Consumer
5 Protection's Internet web site. Such list shall be updated by the
6 commissioner, or his or her agent, on an annual basis.

7 Sec. 2. (NEW) (*Effective October 1, 2019*) (a) Lenders and their agents
8 shall compensate real estate appraisers certified or licensed pursuant
9 to chapter 400g of the general statutes at a rate that is customary and
10 reasonable for appraisal services performed in the market area of the
11 property being appraised. Evidence for such fees may be established
12 by objective third-party information, including, but not limited to,
13 government agency fee schedules, academic studies and independent
14 private-sector surveys. Fee studies shall exclude assignments ordered
15 by known appraisal management companies. For purposes of this
16 section, "lenders" and "agents" have the same meaning as provided in
17 12 CFR 226, as amended from time to time.

18 (b) Lenders and their agents shall be presumed to have complied
19 with the customary and reasonable fee requirement described in

20 subsection (a) of this section if such lenders and their agents: (1) Pay a
21 fee reasonably related to recent rates paid for comparable appraisal
22 services performed in the geographic market of the property, as
23 informed by the following factors: (A) The type of property, (B) the
24 scope of work, (C) the time in which the appraisal shall be performed,
25 (D) the appraiser's qualifications, (E) the appraiser's experience and
26 professional record, and (F) the appraiser's work quality, or (2) pay a
27 fee based on objective third-party information, including, but not
28 limited to, fee schedules, studies and independent surveys of recent
29 appraisal fees, excluding fees paid by appraisal management
30 companies.

31 (c) Lenders and their agents may arrive at an appraisal fee in a
32 manner not specified in subsection (a) or (b) of this section. Whether
33 such fee is customary and reasonable shall depend on all relevant facts
34 and circumstances, without a presumption of either compliance or
35 violation of this section.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>October 1, 2019</i> | New section |
| Sec. 2 | <i>October 1, 2019</i> | New section |

GL *Joint Favorable Subst.*