

By Senator Dyer

14-227-98

1                                   A bill to be entitled  
2           An act relating to real estate appraisals;  
3           amending s. 475.25, F.S.; providing  
4           disciplinary action for violations of the  
5           Uniform Standards of Professional Appraisal  
6           Practice; amending s. 475.615, F.S.; providing  
7           registration requirements for appraisers;  
8           amending s. 475.264, F.S.; revising a ground  
9           for disciplinary action to exempt licensees  
10          from reporting certain violations; providing an  
11          effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15           Section 1. Paragraph (t) is added to subsection (1) of  
16 section 475.25, Florida Statutes, to read:

17           475.25 Discipline.--

18           (1) The commission may deny an application for  
19 licensure, registration, or permit, or renewal thereof; may  
20 place a licensee, registrant, or permittee on probation; may  
21 suspend a license, registration, or permit for a period not  
22 exceeding 10 years; may revoke a license, registration, or  
23 permit; may impose an administrative fine not to exceed \$1,000  
24 for each count or separate offense; and may issue a reprimand,  
25 and any or all of the foregoing, if it finds that the  
26 licensee, registrant, permittee, or applicant:

27           (t) Has violated any standard for the development or  
28 communication of a real estate appraisal or other provision of  
29 the Uniform Standards of Professional Appraisal Practice, as  
30 defined in s. 475.611, as approved and adopted by the  
31 Appraisal Standards Board of the Appraisal Foundation, as

1 defined in s. 475.611. This paragraph does not apply to a real  
2 estate broker or salesperson who, in the ordinary course of  
3 business, performs a comparative market analysis.

4 Section 2. Section 475.615, Florida Statutes, is  
5 amended to read:

6 475.615 Qualifications for registration, licensure, or  
7 certification.--

8 (1) Any person desiring to act as a registered,  
9 licensed, or certified appraiser must make application in  
10 writing to the department in such form and detail as the board  
11 shall prescribe. Each applicant must be at least 18 years of  
12 age and hold a high school diploma or its equivalent. At the  
13 time of application, a person must furnish evidence of  
14 successful completion of required education and evidence of  
15 required experience, if any.

16 (2) The board is authorized to waive or modify any  
17 education, experience, or examination requirements established  
18 in this section in order to conform with any such requirements  
19 established by the Appraisal Qualifications Board of the  
20 Appraisal Foundation and recognized by the Appraisal  
21 Subcommittee or any successor body recognized by federal law.

22 (3) Appropriate fees, as set forth in the rules of the  
23 board under s. 475.6147, must accompany all applications for  
24 registration, licensure, and certification.

25 (4) If the applicant is currently a registered,  
26 licensed, or certified appraiser and is making application to  
27 obtain a different status of appraisal licensure, and if the  
28 application is received by the department within 180 days  
29 before or after the applicant's scheduled renewal, the charge  
30 for the application shall be established by the rules of the  
31 board under s. 475.6147.

1           (5)~~(4)~~ At the time of filing a notarized application  
2 for registration, licensure, or certification, the applicant  
3 must sign a pledge to comply with the Uniform Standards of  
4 Professional Appraisal Practice upon registration, licensure,  
5 or certification, and must indicate in writing that she or he  
6 understands the types of misconduct for which disciplinary  
7 proceedings may be initiated. The application shall expire 1  
8 year from the date received, if the applicant for  
9 registration, licensure, or certification fails to take the  
10 appropriate examination.

11           (6)~~(5)~~ All applicants must be competent and qualified  
12 to make real estate appraisals with safety to those with whom  
13 they may undertake a relationship of trust and confidence and  
14 the general public. If any applicant has been denied  
15 registration, licensure, or certification, or has been  
16 disbarred, or the applicant's registration, license, or  
17 certificate to practice or conduct any regulated profession,  
18 business, or vocation has been revoked or suspended by this or  
19 any other state, any nation, or any possession or district of  
20 the United States, or any court or lawful agency thereof,  
21 because of any conduct or practices which would have warranted  
22 a like result under this section, or if the applicant has been  
23 guilty of conduct or practices in this state or elsewhere  
24 which would have been grounds for disciplining her or his  
25 registration, license, or certification under this section had  
26 the applicant then been registered, licensed, or certified,  
27 the applicant shall be deemed not to be qualified unless,  
28 because of lapse of time and subsequent good conduct and  
29 reputation, or other reason deemed sufficient, it appears to  
30 the board that the interest of the public is not likely to be  
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1 endangered by the granting of registration, licensure, or  
2 certification.

3 (7)~~(6)~~ No applicant seeking to become registered,  
4 licensed, or certified under this section may be rejected  
5 solely by virtue of membership or lack of membership in any  
6 particular appraisal organization.

7 Section 3. Subsection (1) of section 475.624, Florida  
8 Statutes, is amended to read:

9 475.624 Discipline.--The board may deny an application  
10 for registration, licensure, or certification; investigate the  
11 actions of any appraiser registered, licensed, or certified  
12 under this section; and may reprimand, fine, revoke, or  
13 suspend, for a period not to exceed 10 years, the  
14 registration, license, or certification of any such appraiser,  
15 or place any such appraiser on probation if it finds that the  
16 registrant, licensee, or certificateholder:

17 (1) Has violated any provisions of this part or of s.  
18 455.227(1); however, licensees under this part are exempt from  
19 the provisions of s. 455.227(1)(i).

20 Section 4. This act shall take effect July 1, 1998.

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23 SENATE SUMMARY

24 Provides that violations of the Uniform Standards of  
25 Professional Appraisal Practice are grounds for  
26 discipline. Revises application requirements for  
27 obtaining a different status of appraisal licensure.  
28 Revises a ground for disciplinary action by exempting  
29 licensees from reporting certain violations.  
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