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1 A bill to be entitled

2 An act relating to real estate appraisers; amending s.  
3 475.611, F.S.; revising and providing definitions  
4 applicable to regulation of real estate appraisers;  
5 amending s. 475.612, F.S.; eliminating the regulatory  
6 category of licensed appraiser; redesignating registered  
7 assistant appraisers as registered trainee appraisers and  
8 requiring direct supervision of a certified appraiser;  
9 revising exemption provisions applicable to brokers,  
10 broker-salespersons, and salespersons; amending s.  
11 475.613, F.S.; granting the Florida Real Estate Appraisal  
12 Board power to establish by rule standards for and  
13 regulate supervisory appraisers; amending s. 475.617,  
14 F.S.; deleting education and experience requirements to be  
15 a licensed appraiser, to conform; amending s. 475.618,  
16 F.S.; revising renewal and continuing education  
17 requirements; authorizing and providing for certification  
18 of distance learning courses by independent certification  
19 organizations; limiting renewal of registered trainee  
20 appraiser registration; amending s. 475.6221, F.S.;  
21 providing that a registered trainee appraiser may only  
22 receive compensation through or from the primary  
23 supervising appraiser; creating s. 475.6222, F.S.;  
24 providing requirements for supervision of registered  
25 trainee appraisers; creating s. 475.631, F.S.; providing  
26 for reciprocity for nonresident appraisers; requiring an  
27 irrevocable consent to suits and actions and providing for  
28 service of process or pleading; requiring resident  
29 appraisers who become nonresidents to notify the board and  
30 comply with nonresident requirements; providing penalties;



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31 authorizing the board to adopt rules for regulation of  
32 nonresident appraisers; amending ss. 475.01, 475.011,  
33 475.6147, 475.615, 475.616, 475.619, 475.620, 475.621,  
34 475.622, 475.623, 475.624, 475.626, 475.627, 475.628,  
35 475.629, 475.6295, and 655.60, F.S.; conforming  
36 terminology; providing an effective date.

37

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

39

40 Section 1. Paragraph (a) of subsection (1) of section  
41 475.01, Florida Statutes, is amended to read:

42 475.01 Definitions.--

43 (1) As used in this part:

44 (a) "Broker" means a person who, for another, and for a  
45 compensation or valuable consideration directly or indirectly  
46 paid or promised, expressly or impliedly, or with an intent to  
47 collect or receive a compensation or valuable consideration  
48 therefor, appraises, auctions, sells, exchanges, buys, rents, or  
49 offers, attempts or agrees to appraise, auction, or negotiate  
50 the sale, exchange, purchase, or rental of business enterprises  
51 or business opportunities or any real property or any interest  
52 in or concerning the same, including mineral rights or leases,  
53 or who advertises or holds out to the public by any oral or  
54 printed solicitation or representation that she or he is engaged  
55 in the business of appraising, auctioning, buying, selling,  
56 exchanging, leasing, or renting business enterprises or business  
57 opportunities or real property of others or interests therein,  
58 including mineral rights, or who takes any part in the procuring  
59 of sellers, purchasers, lessors, or lessees of business  
60 enterprises or business opportunities or the real property of



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61 another, or leases, or interest therein, including mineral  
62 rights, or who directs or assists in the procuring of prospects  
63 or in the negotiation or closing of any transaction which does,  
64 or is calculated to, result in a sale, exchange, or leasing  
65 thereof, and who receives, expects, or is promised any  
66 compensation or valuable consideration, directly or indirectly  
67 therefor; and all persons who advertise rental property  
68 information or lists. A broker renders a professional service  
69 and is a professional within the meaning of s. 95.11(4)(a).  
70 Where the term "appraise" or "appraising" appears in the  
71 definition of the term "broker," it specifically excludes those  
72 appraisal services which must be performed only by a ~~state-~~  
73 ~~licensed or~~ state-certified appraiser, and those appraisal  
74 services which may be performed by a registered trainee  
75 ~~assistant~~ appraiser as defined in part II. The term "broker"  
76 also includes any person who is a general partner, officer, or  
77 director of a partnership or corporation which acts as a broker.  
78 The term "broker" also includes any person or entity who  
79 undertakes to list or sell one or more timeshare periods per  
80 year in one or more timeshare plans on behalf of any number of  
81 persons, except as provided in ss. 475.011 and 721.20.

82 Section 2. Subsections (7) and (9) of section 475.011,  
83 Florida Statutes, are amended to read:

84 475.011 Exemptions.--This part does not apply to:

85 (7) Any full-time graduate student who is enrolled in a  
86 commission-approved degree program in appraising at a college or  
87 university in this state, if the student is acting under the  
88 direct supervision of a licensed broker or a ~~licensed or~~  
89 certified appraiser and is engaged only in appraisal activities  
90 related to the approved degree program. Any appraisal report by



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91 the student must be issued in the name of the supervising  
92 individual.

93 (9) Any person registered,~~licensed,~~ or certified by the  
94 department under part II as an appraiser or trainee ~~assistant~~  
95 appraiser performing appraisals in accordance with that part.

96 Section 3. Subsections (1) and (2) of section 475.611,  
97 Florida Statutes, are amended to read:

98 475.611 Definitions.--

99 (1) As used in this part, the term:

100 (a) "Appraisal" or "appraisal services" means the services  
101 provided by certified ~~or licensed~~ appraisers or registered  
102 trainee ~~assistant~~ appraisers, and includes:

103 1. "Appraisal assignment" denotes an engagement for which  
104 a person is employed or retained to act, or could be perceived  
105 by third parties or the public as acting, as an agent or a  
106 disinterested third party in rendering an unbiased analysis,  
107 opinion, review, or conclusion relating to the nature, quality,  
108 value, or utility of specified interests in, or aspects of,  
109 identified real property.

110 2. "Analysis assignment" denotes appraisal services that  
111 relate to the employer's or client's individual needs or  
112 investment objectives and includes specialized marketing,  
113 financing, and feasibility studies as well as analyses,  
114 opinions, and conclusions given in connection with activities  
115 such as real estate brokerage, mortgage banking, ~~or~~ real estate  
116 counseling, or real estate consulting.

117 3. "Appraisal review assignment" denotes an engagement for  
118 which an appraiser is employed or retained to develop and  
119 communicate an opinion about the quality of another appraiser's



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120 appraisal, appraisal report, or work. An appraisal review may or  
 121 may not contain the reviewing appraiser's opinion of value.

122 (b) "Appraisal Foundation" or "foundation" means the  
 123 Appraisal Foundation established on November 20, 1987, as a not-  
 124 for-profit corporation under the laws of Illinois.

125 (c) "Appraisal report" means any communication, written or  
 126 oral, of an appraisal, appraisal review, appraisal consulting  
 127 service, analysis, opinion, or conclusion ~~issued by an appraiser~~  
 128 relating to the nature, quality, value, or utility of a  
 129 specified interest in, or aspect of, identified real property,  
 130 and includes any ~~a~~ report communicating an appraisal analysis,  
 131 opinion, or conclusion of value, regardless of title. However,  
 132 in order to be recognized in a federally related transaction, an  
 133 appraisal report must be written.

134 (d) "Appraisal review" means the act or process of  
 135 developing and communicating an opinion about the quality of  
 136 another appraiser's appraisal, appraisal report, or work.

137 ~~(e)~~ (d) "Appraisal subcommittee" means the designees of the  
 138 heads of the federal financial institutions regulatory agencies  
 139 established by the Federal Financial Institutions Examination  
 140 Council Act of 1978 (12 U.S.C. ss. 3301 et seq.), as amended.

141 ~~(f)~~ (e) "Appraiser" means any person who is a registered  
 142 trainee assistant ~~real estate appraiser, licensed real estate~~  
 143 ~~appraiser~~, or a certified real estate appraiser. An appraiser  
 144 renders a professional service and is a professional within the  
 145 meaning of s. 95.11(4)(a).

146 (g) ~~(f)~~ "Board" means the Florida Real Estate Appraisal  
 147 Board established under this section.



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148        (h)~~(g)~~ "Certified general appraiser" means a person who is  
 149 certified by the department as qualified to issue appraisal  
 150 reports for any type of real property.

151        (i)~~(h)~~ "Certified residential appraiser" means a person  
 152 who is certified by the department as qualified to issue  
 153 appraisal reports for residential real property of one to four  
 154 residential units, without regard to transaction value or  
 155 complexity, or real property as may be authorized by federal  
 156 regulation.

157        (j)~~(i)~~ "Department" means the Department of Business and  
 158 Professional Regulation.

159        (k)~~(j)~~ "Federally related transaction" means any real  
 160 estate-related financial transaction which a federal financial  
 161 institutions regulatory agency or the Resolution Trust  
 162 Corporation engages in, contracts for, or regulates, and which  
 163 requires the services of a ~~state-licensed or~~ state-certified  
 164 appraiser.

165        ~~(k) "Licensed appraiser" means a person who is licensed by  
 166 the department as qualified to issue appraisal reports for  
 167 residential real property of one to four residential units or on  
 168 such real estate or real property as may be authorized by  
 169 federal regulation.~~

170        (l) "Registered trainee assistant appraiser" means a  
 171 person who is registered with the department as qualified to  
 172 perform appraisal services only under the direct supervision of  
 173 a ~~licensed or~~ certified appraiser. A registered trainee  
 174 appraiser may accept appraisal assignments only from her or his  
 175 primary or secondary supervisor.

176        (m) "Supervisory appraiser" means a certified residential  
 177 appraiser or a certified general appraiser responsible for the



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178 direct supervision of one or more registered trainee appraisers  
179 and fully responsible for appraisals and appraisal reports  
180 prepared by those registered trainee appraisers. The board, by  
181 rule, shall determine the responsibilities of a supervisory  
182 appraiser, the geographic proximity required, and the maximum  
183 number of registered trainee appraisers to be supervised by an  
184 individual supervisory appraiser.

185 (n)~~(m)~~ "Uniform Standards of Professional Appraisal  
186 Practice" means the most recent standards approved and adopted  
187 by the Appraisal Standards Board of the Appraisal Foundation.

188 (o) "Valuation services" means services pertaining to  
189 aspects of property value and includes such services performed  
190 by certified appraisers, registered trainee appraisers, and  
191 others.

192 (p) "Work file" means the documentation necessary to  
193 support an appraiser's analysis, opinions, and conclusions.

194 (2) Wherever the word "operate" or "operating" appears in  
195 this part with respect to a registered trainee ~~assistant~~  
196 ~~appraiser, licensed appraiser,~~ or certified appraiser; in any  
197 order, rule, or regulation of the board; in any pleading,  
198 indictment, or information under this part; in any court action  
199 or proceeding; or in any order or judgment of a court, it shall  
200 be deemed to mean the commission of one or more acts described  
201 in this part as constituting or defining a registered trainee  
202 ~~assistant~~ appraiser, ~~licensed appraiser,~~ or certified appraiser,  
203 not including, however, any of the exceptions stated therein. A  
204 single act is sufficient to bring a person within the meaning of  
205 this subsection, and each act, if prohibited herein, constitutes  
206 a separate offense.



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207 Section 4. Section 475.612, Florida Statutes, is amended  
208 to read:

209 475.612 Certification,~~licensure,~~ or registration  
210 required.--

211 (1) A person may not use the title "certified real estate  
212 appraiser," "~~licensed real estate appraiser,~~" or "registered  
213 trainee assistant real estate appraiser," or any abbreviation or  
214 words to that effect, or issue an appraisal report in connection  
215 with any federally related transaction, unless such person is  
216 certified,~~licensed,~~ or registered by the department under this  
217 part. However, the work upon which an appraisal report is based  
218 may be performed by a person who is not a certified ~~or licensed~~  
219 appraiser or registered trainee assistant appraiser if the  
220 report is approved and signed by a certified ~~or licensed~~  
221 appraiser.

222 (2) This section does not preclude a broker, salesperson,  
223 or broker-salesperson who is not a certified ~~or licensed~~ real  
224 estate appraiser or registered trainee assistant real estate  
225 appraiser from providing valuation services ~~appraising real~~  
226 ~~estate~~ for compensation. Such persons may continue to provide  
227 valuation appraisals and appraisal services for compensation so  
228 long as they do not represent themselves as certified,~~licensed,~~  
229 or registered under this part.

230 (3) This section does not apply to a real estate broker or  
231 salesperson who, in the ordinary course of business, performs a  
232 comparative market analysis, gives a ~~broker~~ price opinion, or  
233 gives an opinion of the value of real estate for the purpose of  
234 advising a bona fide buyer or seller. However, in no event may  
235 this comparative market analysis, ~~broker~~ price opinion, or





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236 opinion of value of real estate be referred to or construed as  
237 an appraisal.

238 (4) This section does not prevent any state court or  
239 administrative law judge from certifying as an expert witness in  
240 any legal or administrative proceeding an appraiser who is not  
241 certified,~~licensed,~~ or registered; nor does it prevent any  
242 appraiser from testifying, with respect to the results of an  
243 appraisal.

244 (5) This section does not apply to any full-time graduate  
245 student who is enrolled in a degree program in appraising at a  
246 college or university in this state, if the student is acting  
247 under the direct supervision of a certified ~~or licensed~~  
248 appraiser ~~or licensed broker~~ and is engaged only in appraisal  
249 activities related to the approved degree program. Any appraisal  
250 report by the student must be issued in the name of the  
251 supervising individual.

252 (6) This section does not apply to any employee of a  
253 local, state, or federal agency who performs appraisal services  
254 within the scope of her or his employment. However, this  
255 exemption does not apply where any local, state, or federal  
256 agency requires an employee to be registered, licensed, or  
257 certified to perform appraisal services.

258 Section 5. Section 475.613, Florida Statutes, is amended  
259 to read:

260 475.613 Florida Real Estate Appraisal Board.--

261 (1) There is created the Florida Real Estate Appraisal  
262 Board, which shall consist of seven members appointed by the  
263 Governor, subject to confirmation by the Senate. Four members of  
264 the board must be real estate appraisers who have been engaged  
265 in the general practice of appraising real property in this



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266 state for at least 5 years immediately preceding appointment. In  
267 appointing real estate appraisers to the board, while not  
268 excluding other appraisers, the Governor shall give preference  
269 to real estate appraisers who are not primarily engaged in real  
270 estate brokerage or mortgage lending activities. One member of  
271 the board must represent organizations that use appraisals for  
272 the purpose of eminent domain proceedings, financial  
273 transactions, or mortgage insurance. Two members of the board  
274 shall be representatives of the general public and shall not be  
275 connected in any way with the practice of real estate appraisal,  
276 real estate brokerage, or mortgage lending. The appraiser  
277 members shall be as representative of the entire industry as  
278 possible, and membership in a nationally recognized or state-  
279 recognized appraisal organization shall not be a prerequisite to  
280 membership on the board. To the extent possible, no more than  
281 two members of the board shall be primarily affiliated with any  
282 one particular national or state appraisal association. ~~After~~  
283 ~~July 1, 1992,~~ Two of the members must be ~~licensed or~~ certified  
284 residential real estate appraisers and two of the members must  
285 be certified general real estate appraisers at the time of their  
286 appointment.

287 (a) ~~Initially, four members of the board shall be~~  
288 ~~appointed for 3-year terms, and three members shall be appointed~~  
289 ~~for 4-year terms. Thereafter, all Members of the board~~ shall be  
290 appointed for 4-year terms. Any vacancy occurring in the  
291 membership of the board shall be filled by appointment by the  
292 Governor for the unexpired term. Upon expiration of her or his  
293 ~~or her~~ term, a member of the board shall continue to hold office  
294 until the appointment and qualification of the member's



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295 successor. A member may not be appointed for more than two  
 296 consecutive terms. The Governor may remove any member for cause.

297 (b) The headquarters for the board shall be in Orlando.

298 (c) The board shall meet at least once each calendar  
 299 quarter to conduct its business.

300 (d) The members of the board shall elect a chairperson at  
 301 the first meeting each year.

302 (e) Each member of the board is entitled to per diem and  
 303 travel expenses as set by legislative appropriation for each day  
 304 that the member engages in the business of the board.

305 (2) The board shall have, through its rules, full power to  
 306 regulate the issuance of ~~licenses~~, certifications,  
 307 registrations, and permits; to discipline appraisers in any  
 308 manner permitted under this section; to establish qualifications  
 309 for ~~licenses~~, certifications, registrations, and permits  
 310 consistent with this section; to regulate approved courses; ~~and~~  
 311 to establish standards for real estate appraisals; and to  
 312 establish standards for and regulate supervisory appraisers.

313 Section 6. Section 475.6147, Florida Statutes, is amended  
 314 to read:

315 475.6147 Fees.--

316 (1) The board by rule may establish fees to be paid for  
 317 application, ~~licensing and renewal~~, certification and  
 318 recertification, registration and reregistration, reinstatement,  
 319 and recordmaking and recordkeeping. The fee for initial  
 320 application may not exceed \$150, and the combined cost of the  
 321 application and examination may not exceed \$300. The initial  
 322 certification or registration license fee and the certification  
 323 or registration license renewal fee may not exceed \$150 for each  
 324 year of the duration of the certification or registration



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325 ~~license~~. The board may also establish by rule a late renewal  
326 penalty. The board shall establish fees which are adequate to  
327 ensure its continued operation. Fees shall be based on estimates  
328 made by the department of the revenue required to implement this  
329 part and other provisions of law relating to the regulation of  
330 real estate appraisers.

331 (2) Application and certification and registration ~~license~~  
332 fees shall be refunded upon a determination by the board that  
333 the state is not entitled to the fees or that only a portion of  
334 the resources have been expended in the processing of the  
335 application or shall be refunded if for any other reason the  
336 application is not completely processed. The board shall  
337 implement this subsection by rule.

338 Section 7. Section 475.615, Florida Statutes, is amended  
339 to read:

340 475.615 Qualifications for registration, ~~licensure,~~ or  
341 certification.--

342 (1) Any person desiring to act as a registered trainee  
343 ~~assistant~~ appraiser or as a ~~licensed~~ or certified appraiser must  
344 make application in writing to the department in such form and  
345 detail as the board shall prescribe. Each applicant must be at  
346 least 18 years of age and hold a high school diploma or its  
347 equivalent. At the time of application, a person must furnish  
348 evidence of successful completion of required education and  
349 evidence of required experience, if any.

350 (2) The board is authorized to waive or modify any  
351 education, experience, or examination requirements established  
352 in this section in order to conform with any such requirements  
353 established by the Appraisal Qualifications Board of the



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354 Appraisal Foundation and recognized by the Appraisal  
355 Subcommittee or any successor body recognized by federal law.

356 (3) Appropriate fees, as set forth in the rules of the  
357 board pursuant to s. 475.6147, and a fingerprint card must  
358 accompany all applications for registration or, certification,  
359 ~~or licensure~~. The fingerprint card shall be forwarded to the  
360 Division of Criminal Justice Information Systems within the  
361 Department of Law Enforcement for purposes of processing the  
362 fingerprint card to determine if the applicant has a criminal  
363 history record. The fingerprint card shall also be forwarded to  
364 the Federal Bureau of Investigation for purposes of processing  
365 the fingerprint card to determine if the applicant has a  
366 criminal history record. The information obtained by the  
367 processing of the fingerprint card by the Florida Department of  
368 Law Enforcement and the Federal Bureau of Investigation shall be  
369 sent to the department for the purpose of determining if the  
370 applicant is statutorily qualified for registration or  
371 certification, ~~or licensure~~.

372 (4) In the event that the applicant is currently a  
373 registered trainee ~~assistant~~ appraiser or a ~~licensed or~~  
374 certified appraiser and is making application to obtain a  
375 different status of appraisal licensure, should such application  
376 be received by the department within 180 days prior to through  
377 180 days after the applicant's scheduled renewal, the charge for  
378 the application shall be established by the rules of the board  
379 pursuant to s. 475.6147.

380 (5) At the time of filing a notarized application for  
381 registration, ~~licensure~~, or certification, the applicant must  
382 sign a pledge to comply with the Uniform Standards of  
383 Professional Appraisal Practice upon registration, ~~licensure~~, or



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384 certification, and must indicate in writing that she or he  
 385 understands the types of misconduct for which disciplinary  
 386 proceedings may be initiated. The application shall expire 1  
 387 year from the date received, if the applicant for registration,  
 388 licensure, or certification fails to take the appropriate  
 389 examination.

390 (6) All applicants must be competent and qualified to make  
 391 real estate appraisals with safety to those with whom they may  
 392 undertake a relationship of trust and confidence and the general  
 393 public. If any applicant has been denied registration,  
 394 licensure, or certification, or has been disbarred, or the  
 395 applicant's registration, license, or certificate to practice or  
 396 conduct any regulated profession, business, or vocation has been  
 397 revoked or suspended by this or any other state, any nation, or  
 398 any possession or district of the United States, or any court or  
 399 lawful agency thereof, because of any conduct or practices which  
 400 would have warranted a like result under this part, or if the  
 401 applicant has been guilty of conduct or practices in this state  
 402 or elsewhere which would have been grounds for disciplining her  
 403 or his registration, license, or certification under this part  
 404 had the applicant then been a registered trainee ~~assistant~~  
 405 appraiser or a ~~licensed~~ or certified appraiser, the applicant  
 406 shall be deemed not to be qualified unless, because of lapse of  
 407 time and subsequent good conduct and reputation, or other reason  
 408 deemed sufficient, it appears to the board that the interest of  
 409 the public is not likely to be endangered by the granting of  
 410 registration, ~~licensure~~, or certification.

411 (7) No applicant seeking to become registered, ~~licensed~~,  
 412 or certified under this part may be rejected solely by virtue of



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413 membership or lack of membership in any particular appraisal  
 414 organization.

415 Section 8. Section 475.616, Florida Statutes, is amended  
 416 to read:

417 475.616 Examination requirements.--To be ~~licensed or~~  
 418 certified as an appraiser, the applicant must demonstrate, by  
 419 passing a written examination, that she or he possesses:

420 (1) A knowledge of technical terms commonly used in real  
 421 estate appraisal.

422 (2) An understanding of the principles of land economics,  
 423 real estate appraisal processes, reliable sources of appraising  
 424 data, and problems likely to be encountered in the gathering,  
 425 interpreting, and processing of data in carrying out appraisal  
 426 disciplines.

427 (3) An understanding of the standards for the development  
 428 and communication of real estate appraisals as provided in this  
 429 part.

430 (4) An understanding of the types of misconduct for which  
 431 disciplinary proceedings may be initiated against a ~~licensed or~~  
 432 certified appraiser, as set forth in this part.

433 (5) Knowledge of the theories of depreciation, cost  
 434 estimating, methods of capitalization, and the mathematics of  
 435 real estate appraisal that are appropriate for the ~~licensure or~~  
 436 certification for which application is made.

437 Section 9. Section 475.617, Florida Statutes, is amended  
 438 to read:

439 475.617 Education and experience requirements.--

440 (1) To be registered as a trainee ~~an assistant~~ appraiser,  
 441 an applicant must present evidence satisfactory to the board  
 442 that she or he has successfully completed at least 75 hours of



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443 approved academic courses in subjects related to real estate  
444 appraisal, which shall include coverage of the Uniform Standards  
445 of Professional Appraisal Practice from a nationally recognized  
446 or state-recognized appraisal organization, area technical  
447 center, accredited community college, college, or university,  
448 state or federal agency or commission, or proprietary real  
449 estate school that holds a permit pursuant to s. 475.451. The  
450 board may increase the required number of hours to not more than  
451 100 hours. A classroom hour is defined as 50 minutes out of each  
452 60-minute segment. Past courses may be approved on an hour-for-  
453 hour basis.

454 ~~(2) To be licensed as an appraiser, an applicant must~~  
455 ~~present evidence satisfactory to the board that she or he:~~

456 ~~(a) Has 2 years of experience in real property appraisal~~  
457 ~~as defined by rule.~~

458 ~~(b) Has successfully completed at least 90 classroom~~  
459 ~~hours, inclusive of examination, of approved academic courses in~~  
460 ~~subjects related to real estate appraisal, which shall include~~  
461 ~~coverage of the Uniform Standards of Professional Appraisal~~  
462 ~~Practice from a nationally recognized or state-recognized~~  
463 ~~appraisal organization, area technical center, accredited~~  
464 ~~community college, college, or university, state or federal~~  
465 ~~agency or commission, or proprietary real estate school that~~  
466 ~~holds a permit pursuant to s. 475.451. The board may increase~~  
467 ~~the required number of hours to not more than 120 hours. A~~  
468 ~~classroom hour is defined as 50 minutes out of each 60-minute~~  
469 ~~segment. Past courses may be approved by the board and~~  
470 ~~substituted on an hour-for-hour basis.~~





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471        ~~(2)~~<sup>(3)</sup> To be certified as a residential appraiser, an  
472 applicant must present satisfactory evidence to the board that  
473 she or he:

474            (a) Has at least 2,500 hours of experience obtained over a  
475 24-month period in real property appraisal as defined by rule.

476            (b) Has successfully completed at least 120 classroom  
477 hours, inclusive of examination, of approved academic courses in  
478 subjects related to real estate appraisal, which shall include  
479 coverage of the Uniform Standards of Professional Appraisal  
480 Practice from a nationally recognized or state-recognized  
481 appraisal organization, area technical center, accredited  
482 community college, college, or university, state or federal  
483 agency or commission, or proprietary real estate school that  
484 holds a permit pursuant to s. 475.451. The board may increase  
485 the required number of hours to not more than 165 hours. A  
486 classroom hour is defined as 50 minutes out of each 60-minute  
487 segment. Past courses may be approved by the board and  
488 substituted on an hour-for-hour basis.

489        ~~(3)~~<sup>(4)</sup> To be certified as a general appraiser, an  
490 applicant must present evidence satisfactory to the board that  
491 she or he:

492            (a) Has at least 3,000 hours of experience obtained over a  
493 30-month period in real property appraisal as defined by rule.

494            (b) Has successfully completed at least 180 classroom  
495 hours, inclusive of examination, of approved academic courses in  
496 subjects related to real estate appraisal, which shall include  
497 coverage of the Uniform Standards of Professional Appraisal  
498 Practice from a nationally recognized or state-recognized  
499 appraisal organization, area technical center, accredited  
500 community college, college, or university, state or federal



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501 agency or commission, or proprietary real estate school that  
502 holds a permit pursuant to s. 475.451. The board may increase  
503 the required number of hours to not more than 225 hours. A  
504 classroom hour is defined as 50 minutes out of each 60-minute  
505 segment. Past courses may be approved by the board and  
506 substituted on an hour-for-hour basis.

507 ~~(4)(5)~~ Each applicant must furnish, under oath, a detailed  
508 statement of the experience for each year of experience she or  
509 he claims. Upon request, the applicant shall furnish to the  
510 board, for its examination, copies of appraisal reports or file  
511 memoranda to support the claim for experience.

512 Section 10. Section 475.618, Florida Statutes, is amended  
513 to read:

514 475.618 Renewal of registration, ~~license~~, certification,  
515 or instructor permit; continuing education.--

516 (1)(a) The department shall renew a registration, ~~license~~,  
517 certification, or instructor permit upon receipt of the renewal  
518 application and proper fee. Such application shall include proof  
519 satisfactory to the board that the individual has satisfactorily  
520 completed any continuing education that has been prescribed by  
521 the board.

522 (b) A distance learning course or courses may ~~shall~~ be  
523 approved by the board as an option to classroom hours as  
524 satisfactory completion of the course or courses as required by  
525 this section. The schools authorized by this section have the  
526 option of providing classroom courses, distance learning  
527 courses, or both. ~~However, satisfactory completion of a distance~~  
528 ~~learning course requires the satisfactory completion of a timed~~  
529 ~~distance learning course examination. Such examination shall not~~  
530 ~~be required to be monitored or given at a centralized location.~~



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531        (c) The board in its discretion may authorize independent  
532 certification organizations to certify or approve the delivery  
533 method of distance learning courses. Certification from such  
534 authorized organizations must be provided at the time a distance  
535 learning course is submitted to the board by an accredited  
536 college, university, community college, area technical center,  
537 proprietary real estate school, or board-approved sponsor for  
538 content approval.

539        (2) The department shall adopt rules establishing a  
540 procedure for the renewal of registration, ~~licenses,~~  
541 certifications, and instructor permits at least every 4 years. A  
542 registered trainee appraiser registration may be renewed for two  
543 biennial terms only. After 6 years, the registered trainee  
544 appraiser is not eligible for renewal but must qualify as a new  
545 applicant.

546        (3) Any registration, ~~license,~~ certification, or  
547 instructor permit which is not renewed at the end of the  
548 registration, ~~license,~~ certification, or instructor permit  
549 period prescribed by the department shall automatically revert  
550 to inactive status.

551        (4) At least 60 days prior to the end of the registration,  
552 ~~license,~~ certification, or instructor permit period, the  
553 department shall cause to be mailed a notice of renewal and  
554 possible reversion to the last known address of the registered  
555 trainee assistant, licensee, certificateholder, or permitholder.

556        Section 11. Section 475.619, Florida Statutes, is amended  
557 to read:

558        475.619 Inactive status.--

559        (1) A registration, ~~license,~~ or certification which has  
560 become inactive may be renewed upon application to the



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561 department. The board shall prescribe by rule continuing  
562 education requirements for each year the registration,~~license,~~  
563 or certification was inactive, as a condition of renewing an  
564 inactive registration,~~license,~~ or certification.

565 (2) Any registration,~~license,~~ or certification which has  
566 been inactive for more than 4 years shall automatically expire.  
567 Once a registration,~~license,~~ or certification expires, it  
568 becomes null and void without any further action by the board or  
569 department. Two years prior to the expiration of the  
570 registration,~~license,~~ or certification, the department shall  
571 give notice by mail to the registered trainee assistant,  
572 ~~licensee,~~ or certificateholder at her or his last known address.  
573 The board shall prescribe by rule a fee not to exceed \$100 for  
574 the late renewal of an inactive registration,~~license,~~ or  
575 certification. The department shall collect the current renewal  
576 fee for each renewal period in which the registration,~~license,~~  
577 or certification was inactive, in addition to any applicable  
578 late renewal fee.

579 (3) The board shall adopt rules relating to inactive  
580 registrations,~~licenses,~~ and certifications and for the renewal  
581 of such registrations,~~licenses,~~ and certifications.

582 Section 12. Section 475.620, Florida Statutes, is amended  
583 to read:

584 475.620 Corporations and partnerships ineligible for  
585 ~~licensure or~~ certification.--

586 (1) A ~~license or~~ certification may not be issued under  
587 this part to a corporation, partnership, firm, or group.  
588 However, an appraiser ~~licensed or~~ certified under this part may  
589 provide an appraisal report for or on behalf of a corporation,  
590 partnership, firm, or group, if the report is prepared by, or



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591 under the personal direction of, such appraiser and is reviewed  
 592 and signed by her or him.

593 (2) The term "state-registered trainee assistant  
 594 ~~appraiser,~~" "~~state-licensed appraiser,~~" or "state-certified  
 595 appraiser" may only be used to refer to an individual who is  
 596 registered,~~licensed,~~ or certified under this part and may not  
 597 be used following or immediately in connection with the name or  
 598 signature of a corporation, partnership, firm, or group, or in  
 599 such manner that it could be interpreted as implying  
 600 registration,~~licensure,~~ or certification under this part of a  
 601 corporation, partnership, firm, or group, or anyone other than  
 602 an individual appraiser. Corporations, partnerships, firms, or  
 603 groups which employ certified ~~or licensed~~ appraisers or  
 604 registered trainee assistant appraisers who provide appraisal  
 605 reports, as defined by this part, may represent to the public  
 606 and advertise that they offer appraisals performed by  
 607 registered,~~licensed,~~ or certified appraisers.

608 Section 13. Section 475.621, Florida Statutes, is amended  
 609 to read:

610 475.621 Registry of ~~licensed and~~ certified appraisers.--

611 (1) The department shall transmit to the appraisal  
 612 subcommittee, no less than annually, a roster listing  
 613 individuals who hold a valid state ~~license or~~ certification as  
 614 an appraiser.

615 (2) The department shall collect from such individuals who  
 616 perform or seek to perform appraisals in federally related  
 617 transactions, an annual fee as set by the appraisal subcommittee  
 618 to be transmitted to the Federal Financial Institutions  
 619 Examinations Council on an annual basis.



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620 Section 14. Section 475.622, Florida Statutes, is amended  
621 to read:

622 475.622 Display and disclosure of ~~licensure,~~  
623 ~~certification,~~ or registration.--

624 (1) Each appraiser registered, ~~licensed,~~ or certified  
625 under this part shall place her or his registration, ~~license,~~ or  
626 certification number adjacent to or immediately beneath the  
627 designation "state-registered trainee assistant real estate  
628 appraiser," "~~state-licensed real estate appraiser,~~" "state-  
629 certified residential real estate appraiser," or "state-  
630 certified general real estate appraiser," or their appropriate  
631 abbreviations as defined by rule, as applicable, when such term  
632 is used in an appraisal report or in a contract or other  
633 instrument used by the appraiser in conducting real property  
634 appraisal activities. The applicable designation shall be  
635 included in any newspaper, telephone directory, or other  
636 advertising medium, as defined by rule, used by the appraiser.

637 (2) A registered trainee assistant appraiser or ~~licensed~~  
638 ~~or~~ certified appraiser may not sign any appraisal report or  
639 certification or communicate same without disclosing in writing  
640 that she or he is a state-registered trainee assistant appraiser  
641 or ~~state-licensed,~~ state-certified residential, or state-  
642 certified general appraiser, as applicable, even if the  
643 appraisal performed is outside of the scope of the appraiser's  
644 registration, ~~licensure,~~ or certification as an appraiser.

645 (3) The primary or secondary supervising ~~licensed or~~  
646 certified appraiser of a registered trainee assistant real  
647 estate appraiser must sign each ~~any~~ appraisal report and  
648 certification signed by the registered trainee assistant.



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649 (4) The supervising appraiser of a registered trainee  
 650 ~~assistant~~ real estate appraiser must disclose her or his ~~or her~~  
 651 appropriate designation and number any time the registered  
 652 trainee ~~assistant~~ is required to make such disclosures.

653 Section 15. Section 475.6221, Florida Statutes, is amended  
 654 to read:

655 475.6221 Employment of registered trainee ~~assistant~~ real  
 656 estate appraisers.--

657 (1) A registered trainee ~~assistant~~ real estate appraiser  
 658 must perform appraisal services under the direct supervision of  
 659 a ~~licensed or~~ certified appraiser who is designated as the  
 660 primary supervisor. The primary supervisor may also designate  
 661 additional ~~licensed or~~ certified appraisers as secondary  
 662 supervisors. A secondary supervisor must be affiliated with the  
 663 same firm or business as the primary supervisor and the primary  
 664 or secondary supervisor must have the same business address as  
 665 the registered trainee ~~assistant~~ real estate appraiser. The  
 666 primary supervisory ~~A registered assistant real estate appraiser~~  
 667 must notify the Division of Real Estate of the name and address  
 668 of any primary and secondary supervisor for whom the registered  
 669 trainee ~~assistant~~ will perform appraisal services, and must also  
 670 notify the division within 10 days after terminating such  
 671 relationship. Termination of the relationship with a primary  
 672 supervisor automatically terminates the relationship with the  
 673 secondary supervisor.

674 (2) A registered trainee ~~assistant~~ real estate appraiser  
 675 may only not receive compensation through or from ~~payment~~  
 676 ~~directly from the recipient of an appraisal report, unless the~~  
 677 primary supervising ~~licensed or~~ certified appraiser ~~agrees to~~  
 678 ~~the payment arrangement.~~



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679 Section 16. Section 475.6222, Florida Statutes, is created  
680 to read:

681 475.6222 Supervision of registered trainee  
682 appraisers.--The primary or secondary supervisor of a registered  
683 trainee appraiser must provide direct supervision to the  
684 registered trainee appraiser. The role and responsibility of the  
685 supervising appraiser shall be determined by rule of the board.

686 Section 17. Section 475.623, Florida Statutes, is amended  
687 to read:

688 475.623 Registration of office location.--Each appraiser  
689 ~~registered, licensed,~~ or certified under this part shall furnish  
690 in writing to the department each business address from which  
691 she or he operates in the performance of appraisal services.  
692 Each appraiser must notify the department of any change of  
693 address within 10 days on a form provided by the department.

694 Section 18. Section 475.624, Florida Statutes, is amended  
695 to read:

696 475.624 Discipline.--The board may deny an application for  
697 ~~registration, licensure,~~ or certification; may investigate the  
698 actions of any appraiser ~~registered, licensed,~~ or certified  
699 under this part; may reprimand or impose an administrative fine  
700 not to exceed \$5,000 for each count or separate offense against  
701 any such appraiser; and may revoke or suspend, for a period not  
702 to exceed 10 years, the ~~registration, license,~~ or certification  
703 of any such appraiser, or place any such appraiser on probation,  
704 if it finds that the registered trainee assistant, ~~licensee,~~ or  
705 certificateholder:

706 (1) Has violated any provisions of this part or s.  
707 455.227(1); however, certificateholders and registrants





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708 ~~licensees~~ under this part are exempt from the provisions of s.  
709 455.227(1)(i).

710 (2) Has been guilty of fraud, misrepresentation,  
711 concealment, false promises, false pretenses, dishonest conduct,  
712 culpable negligence, or breach of trust in any business  
713 transaction in this state or any other state, nation, or  
714 territory; has violated a duty imposed upon her or him by law or  
715 by the terms of a contract, whether written, oral, express, or  
716 implied, in an appraisal assignment; has aided, assisted, or  
717 conspired with any other person engaged in any such misconduct  
718 and in furtherance thereof; or has formed an intent, design, or  
719 scheme to engage in such misconduct and committed an overt act  
720 in furtherance of such intent, design, or scheme. It is  
721 immaterial to the guilt of the registered trainee assistant,  
722 ~~licensee~~, or certificateholder that the victim or intended  
723 victim of the misconduct has sustained no damage or loss; that  
724 the damage or loss has been settled and paid after discovery of  
725 the misconduct; or that such victim or intended victim was a  
726 customer or a person in confidential relation with the  
727 registered trainee assistant, ~~licensee~~, or certificateholder, or  
728 was an identified member of the general public.

729 (3) Has advertised services in a manner which is  
730 fraudulent, false, deceptive, or misleading in form or content.

731 (4) Has violated any of the provisions of this section or  
732 any lawful order or rule issued under the provisions of this  
733 section or chapter 455.

734 (5) Has been convicted or found guilty of, or entered a  
735 plea of nolo contendere to, regardless of adjudication, a crime  
736 in any jurisdiction which directly relates to the activities of  
737 a registered trainee assistant appraiser or ~~licensed or~~



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738 certified appraiser, or which involves moral turpitude or  
739 fraudulent or dishonest conduct. The record of a conviction  
740 certified or authenticated in such form as admissible in  
741 evidence under the laws of the state shall be admissible as  
742 prima facie evidence of such guilt.

743 (6) Has had a registration, license, or certification as  
744 an appraiser revoked, suspended, or otherwise acted against, or  
745 has been disbarred, or has had her or his registration, license,  
746 or certificate to practice or conduct any regulated profession,  
747 business, or vocation revoked or suspended by this or any other  
748 state, any nation, or any possession or district of the United  
749 States, or has had an application for such registration,  
750 licensure, or certification to practice or conduct any regulated  
751 profession, business, or vocation denied by this or any other  
752 state, any nation, or any possession or district of the United  
753 States.

754 (7) Has become temporarily incapacitated from acting as an  
755 appraiser with safety to those in a fiduciary relationship with  
756 her or him because of drunkenness, use of drugs, or temporary  
757 mental derangement; however, suspension of a ~~license,~~  
758 ~~certification,~~ or registration in such cases shall only be for  
759 the period of such incapacity.

760 (8) Is confined in any county jail, postadjudication; is  
761 confined in any state or federal prison or mental institution;  
762 or, through mental disease or deterioration, can no longer  
763 safely be entrusted to deal with the public or in a confidential  
764 capacity.

765 (9) Has failed to inform the board in writing within 30  
766 days after pleading guilty or nolo contendere to, or being  
767 convicted or found guilty of, any felony.



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768 (10) Has been found guilty, for a second time, of any  
769 misconduct that warrants disciplinary action, or has been found  
770 guilty of a course of conduct or practice which shows that she  
771 or he is incompetent, negligent, dishonest, or untruthful to an  
772 extent that those with whom she or he may sustain a confidential  
773 relationship may not safely do so.

774 (11) Has made or filed a report or record, either written  
775 or oral, which the registered trainee ~~assistant, licensee,~~ or  
776 certificateholder knows to be false; has willfully failed to  
777 file a report or record required by state or federal law; has  
778 willfully impeded or obstructed such filing, or has induced  
779 another person to impede or obstruct such filing. However, such  
780 reports or records shall include only those which are signed or  
781 presented in the capacity of a registered trainee ~~assistant~~  
782 appraiser or ~~licensed~~ or certified appraiser.

783 (12) Has obtained or attempted to obtain a registration,  
784 ~~license,~~ or certification by means of knowingly making a false  
785 statement, submitting false information, refusing to provide  
786 complete information in response to an application question, or  
787 engaging in fraud, misrepresentation, or concealment.

788 (13) Has paid money or other valuable consideration,  
789 except as required by this section, to any member or employee of  
790 the board to obtain a registration, ~~license,~~ or certification  
791 under this section.

792 (14) Has violated any standard for the development or  
793 communication of a real estate appraisal or other provision of  
794 the Uniform Standards of Professional Appraisal Practice.

795 (15) Has failed or refused to exercise reasonable  
796 diligence in developing an appraisal or preparing an appraisal  
797 report.



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798 (16) Has failed to communicate an appraisal without good  
799 cause.

800 (17) Has accepted an appraisal assignment if the  
801 employment itself is contingent upon the appraiser reporting a  
802 predetermined result, analysis, or opinion, or if the fee to be  
803 paid for the performance of the appraisal assignment is  
804 contingent upon the opinion, conclusion, or valuation reached  
805 upon the consequences resulting from the appraisal assignment.

806 (18) Has failed to timely notify the department of any  
807 change in business location, or has failed to fully disclose all  
808 business locations from which she or he operates as a registered  
809 trainee ~~assistant~~ real estate appraiser or ~~licensed~~ or certified  
810 real estate appraiser.

811 Section 19. Section 475.626, Florida Statutes, is amended  
812 to read:

813 475.626 Violations and penalties.--

814 (1) VIOLATIONS.--

815 (a) No person shall operate or attempt to operate as a  
816 registered trainee ~~assistant~~ appraiser or ~~licensed~~ or certified  
817 appraiser without being the holder of a valid and current  
818 registration, ~~license~~, or certification.

819 (b) No person shall violate any lawful order or rule of  
820 the board which is binding upon her or him.

821 (c) No person shall commit any conduct or practice set  
822 forth in s. 475.624.

823 (d) No person shall make any false affidavit or  
824 affirmation intended for use as evidence by or before the board  
825 or any member thereof, or by any of its authorized  
826 representatives, nor shall any person give false testimony under



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827 oath or affirmation to or before the board or any member thereof  
828 in any proceeding authorized by this section.

829 (e) No person shall fail or refuse to appear at the time  
830 and place designated in a subpoena issued with respect to a  
831 violation of this section, unless such failure to appear is the  
832 result of facts or circumstances that are sufficient to excuse  
833 appearance in response to a subpoena from the circuit court; nor  
834 shall a person who is present before the board or a member  
835 thereof or one of its authorized representatives acting under  
836 authority of this section refuse to be sworn or to affirm or  
837 fail or refuse to answer fully any question propounded by the  
838 board, the member, or such representative, or by any person by  
839 the authority of such officer or appointee.

840 (f) No person shall obstruct or hinder in any manner the  
841 enforcement of this section or the performance of any lawful  
842 duty by any person acting under the authority of this section,  
843 or interfere with, intimidate, or offer any bribe to any member  
844 of the board or any of its employees or any person who is, or is  
845 expected to be, a witness in any investigation or proceeding  
846 relating to a violation of this section.

847 (g) No person shall knowingly conceal any information  
848 relating to violations of this section.

849 (2) PENALTIES.--Any person who violates any of the  
850 provisions of subsection (1) commits ~~is guilty of~~ a misdemeanor  
851 of the second degree, punishable as provided in s. 775.082 or s.  
852 775.083, except when a different punishment is prescribed by  
853 this section. Nothing in this section shall prohibit the  
854 prosecution under any other criminal statute of this state of  
855 any person for an act or conduct prohibited by this section;  
856 however, in such cases, the state may prosecute under this



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857 section or under such other statute, or may charge both offenses  
858 in one prosecution, but the sentence imposed shall not be a  
859 greater fine or longer sentence than that prescribed for the  
860 offense which carries the more severe penalties. A civil case,  
861 criminal case, or a denial, revocation, or suspension proceeding  
862 may arise out of the same alleged state of facts, and the  
863 pendency or result of one such case or proceeding shall not stay  
864 or control the result of either of the others.

865 Section 20. Section 475.627, Florida Statutes, is amended  
866 to read:

867 475.627 Appraisal course instructors.--

868 (1) Where the course or courses to be taught are  
869 prescribed by the board or approved precedent to registration,  
870 ~~licensure~~, certification, or renewal as a registered trainee  
871 ~~assistant appraiser, licensed appraiser~~, or certified  
872 residential appraiser, before commencing to instruct noncredit  
873 college courses in a college, university, or community college,  
874 or courses in an area technical center or proprietary real  
875 estate school, a person must certify her or his competency by  
876 meeting one of the following requirements:

877 (a) Hold a valid certification as a residential real  
878 estate appraiser in this or any other state.

879 (b) Pass an appraiser instructor's examination which shall  
880 test knowledge of residential appraisal topics.

881 (2) Where the course or courses to be taught are  
882 prescribed by the board or approved precedent to registration,  
883 ~~licensure~~, certification, or renewal as a registered trainee  
884 ~~assistant appraiser, licensed appraiser~~, or certified appraiser,  
885 before commencing to instruct noncredit college courses in a  
886 college, university, or community college, or courses in an area



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887 technical center or proprietary real estate school, a person  
888 must certify her or his competency by meeting one of the  
889 following requirements:

890 (a) Hold a valid certification as a general real estate  
891 appraiser in this or any other state.

892 (b) Pass an appraiser instructor's examination which shall  
893 test knowledge of residential and nonresidential appraisal  
894 topics.

895 (3) Possession of a permit to teach prescribed or approved  
896 appraisal courses does not entitle the permitholder to teach any  
897 courses outside the scope of the permit.

898 Section 21. Section 475.628, Florida Statutes, is amended  
899 to read:

900 475.628 Professional standards for appraisers registered,  
901 ~~licensed~~, or certified under this part.--Each appraiser  
902 registered,~~licensed~~, or certified under this part shall comply  
903 with the Uniform Standards of Professional Appraisal Practice.  
904 Statements on appraisal standards which may be issued for the  
905 purpose of clarification, interpretation, explanation, or  
906 elaboration through the Appraisal Foundation shall also be  
907 binding on any appraiser registered,~~licensed~~, or certified  
908 under this part.

909 Section 22. Section 475.629, Florida Statutes, is amended  
910 to read:

911 475.629 Retention of records.--An appraiser registered,  
912 ~~licensed~~, or certified under this part shall retain, for at  
913 least 5 years, original or true copies of any contracts engaging  
914 the appraiser's services, appraisal reports, and supporting data  
915 assembled and formulated by the appraiser in preparing appraisal  
916 reports. The period for retention of the records applicable to



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917 each engagement of the services of the appraiser runs from the  
918 date of the submission of the appraisal report to the client.  
919 These records must be made available by the appraiser for  
920 inspection and copying by the department on reasonable notice to  
921 the appraiser. If an appraisal has been the subject of or has  
922 served as evidence for litigation, reports and records must be  
923 retained for at least 2 years after the trial.

924 Section 23. Section 475.6295, Florida Statutes, is amended  
925 to read:

926 475.6295 Authority to inspect.--Duly authorized agents and  
927 employees of the department shall have the power to inspect in a  
928 lawful manner at all reasonable hours any appraiser or appraisal  
929 office certified or registered ~~licensed~~ under this chapter, for  
930 the purpose of determining if any of the provisions of this  
931 chapter, chapter 455, or any rule promulgated under authority of  
932 either chapter is being violated.

933 Section 24. Section 475.631, Florida Statutes, is created  
934 to read:

935 475.631 Nonresident licenses and certifications.--

936 (1) Notwithstanding the requirements for certification set  
937 forth in ss. 475.615 and 475.616, the board in its discretion  
938 may enter into written agreements with similar licensing or  
939 certification authorities of other states, territories, or  
940 jurisdictions of the United States to ensure for state-certified  
941 appraisers nonresident licensure or certification opportunities  
942 comparable to those afforded to nonresidents by this section.  
943 Whenever the board determines that another jurisdiction does not  
944 offer nonresident licensure or certification to state-certified  
945 appraisers substantially comparable to those afforded to  
946 certified appraisers or licensees of that jurisdiction by this





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947 section, the board shall require certified appraisers or  
948 licensees of that jurisdiction who apply for nonresident  
949 certification to meet education, experience, and examination  
950 requirements substantially comparable to those required by that  
951 jurisdiction with respect to state-certified appraisers who seek  
952 nonresident licensure or certification, not to exceed such  
953 requirements as are prescribed in ss. 475.615 and 475.616.

954 (2)(a) An applicant who is not a resident of this state  
955 shall file an irrevocable consent that suits and actions may be  
956 commenced against her or him in any county of this state in  
957 which a plaintiff having a cause of action or suit against her  
958 or him resides and that service of any process or pleading in  
959 suits or actions against her or him may be made by delivering  
960 the process or pleading to the director of the Division of Real  
961 Estate by certified mail, return receipt requested, and also to  
962 the certified appraiser or licensee by registered mail addressed  
963 to the certified appraiser or licensee at her or his designated  
964 principal place of business. Service, when so made, must be  
965 taken and held in all courts to be as valid and binding upon the  
966 certified appraiser or licensee as if made upon her or him in  
967 this state within the jurisdiction of the court in which the  
968 suit or action is filed. The irrevocable consent must be in a  
969 form prescribed by the department and be acknowledged before a  
970 notary public.

971 (b) Any resident state-certified appraiser who becomes a  
972 nonresident shall, within 60 days, notify the board of the  
973 change in residency and comply with nonresident requirements.  
974 Failure to notify and comply is a violation of the license law,  
975 subject to the penalties in s. 475.624.



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976       (c) All nonresident applicants, certified appraisers, and  
977       licensees shall comply with all requirements of board rules and  
978       this part. The board may adopt rules pursuant to ss. 120.536(1)  
979       and 120.54 necessary for the regulation of nonresident certified  
980       appraisers and licensees.

981       Section 25. Subsection (1) of section 655.60, Florida  
982       Statutes, is amended to read:

983       655.60 Appraisals.--

984       (1) The department is authorized to cause to be made  
985       appraisals of real estate or other property held by any state  
986       financial institution, subsidiary, or service corporation or  
987       securing the assets of the state financial institution,  
988       subsidiary, or service corporation when specific facts or  
989       information with respect to real estate or other property held,  
990       secured loans, or lending, or when in its opinion the state  
991       financial institution's policies, practices, operating results,  
992       and trends give evidence that the state financial institution's  
993       appraisals or evaluations of ability to make payments may be  
994       excessive, that lending or investment may be of a marginal  
995       nature, that appraisal policies and loan practices may not  
996       conform with generally accepted and established professional  
997       standards, or that real estate or other property held by the  
998       state financial institution, subsidiary, or service corporation  
999       or assets secured by real estate or other property are  
1000       overvalued. In lieu of causing such appraisals to be made, the  
1001       department may accept any appraisal caused to be made by an  
1002       appropriate state or federal regulatory agency or other insuring  
1003       agency or corporation of a state financial institution. Unless  
1004       otherwise ordered by the department, an appraisal of real estate  
1005       or other property pursuant to this section must be made by a



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1006 ~~licensed or~~ certified appraiser or appraisers selected by the  
1007 department, and the cost of such appraisal shall be paid  
1008 promptly by such state financial institution, subsidiary, or  
1009 service corporation directly to such appraiser or appraisers  
1010 upon receipt by the state financial institution of a statement  
1011 of such cost bearing the written approval of the department. A  
1012 copy of the report of each appraisal caused to be made by the  
1013 department pursuant to this section shall be furnished to the  
1014 state financial institution, subsidiary, or service corporation  
1015 within a reasonable time, not exceeding 60 days, following the  
1016 completion of such appraisal and may be furnished to the  
1017 insuring agency or corporation or federal or state regulatory  
1018 agency.

1019 Section 26. This act shall take effect July 1, 2003.