

1 A bill to be entitled
2 An act relating to real estate brokers and appraisers;
3 amending s. 475.215, F.S.; providing a qualifying
4 condition for the issuance of additional licenses to a
5 licensed broker; providing grounds for the Florida
6 Real Estate Commission to deny multiple license
7 requests; providing for applicability and effect of
8 certain final orders of discipline on primary and
9 multiple licenses held by a broker; amending s.
10 475.611, F.S.; revising the definition of the term
11 "supervisory appraiser"; amending s. 475.612, F.S.;
12 conforming a provision to changes made by the act;
13 amending s. 475.615, F.S.; revising the dated version
14 of certain requirements adopted by the Appraiser
15 Qualifications Board of the Appraisal Foundation based
16 upon which the Florida Real Estate Appraisal Board is
17 authorized to waive or modify certain education,
18 experience, or examination requirements applicable to
19 certified appraisers and registered trainee
20 appraisers; revising certain exceptions from
21 provisions specifying that certain applicants for
22 certification or registration as an appraiser or
23 trainee appraiser are not deemed to be qualified for
24 such certification or registration; amending s.
25 475.6221, F.S.; deleting authority for a licensed
26 appraiser to act as the direct supervisor of a
27 registered trainee real estate appraiser; providing
28 effective dates.

29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56

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

Section 1. Subsection (1) of section 475.215, Florida Statutes, is amended to read:

475.215 Multiple licenses.—

(1) A licensed broker may be issued upon request additional licenses as a broker, but not as a sales associate or as a broker associate, whenever it is clearly shown that the requested additional licenses are necessary to the conduct of real estate brokerage business and that the additional licenses will not be used in a manner likely to be prejudicial or harmful to any person, including a licensee under this chapter. The commission may also deny a multiple license request pursuant to s. 475.17(1)(a). A final order of discipline rendered against a broker for a violation of this part or s. 455.227(1) applies to the primary license of the broker as well as any multiple licenses held by that broker at the time the final order becomes effective.

Section 2. Paragraph (u) of subsection (1) of section 475.611, Florida Statutes, is amended to read:

475.611 Definitions.—

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

(u) "Supervisory appraiser" means ~~a licensed appraiser,~~ a certified residential appraiser, or a certified general appraiser responsible for the direct supervision of one or more registered trainee appraisers and fully responsible for appraisals and appraisal reports prepared by those registered

57 | trainee appraisers. The board, by rule, shall determine the
58 | responsibilities of a supervisory appraiser, the geographic
59 | proximity required, the minimum qualifications and standards
60 | required of a ~~licensed or~~ certified appraiser before she or he
61 | may act in the capacity of a supervisory appraiser, and the
62 | maximum number of registered trainee appraisers to be supervised
63 | by an individual supervisory appraiser.

64 | Section 3. Subsection (1) of section 475.612, Florida
65 | Statutes, is amended to read:

66 | 475.612 Certification, licensure, or registration
67 | required.—

68 | (1) A person may not use the title "certified real estate
69 | appraiser," "licensed real estate appraiser," or "registered
70 | trainee real estate appraiser," or any abbreviation or words to
71 | that effect, or issue an appraisal report, unless such person is
72 | certified, licensed, or registered by the department under this
73 | part. However, the work upon which an appraisal report is based
74 | may be performed by a person who is not a certified or licensed
75 | appraiser or registered trainee appraiser if the work is
76 | supervised and approved, and the report is signed, by a
77 | certified or licensed appraiser who has full responsibility for
78 | all requirements of the report and valuation service. Only a
79 | certified or licensed appraiser may issue an appraisal report
80 | and receive direct compensation for providing valuation services
81 | for the appraisal report. A registered trainee appraiser may
82 | only receive compensation for appraisal services from her or his
83 | authorized certified ~~or licensed~~ appraiser.

84 | Section 4. Effective January 1, 2014, subsections (2) and

85 (6) of section 475.615, Florida Statutes, are amended to read:

86 475.615 Qualifications for registration or certification.—

87 (2) The board is authorized to waive or modify any
 88 education, experience, or examination requirements established
 89 in this part in order to conform with any such requirements
 90 established by the Appraiser ~~Appraisal~~ Qualifications Board of
 91 the Appraisal Foundation or any successor body recognized by
 92 federal law, including any requirements adopted on December 9,
 93 2011 ~~February 20, 2004~~. The board shall implement this section
 94 by rule.

95 (6) All applicants must be competent and qualified to make
 96 real estate appraisals with safety to those with whom they may
 97 undertake a relationship of trust and confidence and the general
 98 public. If any applicant has been denied registration,
 99 licensure, or certification, or has been disbarred, or the
 100 applicant's registration, license, or certificate to practice or
 101 conduct any regulated profession, business, or vocation has been
 102 revoked or suspended by this or any other state, any nation, or
 103 any possession or district of the United States, or any court or
 104 lawful agency thereof, because of any conduct or practices which
 105 would have warranted a like result under this part, or if the
 106 applicant has been guilty of conduct or practices in this state
 107 or elsewhere which would have been grounds for disciplining her
 108 or his registration, license, or certification under this part
 109 had the applicant then been a registered trainee appraiser or a
 110 licensed or certified appraiser, the applicant is ~~shall be~~
 111 deemed not to be qualified unless the applicant has met the
 112 conditions adopted by the Appraiser Qualifications Board of the

113 Appraisal Foundation on December 9, 2011, as prescribed by rule
114 of the board and, ~~because of lapse of time and subsequent good~~
115 ~~conduct and reputation, or other reason deemed sufficient,~~ it
116 appears to the board that the interest of the public is not
117 likely to be endangered by the granting of registration or
118 certification.

119 Section 5. Subsection (1) of section 475.6221, Florida
120 Statutes, is amended to read:

121 475.6221 Employment of and by registered trainee real
122 estate appraisers.—

123 (1) A registered trainee real estate appraiser must
124 perform appraisal services under the direct supervision of a
125 ~~licensed or~~ certified appraiser who is designated as the primary
126 supervisory appraiser. The primary supervisory appraiser may
127 also designate additional ~~licensed or~~ certified appraisers as
128 secondary supervisory appraisers. A secondary supervisory
129 appraiser must be affiliated with the same firm or business as
130 the primary supervisory appraiser and the primary or secondary
131 supervisory appraiser must have the same business address as the
132 registered trainee real estate appraiser. The primary
133 supervisory appraiser must notify the Division of Real Estate of
134 the name and address of any primary and secondary supervisory
135 appraiser for whom the registered trainee will perform appraisal
136 services, and must also notify the division within 10 days after
137 terminating such relationship. Termination of the relationship
138 with a primary supervisory appraiser automatically terminates
139 the relationship with the secondary supervisory appraiser.

140 Section 6. Except as otherwise expressly provided in this

CS/CS/HB 667

2013

141 | act, this act shall take effect upon becoming a law.