

By the Committee on Regulated Industries; and Senator Bean

580-02840-13

2013852c1

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 revising a provision specifying from whom a registered
13 trainee appraiser may receive compensation; amending
14 s. 475.615, F.S.; revising certain exceptions from
15 provisions specifying that certain applicants for
16 certification or registration as an appraiser or
17 trainee appraiser are not deemed to be qualified for
18 such certification or registration; revising the dated
19 version of certain requirements adopted by the
20 Appraiser Qualifications Board of the Appraisal
21 Foundation based upon which the Florida Real Estate
22 Appraisal Board is authorized to waive or modify
23 certain education, experience, or examination
24 requirements applicable to certified appraisers and
25 registered trainee appraisers; amending s. 475.6221,
26 F.S.; deleting authority for a licensed appraiser to
27 act as the direct supervisor of a registered trainee
28 real estate appraiser; providing effective dates.
29

580-02840-13

2013852c1

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

31
32 Section 1. Subsection (1) of section 475.215, Florida
33 Statutes, is amended to read:

34 475.215 Multiple licenses.—

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

48 Section 2. Paragraph (u) of subsection (1) of section
49 475.611, Florida Statutes, is amended to read:

50 475.611 Definitions.—

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

52 (u) "Supervisory appraiser" means ~~a licensed appraiser,~~ a
53 certified residential appraiser, or a certified general
54 appraiser responsible for the direct supervision of one or more
55 registered trainee appraisers and fully responsible for
56 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

580-02840-13

2013852c1

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

580-02840-13

2013852c1

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

580-02840-13

2013852c1

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

140 Section 6. Except as otherwise expressly provided in this
141 act, this act shall take effect upon becoming a law.