

WSR 24-13-033

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed June 10, 2024, 8:53 a.m., effective July 11, 2024]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The department of licensing is updating language in WAC 308-409-080 to include requirements from RCW 18.310.150 Disciplinary actions—Grounds.

Citation of Rules Affected by this Order: Amending WAC 308-409-080 Prohibitions.

Statutory Authority for Adoption: RCW 18.310.020 Powers and duties of director.

Adopted under notice filed as WSR 24-10-103 on May 1, 2024.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 1.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 1, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 1.

Date Adopted: June 10, 2024.

Ellis Starrett
Rules and Policy Manager

OTS-5183.1

AMENDATORY SECTION (Amending WSR 11-24-067, filed 12/6/11, effective 1/6/12)

WAC 308-409-080 Prohibitions. (1) In addition to the unprofessional conduct described in RCW 18.235.130, and the actions described in RCW 18.310.150, the director may take disciplinary action for the following conduct, actions or conditions:

(a) Prohibiting or refusing to allow, or attempting to prohibit or refuse to allow the professional appraisal assistance of registered real estate appraiser trainees in appraisal services unless such action is required by the appraisal management company's client;

(b) The appraisal management company shall not permit any employee, agent, third party, or controlling principal to engage in any of the following activities:

(i) Require the appraiser to collect the appraisal fee from a borrower, homeowner, or third party or to accept a credit card payment;

(ii) Require the appraiser to provide the appraisal management company with the appraiser's digital signature or seal; or

(iii) Compensate an unlicensed appraisal management company for referrals of appraisal services.

(2) This section does not prohibit an appraisal management company or an individual with an interest in a real estate transaction from requesting an appraiser to:

(a) Consider additional appropriate property information including relevant sales comparables not considered in the initial appraisal report;

(b) Provide further detail, substantiation or explanation of the appraiser's value conclusion; or

(c) Correct errors in the appraisal report.