
HOUSE BILL 2430

State of Washington 52nd Legislature 1992 Regular Session

By Representatives O'Brien and May

Read first time 01/16/92. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to real estate appraisers; amending RCW 18.140.005,
2 18.140.010, 18.140.020, 18.140.030, 18.140.040, 18.140.060, 18.140.070,
3 18.140.080, 18.140.090, 18.140.100, 18.140.110, 18.140.120, 18.140.130,
4 18.140.140, 18.140.150, 18.140.160, 18.140.170, 18.140.180, and
5 18.140.190; adding new sections to chapter 18.140 RCW; creating a new
6 section; and declaring an emergency.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 **Sec. 1.** RCW 18.140.005 and 1989 c 414 s 1 are each amended to read
9 as follows:

10 It is the intent of the legislature that only individuals who meet
11 and maintain minimum standards of competence and conduct may provide
12 certified or licensed appraisal services to the public.

1 **Sec. 2.** RCW 18.140.010 and 1989 c 414 s 3 are each amended to read
2 as follows:

3 As used in this chapter, the following terms have the meanings
4 indicated unless the context clearly requires otherwise.

5 (1) "Appraisal" or "real estate appraisal" means an analysis,
6 opinion, or conclusion relating to the nature, quality, value, or
7 utility of specified interests in, or aspects of, identified real
8 estate, for or in expectation of compensation. An appraisal may be
9 classified by subject matter into either a valuation or an analysis.
10 A "valuation" is an estimate of the value of real estate or real
11 property. An "analysis" is a study of real estate or real property
12 other than estimating value.

13 (2) "Appraisal report" means any communication, written or oral, of
14 an appraisal, except that all appraisal reports in federally related
15 transactions are required to be written reports.

16 (3) "Appraisal assignment" means an engagement for which an
17 appraiser is employed or retained to act, or would be perceived by
18 third parties or the public as acting, as a disinterested third party
19 in rendering an unbiased analysis, opinion, or conclusion relating to
20 the nature, quality, value, or utility of specified interests in, or
21 aspects of, identified real estate. The term "appraisal assignment"
22 may apply to valuation work and analysis work.

23 (4) (~~"Board" means the certified real estate appraiser~~
24 ~~certification board.~~

25 ~~(5))~~ "Certified appraisal" means an appraisal prepared or signed
26 by a state-certified real estate appraiser. A certified appraisal
27 represents to the public that it meets the appraisal standards defined
28 in this chapter.

29 (5) "Committee" means the real estate appraiser advisory committee
30 of the state of Washington.

1 (6) "Department" means the department of licensing.

2 (7) "Director" means the director of the department of licensing.

3 (8) "Licensed appraisal" means an appraisal prepared or signed by
4 a state-licensed real estate appraiser. A licensed appraisal
5 represents to the public that it meets the appraisal standards defined
6 in this chapter.

7 (9) "Real estate" means an identified parcel or tract of land,
8 including improvements, if any.

9 ((+9)) (10) "Real property" means one or more defined interests,
10 benefits, or rights inherent in the ownership of real estate.

11 ((+10)) (11) "Specialized appraisal services" means all appraisal
12 services which do not fall within the definition of appraisal
13 assignment. The term "specialized appraisal service" may apply to
14 valuation work and to analysis work. Regardless of the intention of
15 the client or employer, if the appraiser would be perceived by third
16 parties or the public as acting as a disinterested third party in
17 rendering an unbiased analysis, opinion, or conclusion, the work is
18 classified as an appraisal assignment and not a specialized appraisal
19 service.

20 ((+11)) (12) "State-certified general real estate appraiser" means
21 a person certified by the director to develop and communicate real
22 estate appraisals of all types of property. A state-certified general
23 real estate appraiser may designate or identify an appraisal rendered
24 by him or her as a "certified appraisal."

25 (13) "State-certified residential real estate appraiser" means a
26 person ~~((who))~~ certified by the director to develop~~((s))~~ and
27 communicate~~((s))~~ real estate appraisals ~~((and who holds a valid~~
28 ~~certificate issued to him or her for either general or residential real~~
29 ~~estate under this chapter))~~ of all types of residential property of one
30 to four units without regard to transaction value or complexity and

1 nonresidential property having a transaction value less than two
2 hundred fifty thousand dollars. A ~~((state-certificated))~~ state
3 certified residential real estate appraiser may designate or identify
4 an appraisal rendered by him or her as a "certified appraisal." ~~((and~~
5 ~~indicate which type of certification is held.))~~

6 (14) "State-licensed real estate appraiser" means a person licensed
7 by the director to develop and communicate real estate appraisals of
8 noncomplex one to four residential units having a transaction value
9 less than one million dollars and complex one to four residential units
10 having a transaction value less than two hundred fifty thousand dollars
11 and nonresidential property having a transaction value less than two
12 hundred fifty thousand dollars. A state-licensed real estate appraiser
13 may designate or identify an appraisal rendered by him or her as a
14 "licensed appraisal."

15 **Sec. 3.** RCW 18.140.020 and 1989 c 414 s 4 are each amended to read
16 as follows:

17 (1) No person, other ~~((that [than]))~~ than a state-certified or
18 state-licensed real estate appraiser, may assume or use that title or
19 any title, designation, or abbreviation likely to create the impression
20 of certification or licensure as a real estate appraiser by this state.
21 A person who is not certified or licensed under this chapter shall not
22 describe or refer to any appraisal ~~((or))~~ of real estate located in
23 this state by the term "certified" or "licensed."

24 (2) This section does not preclude a person who is not certified or
25 licensed as a state-certified or state-licensed real estate appraiser
26 from appraising real estate in this state for compensation, except in
27 federally related transactions requiring licensure or certification to
28 perform appraisal services.

1 **Sec. 4.** RCW 18.140.030 and 1989 c 414 s 7 are each amended to read
2 as follows:

3 The director shall have the following powers and duties:

4 (1) To adopt rules in accordance with chapter 34.05 RCW necessary
5 to implement this chapter;

6 (2) To receive and approve or deny applications for certification
7 or licensure as a state-certified or state-licensed real estate
8 appraiser under this chapter; to establish appropriate administrative
9 procedures for the processing of such applications; to issue
10 certificates or licenses to qualified applicants pursuant to the
11 provisions of this chapter; and to maintain a register of the names and
12 addresses of individuals who are currently certified or licensed under
13 this chapter;

14 (3) To establish, provide administrative assistance ~~((to))~~, and
15 appoint the members for the real estate appraiser ~~((certification~~
16 ~~board))~~ advisory committee to enable the ~~((board))~~ committee to ~~((carry~~
17 ~~out its responsibilities under this chapter))~~ act in an advisory
18 capacity to the director;

19 (4) To solicit bids and enter into contracts with educational
20 testing services or organizations for the preparation of questions and
21 answers for certification or licensure examinations;

22 (5) To administer or contract for administration of certification
23 or licensure examinations at locations and times as may be required to
24 carry out the responsibilities under this chapter;

25 (6) To enter into contracts for professional services determined to
26 be necessary for adequate enforcement of this chapter;

27 (7) To consider recommendations by the real estate appraiser
28 ~~((certification board))~~ advisory committee relating to the experience,
29 education, and examination requirements for each classification of
30 state-certified appraiser and for licensure;

1 ~~((7))~~ (8) To impose continuing education requirements as a
2 prerequisite to renewal of certification or licensure;

3 ~~((8))~~ (9) To consider recommendations by the real estate
4 appraiser ~~((certification board))~~ advisory committee relating to
5 standards of professional appraisal practice in the enforcement of this
6 chapter;

7 ~~((9) To issue an annual statement describing the receipts and
8 expenditures in the administration of this chapter during each fiscal
9 year;))~~

10 (10) To investigate all complaints or reports of unprofessional
11 conduct as defined in this chapter and to hold hearings as provided in
12 this chapter;

13 (11) To establish appropriate administrative procedures for
14 disciplinary proceedings conducted pursuant to the provisions of this
15 chapter;

16 ~~((11))~~ (12) To compel the attendance of witnesses and production
17 of books, documents, records, and other papers; to administer oaths;
18 and to take testimony and receive evidence concerning all matters
19 within their jurisdiction. These powers may be exercised directly by
20 the director or the director's authorized representatives acting by
21 authority of law;

22 ~~((12))~~ (13) To take emergency action ordering summary suspension
23 of a license or certification pending proceedings by the director;

24 (14) To employ such professional, clerical, and technical
25 assistance as may be necessary to properly administer the work of the
26 director;

27 ~~((13))~~ (15) To establish forms necessary to administer this
28 chapter; ~~((and~~

29 ~~(14))~~ (16) To adopt standards of professional conduct or practice;
30 and

1 (17) To do all other things necessary to carry out the provisions
2 of this chapter and minimally meet the requirements of federal
3 guidelines regarding state certification or licensure of appraisers
4 that the director determines are appropriate for state-certified and
5 state-licensed appraisers in this state.

6 **Sec. 5.** RCW 18.140.040 and 1989 c 414 s 8 are each amended to read
7 as follows:

8 The director(~~(, members of the board,)~~) or individuals acting on
9 (~~their~~) behalf of the director are immune from suit in any action,
10 civil or criminal, based on any acts performed in the course of their
11 duties except for their intentional or willful misconduct.

12 **Sec. 6.** RCW 18.140.060 and 1989 c 414 s 10 are each amended to
13 read as follows:

14 (1) Applications for examinations, original certification or
15 licensure, and renewal certification or licensure shall be made in
16 writing to the department on forms approved by the director.
17 Applications for original and renewal certification or licensure shall
18 include a statement confirming that the applicant shall comply with
19 applicable rules and regulations and that the applicant understands the
20 penalties for misconduct.

21 (2) The appropriate fees shall accompany all applications for
22 examination, reexamination, original certification or licensure, and
23 renewal certification or licensure.

24 **Sec. 7.** RCW 18.140.070 and 1989 c 414 s 11 are each amended to
25 read as follows:

1 There shall be one category of state-licensed real estate
2 appraisers and two categories of state-certified real estate appraisers
3 as follows:

4 (1) The ~~((state-certified residential))~~ state-licensed real estate
5 appraiser ~~((classification shall consist of those persons meeting the~~
6 ~~requirements for appraisal of residential real property of one to four~~
7 ~~units.))~~i

8 (2) The state-certified ~~((general))~~ residential real estate
9 appraiser ~~((classification shall consist of those persons meeting the~~
10 ~~requirements for certification relating to the appraisal of all types~~
11 ~~of real property))~~i

12 (3) The state-certified general real estate appraiser.

13 **Sec. 8.** RCW 18.140.080 and 1989 c 414 s 12 are each amended to
14 read as follows:

15 ~~((1))~~ As a prerequisite to taking ~~((the))~~ an examination for
16 certification ~~((as a state-certified general real estate appraiser))~~ or
17 licensure, an applicant shall present evidence satisfactory to the
18 director that he or she has successfully completed the education
19 requirements adopted by the director.

20 ~~((2) As a prerequisite to taking the examination for certification~~
21 ~~as a state-certified residential real estate appraiser, an applicant~~
22 ~~shall present evidence satisfactory to the director that he or she has~~
23 ~~successfully completed the education requirements adopted by the~~
24 ~~director.~~

25 ~~(3) The education requirements of subsections (1) and (2) of this~~
26 ~~section may be waived by the director if the applicant presents~~
27 ~~evidence to the satisfaction of the director that the applicant was~~
28 ~~practicing as a real estate appraiser in the state of Washington on~~
29 ~~July 1, 1990.)~~

1 **Sec. 9.** RCW 18.140.090 and 1989 c 414 s 13 are each amended to
2 read as follows:

3 As a prerequisite to taking ~~((the))~~ an examination for
4 certification ~~((as a state-certified real estate appraiser))~~ or
5 licensure, an applicant must meet the experience requirements adopted
6 by the director.

7 **Sec. 10.** RCW 18.140.100 and 1989 c 414 s 14 are each amended to
8 read as follows:

9 An original ~~((certification as a state-certified real estate~~
10 ~~appraiser))~~ license or certificate shall be issued to persons who have
11 satisfactorily passed ~~((a))~~ the written examination as endorsed by the
12 Appraisal Qualification Board of the Appraisal Foundation and as
13 adopted by the director.

14 **Sec. 11.** RCW 18.140.110 and 1989 c 414 s 15 are each amended to
15 read as follows:

16 Every applicant for licensing or certification who is not a
17 resident of this state shall submit, with the application for licensing
18 or certification, an irrevocable consent that service of process upon
19 him or her may be made by service on the director if, in an action
20 against the applicant in a court of this state arising out of the
21 applicant's activities as a state-licensed or state-certified real
22 estate appraiser, the plaintiff cannot, in the exercise of due
23 diligence, obtain personal service upon the applicant.

24 **Sec. 12.** RCW 18.140.120 and 1989 c 414 s 16 are each amended to
25 read as follows:

26 An applicant for licensure or certification who is currently
27 licensed or certified and in good standing under the laws of another

1 state may obtain a license or certificate as a Washington state-
2 licensed or state-certified real estate appraiser without being
3 required to satisfy the examination requirements of this chapter if:
4 The director determines that the licensure or certification
5 requirements are substantially similar to those found in Washington
6 state; and that the other state has a written reciprocal agreement to
7 provide similar treatment to holders of Washington state licenses
8 and/or certificates.

9 **Sec. 13.** RCW 18.140.130 and 1989 c 414 s 17 are each amended to
10 read as follows:

11 (1) Each original and renewal license or certificate issued under
12 this chapter shall ((be for a period of two years)) expire on the
13 applicant's second birthday following issuance of the license or
14 certificate.

15 (2) To be renewed as a state-licensed or state-certified real
16 estate appraiser, the holder of a valid license or certificate shall
17 apply and pay the prescribed fee to the director no earlier than one
18 hundred twenty days prior to the expiration date of the license or
19 certificate and shall demonstrate satisfaction of any continuing
20 education requirements.

21 (3) If a person fails to renew a license or certificate prior to
22 its expiration and no more than two years have passed since the person
23 last held a valid license or certificate, the person may obtain a
24 renewal license or certificate by satisfying all of the requirements
25 for renewal and paying late renewal fees.

26 The director shall cancel the license or certificate of any person
27 whose renewal fee is not received within two years from the date of
28 expiration. A person may obtain a new license or certificate by
29 satisfying the procedures and qualifications for initial licensure or

1 certification, including the successful completion of any applicable
2 examinations.

3 **Sec. 14.** RCW 18.140.140 and 1989 c 414 s 18 are each amended to
4 read as follows:

5 (1) A license or certificate issued under this chapter shall bear
6 the signature or facsimile signature of the director and a license or
7 certificate number assigned by the director.

8 (2) Each state-licensed or state-certified real estate appraiser
9 shall place his or her certificate number adjacent to or immediately
10 below the title "state-licensed real estate appraiser," "state-
11 certified residential real estate appraiser," or "state-certified
12 general real estate appraiser" when used in an appraisal report or in
13 a contract or other instrument used by the licensee or certificate
14 holder in conducting real property appraisal activities.

15 **Sec. 15.** RCW 18.140.150 and 1989 c 414 s 19 are each amended to
16 read as follows:

17 (1) The term "state-licensed" or "state-certified real estate
18 appraiser" may only be used to refer to individuals who hold the
19 license or certificate and may not be used following or immediately in
20 connection with the name or signature of a firm, partnership,
21 corporation, or group, or in such manner that it might be interpreted
22 as referring to a firm, partnership, corporation, group, or anyone
23 other than an individual holder of the license or certificate.

24 (2) No license or certificate may be issued under this chapter to
25 a corporation, partnership, firm, or group. This shall not be
26 construed to prevent a state-licensed or state-certified appraiser from
27 signing an appraisal report on behalf of a corporation, partnership,
28 firm, or group practice.

1 NEW SECTION. **Sec. 16.** A new section is added to chapter 18.140
2 RCW to read as follows:

3 (1) A real estate appraiser from another state who is licensed or
4 certified by another state may apply for registration to receive
5 temporary licensing or certification in Washington by paying a fee and
6 filing a notarized application with the department on a form provided
7 by the department.

8 (2) Licensing and certification privileges granted under the
9 provisions of this section shall expire sixty days from issuance.
10 Licensing or certification shall not be renewed, nor shall an applicant
11 receive more than two registrations within any twelve-month period.

12 (3) Persons granted temporary licensing or certification privileges
13 under this section shall not advertise or otherwise hold themselves out
14 as being licensed or certified by the state of Washington.

15 (4) Persons granted temporary licensure or certification are
16 subject to all provisions under this chapter.

17 **Sec. 17.** RCW 18.140.160 and 1989 c 414 s 20 are each amended to
18 read as follows:

19 An application for licensure or certification ((or
20 ~~recertification~~)) may be denied(~~(, and the certification of any state-~~
21 ~~certified real estate appraiser may be revoked, suspended,~~)). The
22 director may impose any one or more of the following sanctions against
23 state-licensed or state-certified appraisers: Suspend, revoke, or levy
24 a fine not to exceed one thousand dollars for each offense and/or
25 otherwise ((disciplined)) discipline in accordance with the provisions
26 of this chapter, for any of the following acts or omissions:

27 (1) Failing to meet the minimum qualifications for state licensure
28 or certification established by or pursuant to this chapter;

1 (2) Procuring or attempting to procure state licensure or
2 certification under this chapter by knowingly making a false statement,
3 knowingly submitting false information, or knowingly making a material
4 misrepresentation on any application filed with the director;

5 (3) Paying money other than the fees provided for by this chapter
6 to any employee of the director or the board to procure state licensure
7 or certification under this chapter;

8 (4) Obtaining a license or certification through the mistake or
9 inadvertence of the director;

10 (5) Conviction of any gross misdemeanor or felony or the commission
11 of any act involving moral turpitude, dishonesty, or corruption whether
12 or not the act constitutes a crime. If the act constitutes a crime,
13 conviction in a criminal proceeding is not a condition precedent to
14 disciplinary action. Upon such a conviction, however, the judgment and
15 sentence is conclusive evidence at the ensuing disciplinary hearing of
16 the guilt of the license or certificate holder or applicant of the
17 crime described in the indictment or information, and of the person's
18 violation of the statute on which it is based. For the purposes of
19 this section, conviction includes all instances in which a plea of
20 guilty or nolo contendere is the basis for the conviction and all
21 proceedings in which the sentence has been deferred or suspended.
22 Nothing in this section abrogates rights guaranteed under chapter 9.96A
23 RCW;

24 (6) Failure or refusal without good cause to exercise reasonable
25 diligence in developing an appraisal, preparing an appraisal report, or
26 communicating an appraisal;

27 ~~((+5+))~~ (7) Negligence or incompetence in developing an appraisal,
28 preparing an appraisal report, or communicating an appraisal;

1 (~~(6)~~) (8) Continuing to act as a state-licensed or state-
2 certified real estate appraiser when his or her license or certificate
3 is on an expired status;

4 (~~(7)~~) (9) Failing, upon demand, to disclose any information
5 within his or her knowledge to, or to produce any document, book, or
6 record in his or her possession for inspection of the director or the
7 director's authorized representatives acting by authority of law; (~~and~~

8 ~~(8)~~) (10) Violating any provision of this chapter or any lawful
9 rule or regulation made by the director pursuant thereto;

10 (11) Advertising in a false, fraudulent, or misleading manner;

11 (12) Suspension, revocation, or restriction of the individual's
12 license or certification to practice the profession by competent
13 authority in any state, federal, or foreign jurisdiction, with a
14 certified copy of the order, stipulation, or agreement being conclusive
15 evidence of the revocation, suspension, or restriction;

16 (13) Failing to comply with an order issued by the director;

17 (14) Committing any act of fraudulent or dishonest dealing or a
18 crime involving moral turpitude, with a certified copy of the final
19 holding of any court of competent jurisdiction in such matter being
20 conclusive evidence in any hearing under this chapter; and

21 (15) Issuing an appraisal report on any real property in which the
22 appraiser has an interest unless his or her interest is clearly stated
23 in the appraisal report.

24 **Sec. 18.** RCW 18.140.170 and 1989 c 414 s 21 are each amended to
25 read as follows:

26 The director may investigate the actions of a state-licensed or
27 state-certified real estate appraiser or an applicant for licensure or
28 certification or relicensure or recertification. Upon receipt of
29 information indicating that a state-licensed or state-certified real

1 estate appraiser under this chapter may have violated this chapter, the
2 director shall cause one or more of the staff investigators to make an
3 investigation of the facts to determine whether or not there is
4 admissible evidence of any such violation. If technical assistance is
5 required, a staff investigator may consult with ~~((not))~~ one or more
6 ~~((than one))~~ of the ~~((appraiser))~~ members of the ~~((board. If an~~
7 ~~appraiser member of the board is consulted and renders assistance in an~~
8 ~~investigation, the appraiser member is excused from service on the~~
9 ~~board in connection with any administrative hearing that may result~~
10 ~~from such investigation))~~ committee.

11 In any investigation made by the director's investigative staff,
12 the director shall have the power to compel the attendance of witnesses
13 and the production of books, documents, records, and other papers, to
14 administer oaths, and to take testimony and receive evidence concerning
15 all matters within the director's jurisdiction.

16 If the director determines, upon investigation, that a state-
17 licensed or state-certified real estate appraiser under this chapter
18 has violated this chapter, a statement of charges shall be prepared and
19 served upon the state-licensed or state-certified real estate
20 appraiser. This statement of charges shall require the accused party
21 to file an answer to the statement of charges within twenty days of the
22 date of service.

23 In responding to a statement of charges, the accused party may
24 admit to the allegations, deny the allegations, or otherwise ~~((plea))~~
25 plead. Failure to make a timely response shall be deemed an admission
26 of the allegations contained in the statement of charges and will
27 result in a default whereupon the director may enter an order under RCW
28 34.05.440. If a hearing is requested, the time of the hearing shall be
29 scheduled but the hearing shall not be held earlier than thirty days
30 after service of the charges upon the accused. A notice of hearing

1 shall be issued at least twenty days prior to the hearing, specifying
2 the time, date, and place of hearing.

3 NEW SECTION. **Sec. 19.** A new section is added to chapter 18.140
4 RCW to read as follows:

5 (1) The director may issue a cease and desist order to a person
6 after notice and hearing and upon a determination that the person has
7 violated a provision of this chapter or a lawful order or rule of the
8 director.

9 (2) If the director makes a written finding of fact that the public
10 interest will be irreparably harmed by delay in issuing an order, the
11 director may issue a temporary cease and desist order. Before issuing
12 the temporary cease and desist order, whenever possible, the director
13 shall give notice by telephone or otherwise of the proposal to issue a
14 temporary cease and desist order to the person. Every temporary cease
15 and desist order shall include a provision that a hearing will be held
16 upon request to determine whether the order will become permanent.

17 At the time the temporary cease and desist order is served, the
18 person shall be notified that he or she is entitled to request a
19 hearing for the sole purpose of determining whether the public interest
20 requires that the temporary cease and desist order be continued or
21 modified pending the outcome of the hearing to determine whether the
22 order will become permanent. The hearing shall be held within thirty
23 days after the department receives the request for hearing, unless the
24 person requests a later hearing. A person may secure review of any
25 decision rendered at a temporary cease and desist order review hearing
26 in the same manner as an adjudicative proceeding.

27 **Sec. 20.** RCW 18.140.180 and 1989 c 414 s 22 are each amended to
28 read as follows:

1 The administrative hearing on the allegations in the statement of
2 charges may be heard by (~~the board or~~) an administrative law judge
3 appointed under chapter 34.12 RCW at the time and place prescribed by
4 the director and in accordance with the provisions of the
5 administrative procedure act, chapter 34.05 RCW. If the (~~board or~~
6 ~~the~~) administrative law judge determines that a state-licensed or
7 state-certified real estate appraiser is guilty of a violation of any
8 of the provisions of this chapter, a formal decision shall be prepared
9 that contains findings of fact and recommendations to the director
10 concerning the appropriate disciplinary action to be taken.

11 In such event the director shall enter an order to that effect and
12 shall file the same in his or her office and immediately mail a copy
13 thereof to the affected party at the addresses of record with the
14 department. Such order shall not be operative for a period of ten days
15 from the date thereof. Any (~~licensee or applicant~~) party aggrieved
16 by a final decision by the director in an adjudicative proceeding
17 whether such decision is affirmative or negative in form, is entitled
18 to a judicial review in the superior court under the provisions of the
19 administrative procedure act, chapter 34.05 RCW.

20 **Sec. 21.** RCW 18.140.190 and 1989 c 414 s 23 are each amended to
21 read as follows:

22 The attorney general shall render to the director (~~and board~~)
23 opinions upon all questions of law relating to the construction or
24 interpretation of this chapter, or arising in the administration
25 thereof that may be submitted by the director (~~or board~~), and shall
26 act as attorney for the director (~~and board~~) in all actions and
27 proceedings brought by or against the director (~~and board~~) under or
28 pursuant to any provisions of this chapter.

1 NEW SECTION. **Sec. 22.** The department shall identify and notify
2 all holders of state-certified residential appraiser certificates that
3 their certificates will be converted to the designation of state-
4 licensed real estate appraiser if they have not met the educational
5 requirements for state-certified residential appraiser as prescribed by
6 the director and the Appraiser Qualifications Board of the Appraisal
7 Foundation. The department shall issue licenses with the new
8 designation which reflects the person's qualifications as prescribed by
9 the director.

10 NEW SECTION. **Sec. 23.** This act is necessary for the immediate
11 preservation of the public peace, health, or safety, or support of the
12 state government and its existing public institutions, and shall take
13 effect immediately.