

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1400**

Chapter 30, Laws of 1993

53rd Legislature  
1993 Regular Session

REAL ESTATE APPRAISERS--LICENSING REQUIREMENTS FOR

EFFECTIVE DATE: 7/25/93

Passed by the House March 10, 1993  
Yeas 92 Nays 0

BRIAN EBERSOLE  
**Speaker of the  
House of Representatives**

Passed by the Senate April 1, 1993  
Yeas 44 Nays 2

R. LORRAINE WOJAHN  
**President of the Senate**

Approved April 14, 1993

MIKE LOWRY  
**Governor of the State of Washington**

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1400** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON  
**Chief Clerk**

FILED

April 14, 1993 - 10:17 a.m.

**Secretary of State  
State of Washington**

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HOUSE BILL 1400

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Passed Legislature - 1993 Regular Session

State of Washington                      53rd Legislature                      1993 Regular Session

By Representatives Heavey and Franklin; by request of Department of Licensing

Read first time 01/27/93. 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, 18.140.190,  
5 and 18.140.900; adding new sections to chapter 18.140 RCW; creating a  
6 new section; and repealing RCW 18.140.911.

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.

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

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

17            (1) "Appraisal" or "real estate appraisal" means an analysis,  
18 opinion, or conclusion relating to the nature, quality, value, or

1 utility of specified interests in, or aspects of, identified real  
2 estate, for or in expectation of compensation. An appraisal may be  
3 classified by subject matter into either a valuation or an analysis.  
4 A "valuation" is an estimate of the value of real estate or real  
5 property. An "analysis" is a study of real estate or real property  
6 other than estimating value.

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

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

17 (4) (~~("Board" means the certified real estate appraiser~~  
18 ~~certification board.~~

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

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

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

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

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

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

33 (~~(9))~~) (10) "Real property" means one or more defined interests,  
34 benefits, or rights inherent in the ownership of real estate.

35 (~~(10))~~) (11) "Specialized appraisal services" means all appraisal  
36 services which do not fall within the definition of appraisal  
37 assignment. The term "specialized appraisal service" may apply to  
38 valuation work and to analysis work. Regardless of the intention of  
39 the client or employer, if the appraiser would be perceived by third

1 parties or the public as acting as a disinterested third party in  
2 rendering an unbiased analysis, opinion, or conclusion, the work is  
3 classified as an appraisal assignment and not a specialized appraisal  
4 service.

5 ~~((11))~~ (12) "State-certified general real estate appraiser" means  
6 a person certified by the director to develop and communicate real  
7 estate appraisals of all types of property. A state-certified general  
8 real estate appraiser may designate or identify an appraisal rendered  
9 by him or her as a "certified appraisal."

10 (13) "State-certified residential real estate appraiser" means a  
11 person ~~((who))~~ certified by the director to develop~~((s))~~ and  
12 communicate~~((s))~~ real estate appraisals ~~((and who holds a valid~~  
13 ~~certificate issued to him or her for either general or residential real~~  
14 ~~estate under this chapter))~~ of all types of residential property of one  
15 to four units without regard to transaction value or complexity and  
16 nonresidential property having a transaction value as specified in  
17 rules adopted by the director. A ~~((state-certificated))~~ state  
18 certified residential real estate appraiser may designate or identify  
19 an appraisal rendered by him or her as a "certified appraisal." ~~((and~~  
20 ~~indicate which type of certification is held.))~~

21 (14) "State-licensed real estate appraiser" means a person licensed  
22 by the director to develop and communicate real estate appraisals of  
23 noncomplex one to four residential units and complex one to four  
24 residential units and nonresidential property having transaction values  
25 as specified in rules adopted by the director.

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

28 (1) No person, other ~~((that [than]))~~ than a state-certified or  
29 state-licensed real estate appraiser, may assume or use that title or  
30 any title, designation, or abbreviation likely to create the impression  
31 of certification or licensure as a real estate appraiser by this state.  
32 A person who is not certified or licensed under this chapter shall not  
33 describe or refer to any appraisal ~~((or))~~ of real estate located in  
34 this state by the term "certified" or "licensed."

35 (2) This section does not preclude a person who is not certified or  
36 licensed as a state-certified or state-licensed real estate appraiser  
37 from appraising real estate in this state for compensation, except in

1 federally related transactions requiring licensure or certification to  
2 perform appraisal services.

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

5 The director shall have the following powers and duties:

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

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

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

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

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

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

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

33 ~~((+7))~~ (8) To impose continuing education requirements as a  
34 prerequisite to renewal of certification or licensure;

35 ~~((+8))~~ (9) To consider recommendations by the real estate  
36 appraiser ~~((certification board))~~ advisory committee relating to  
37 standards of professional appraisal practice in the enforcement of this  
38 chapter;

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

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

7       (11) To establish appropriate administrative procedures for  
8 disciplinary proceedings conducted pursuant to the provisions of this  
9 chapter;

10       (~~(11)~~) (12) To compel the attendance of witnesses and production  
11 of books, documents, records, and other papers; to administer oaths;  
12 and to take testimony and receive evidence concerning all matters  
13 within their jurisdiction. These powers may be exercised directly by  
14 the director or the director's authorized representatives acting by  
15 authority of law;

16       (~~(12)~~) (13) To take emergency action ordering summary suspension  
17 of a license or certification pending proceedings by the director;

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

21       (~~(13)~~) (15) To establish forms necessary to administer this  
22 chapter; (~~and~~

23 ~~(14)~~) (16) To adopt standards of professional conduct or practice;  
24 and

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

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

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

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

1 (1) Applications for examinations, original certification or  
2 licensure, and renewal certification or licensure shall be made in  
3 writing to the department on forms approved by the director.  
4 Applications for original and renewal certification or licensure shall  
5 include a statement confirming that the applicant shall comply with  
6 applicable rules and regulations and that the applicant understands the  
7 penalties for misconduct.

8 (2) The appropriate fees shall accompany all applications for  
9 examination, reexamination, original certification or licensure, and  
10 renewal certification or licensure.

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

13 There shall be one category of state-licensed real estate  
14 appraisers and two categories of state-certified real estate appraisers  
15 as follows:

16 (1) The ~~((state-certified residential))~~ state-licensed real estate  
17 appraiser ~~((classification shall consist of those persons meeting the~~  
18 ~~requirements for appraisal of residential real property of one to four~~  
19 ~~units.))~~i

20 (2) The state-certified ~~((general))~~ residential real estate  
21 appraiser ~~((classification shall consist of those persons meeting the~~  
22 ~~requirements for certification relating to the appraisal of all types~~  
23 ~~of real property))~~i

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

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

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

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

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

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

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

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

14       An original ~~((certification as a state-certified real estate~~  
15 ~~appraiser))~~ license or certificate shall be issued to persons who have  
16 satisfactorily passed ~~((a))~~ the written examination as endorsed by the  
17 Appraiser Qualifications Board of the Appraisal Foundation and as  
18 adopted by the director.

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

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

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

31       An applicant for licensure or certification who is currently  
32 licensed or certified and in good standing under the laws of another  
33 state may obtain a license or certificate as a Washington state-  
34 licensed or state-certified real estate appraiser without being  
35 required to satisfy the examination requirements of this chapter if:

1 The director determines that the licensure or certification  
2 requirements are substantially similar to those found in Washington  
3 state; and that the other state has a written reciprocal agreement to  
4 provide similar treatment to holders of Washington state licenses  
5 and/or certificates.

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

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

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

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

23 The director shall cancel the license or certificate of any person  
24 whose renewal fee is not received within two years from the date of  
25 expiration. A person may obtain a new license or certificate by  
26 satisfying the procedures and qualifications for initial licensure or  
27 certification, including the successful completion of any applicable  
28 examinations.

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

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

34 (2) Each state-licensed or state-certified real estate appraiser  
35 shall place his or her certificate number adjacent to or immediately  
36 below the title "state-licensed real estate appraiser," "state-  
37 certified residential real estate appraiser," or "state-certified

1 general real estate appraiser" when used in an appraisal report or in  
2 a contract or other instrument used by the licensee or certificate  
3 holder in conducting real property appraisal activities.

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

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

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

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

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

25 (2) Licensing and certification privileges granted under the  
26 provisions of this section shall expire ninety days from issuance.  
27 Licensing or certification shall not be renewed, nor shall an applicant  
28 receive more than two registrations within any twelve-month period.

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

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

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

1 An application for licensure or certification ((or  
2 recertification)) may be denied(~~(, and the certification of any state-~~  
3 ~~certified real estate appraiser may be revoked, suspended,)~~). The  
4 director may impose any one or more of the following sanctions against  
5 state-licensed or state-certified appraisers: Suspend, revoke, or levy  
6 a fine not to exceed one thousand dollars for each offense and/or  
7 otherwise ((disciplined)) discipline in accordance with the provisions  
8 of this chapter, for any of the following acts or omissions:

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

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

15 (3) Paying money other than the fees provided for by this chapter  
16 to any employee of the director or the ((board)) committee to procure  
17 state licensure or certification under this chapter;

18 (4) Obtaining a license or certification through the mistake or  
19 inadvertence of the director;

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

34 (6) Failure or refusal without good cause to exercise reasonable  
35 diligence in developing an appraisal, preparing an appraisal report, or  
36 communicating an appraisal;

37 ((+5)) (7) Negligence or incompetence in developing an appraisal,  
38 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  
30 estate appraiser under this chapter may have violated this chapter, the  
31 director shall cause one or more of the staff investigators to make an  
32 investigation of the facts to determine whether or not there is  
33 admissible evidence of any such violation. If technical assistance is  
34 required, a staff investigator may consult with ~~((not))~~ one or more  
35 ~~((than one))~~ of the ~~((appraiser))~~ members of the ~~((board.~~ If an  
36 ~~appraiser member of the board is consulted and renders assistance in an~~  
37 ~~investigation, the appraiser member is excused from service on the~~

1 ~~board in connection with any administrative hearing that may result~~  
2 ~~from such investigation))~~ committee.

3 In any investigation made by the director's investigative staff,  
4 the director shall have the power to compel the attendance of witnesses  
5 and the production of books, documents, records, and other papers, to  
6 administer oaths, and to take testimony and receive evidence concerning  
7 all matters within the director's jurisdiction.

8 If the director determines, upon investigation, that a state-  
9 licensed or state-certified real estate appraiser under this chapter  
10 has violated this chapter, a statement of charges shall be prepared and  
11 served upon the state-licensed or state-certified real estate  
12 appraiser. This statement of charges shall require the accused party  
13 to file an answer to the statement of charges within twenty days of the  
14 date of service.

15 In responding to a statement of charges, the accused party may  
16 admit to the allegations, deny the allegations, or otherwise ((plea))  
17 plead. Failure to make a timely response shall be deemed an admission  
18 of the allegations contained in the statement of charges and will  
19 result in a default whereupon the director may enter an order under RCW  
20 34.05.440. If a hearing is requested, the time of the hearing shall be  
21 scheduled but the hearing shall not be held earlier than thirty days  
22 after service of the charges upon the accused. A notice of hearing  
23 shall be issued at least twenty days prior to the hearing, specifying  
24 the time, date, and place of hearing.

25 NEW SECTION. Sec. 19. A new section is added to chapter 18.140  
26 RCW to read as follows:

27 (1) The director may issue a cease and desist order to a person  
28 after notice and hearing and upon a determination that the person has  
29 violated a provision of this chapter or a lawful order or rule of the  
30 director.

31 (2) If the director makes a written finding of fact that the public  
32 interest will be irreparably harmed by delay in issuing an order, the  
33 director may issue a temporary cease and desist order. Before issuing  
34 the temporary cease and desist order, whenever possible, the director  
35 shall give notice by telephone or otherwise of the proposal to issue a  
36 temporary cease and desist order to the person. Every temporary cease  
37 and desist order shall include a provision that a hearing will be held  
38 upon request to determine whether the order will become permanent.

1 At the time the temporary cease and desist order is served, the  
2 person shall be notified that he or she is entitled to request a  
3 hearing for the sole purpose of determining whether the public interest  
4 requires that the temporary cease and desist order be continued or  
5 modified pending the outcome of the hearing to determine whether the  
6 order will become permanent. The hearing shall be held within thirty  
7 days after the department receives the request for hearing, unless the  
8 person requests a later hearing. A person may secure review of any  
9 decision rendered at a temporary cease and desist order review hearing  
10 in the same manner as an adjudicative proceeding.

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

13 The administrative hearing on the allegations in the statement of  
14 charges may be heard by (~~the board or~~) an administrative law judge  
15 appointed under chapter 34.12 RCW at the time and place prescribed by  
16 the director and in accordance with the provisions of the  
17 administrative procedure act, chapter 34.05 RCW. If the (~~board or~~  
18 ~~the~~) administrative law judge determines that a state-licensed or  
19 state-certified real estate appraiser is guilty of a violation of any  
20 of the provisions of this chapter, a formal decision shall be prepared  
21 that contains findings of fact and recommendations to the director  
22 concerning the appropriate disciplinary action to be taken.

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

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

34 The attorney general shall render to the director (~~and board~~)  
35 opinions upon all questions of law relating to the construction or  
36 interpretation of this chapter, or arising in the administration  
37 thereof that may be submitted by the director (~~or board~~), and shall

1 act as attorney for the director ((and board)) in all actions and  
2 proceedings brought by or against the director ((and board)) under or  
3 pursuant to any provisions of this chapter.

4 **Sec. 22.** RCW 18.140.900 and 1989 c 414 s 2 are each amended to  
5 read as follows:

6 This chapter may be known and cited as the ((certified)) real  
7 estate appraiser act.

8 NEW SECTION. **Sec. 23.** The department shall identify and notify  
9 all holders of state-certified residential appraiser certificates that  
10 their certificates will be converted to the designation of state-  
11 licensed real estate appraiser if they have not met the educational  
12 requirements for state-certified residential appraiser as prescribed by  
13 the director and the Appraiser Qualifications Board of the Appraisal  
14 Foundation. The department shall issue licenses with the new  
15 designation which reflects the person's qualifications as prescribed by  
16 the director.

17 NEW SECTION. **Sec. 24.** RCW 18.140.911 and 1989 c 414 s 27 are each  
18 repealed.

Passed the House March 10, 1993.

Passed the Senate April 1, 1993.

Approved by the Governor April 14, 1993.

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