

CERTIFICATION OF ENROLLMENT

SENATE BILL 6169

Chapter 120, Laws of 1998

55th Legislature
1998 Regular Session

THIRD-PARTY REAL ESTATE APPRAISALS--REGULATION

EFFECTIVE DATE: 6/11/98

Passed by the Senate February 14, 1998

YEAS 45 NAYS 1

BRAD OWEN

President of the Senate

Passed by the House March 3, 1998

YEAS 95 NAYS 3

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved March 23, 1998

CERTIFICATE

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6169** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MIKE O'CONNELL

Secretary

FILED

March 23, 1998 - 4:34 p.m.

GARY LOCKE

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 6169

Passed Legislature - 1998 Regular Session

State of Washington 55th Legislature 1998 Regular Session

By Senators Winsley and Prentice

Read first time 01/12/98. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to lenders use of third-party real estate
2 appraisals to conform with federal requirements; and amending RCW
3 18.140.020.

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

5 **Sec. 1.** RCW 18.140.020 and 1997 c 399 s 2 are each amended to read
6 as follows:

7 (1) No person other than a state-certified or state-licensed real
8 estate appraiser may receive compensation of any form for a real estate
9 appraisal or an appraisal review. However, compensation may be
10 provided for brokers price opinions prepared by a real estate licensee,
11 licensed under chapter 18.85 RCW.

12 (2) No person, other than a state-certified or state-licensed real
13 estate appraiser, may assume or use that title or any title,
14 designation, or abbreviation likely to create the impression of
15 certification or licensure as a real estate appraiser by this state.

16 (3) A person who is not certified or licensed under this chapter
17 shall not prepare any appraisal of real estate located in this state,
18 except as provided under subsection (1) of this section.

1 (4) This section does not preclude a staff employee of a
2 governmental entity from performing an appraisal or an appraisal
3 assignment within the scope of his or her employment insofar as the
4 performance of official duties for the governmental entity are
5 concerned. Such an activity for the benefit of the governmental entity
6 is exempt from the requirements of this chapter.

7 (5) This chapter does not preclude an individual person licensed by
8 the state of Washington as a real estate broker or as a real estate
9 salesperson from issuing a brokers price opinion. However, if the
10 brokers price opinion is written, or given as evidence in any legal
11 proceeding, and is issued to a person who is not a prospective seller,
12 buyer, lessor, or lessee as the only intended user, then the brokers
13 price opinion shall contain a statement, in an obvious location within
14 the written document or specifically and affirmatively in spoken
15 testimony, that substantially states: "This brokers price opinion is
16 not an appraisal as defined in chapter 18.140 RCW and has been prepared
17 by a real estate licensee, licensed under chapter 18.85 RCW, who
18 (is/is not) also state certified or state licensed as a real
19 estate appraiser under chapter 18.140 RCW." However, the brokers price
20 opinion issued under this subsection may not be used as an appraisal in
21 conjunction with a federally related transaction.

22 (6) This section does not apply to an appraisal or an appraisal
23 review performed for a financial institution or mortgage broker by an
24 employee or third party, when such appraisal or appraisal review is not
25 required to be performed by a state-certified or state-licensed real
26 estate appraiser by the appropriate federal financial institutions
27 regulatory agency.

28 (7) This section does not apply to an attorney licensed to practice
29 law in this state or to a certified public accountant, as defined in
30 RCW 18.04.025, who evaluates real property in the normal scope of his
31 or her professional services.

Passed the Senate February 14, 1998.

Passed the House March 3, 1998.

Approved by the Governor March 23, 1998.

Filed in Office of Secretary of State March 23, 1998.