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**ENGROSSED SUBSTITUTE SENATE BILL 5480**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Senate Labor & Commerce (originally sponsored by Senators Brown, Conway, Honeyford, and Takko)

AN ACT Relating to the renewal of real estate appraiser certificates, licenses, and registrations; amending RCW 18.140.130, 18.140.060, 18.140.160, and 18.140.280; and providing an effective date.

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

**Sec.**  RCW 18.140.130 and 2005 c 339 s 10 are each amended to read as follows:

(1) Each original and renewal certificate, license, or registration issued under this chapter shall expire on the applicant's second birthday following issuance of the certificate, license, or registration.

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

(3) If a person fails to renew a certificate, license, or registration prior to its expiration and no more than one year has passed since the person last held a valid certificate, license, or registration, the person may obtain a renewal certificate, license, or registration by satisfying all of the requirements for renewal and paying late renewal fees.

((~~The director shall cancel the certificate, license, or registration of any person whose renewal fee is not received within one year from the date of expiration. A person may obtain a new certificate, license, or registration by satisfying the procedures and qualifications for initial certification, licensure, or registration, including the successful completion of any applicable examinations.~~))

(4)(a) If a person's certificate, or license is not renewed within one year after the expiration date of the certificate or license, the director must place the certificate or license in inactive status.

(b) A state-licensed real estate appraiser, state-certified residential real estate appraiser, or state-certified general real estate appraiser whose certificate or license is placed in inactive status may, within eight years of placement in inactive status, apply for reinstatement of the certificate or license if he or she has:

(i) Maintained continuing education requirements while inactive;

(ii) Successfully completed the uniform standards of professional appraisal practice fifteen-hour class within one hundred eighty days before reinstatement; and

(iii) Paid a fee established by the director.

(c) A state-registered trainee real estate appraiser registration that has expired may not be reinstated. The trainee must reapply with the director for a new registration and pay a fee established by the director. Any required class hours, as provided in rule, taken to acquire the registration remains acceptable for a period of five years from the date class hours were taken and will not be required to be retaken, except that if the uniform standards class hours are more than two years from the date of the application for reinstatement, those class hours must be retaken.

(d) The director must cancel a license or certificate that is not renewed or reinstated within eight years of that license or certificate's expiration.

**Sec.**  RCW 18.140.060 and 2005 c 339 s 5 are each amended to read as follows:

(1) Applications for examinations, original certification, licensure, or registration, ((~~and~~)) renewal certification, licensure, or registration ((~~shall~~)), and the reinstatement of a certificate, license, or registration must be made in writing to the department on forms approved by the director. Applications for original and renewal certification, licensure, or registration ((~~shall~~)) or the reinstatement of a certificate or license must include a statement confirming that the applicant ((~~shall comply~~)) is in compliance with applicable rules and regulations and that the applicant understands the penalties for misconduct.

(2) The appropriate fees ((~~shall~~)) must accompany all applications for examination, reexamination, original certification, licensure, or registration, ((~~and~~)) renewal certification, licensure, or registration, and the reinstatement of a certificate or license.

**Sec.**  RCW 18.140.160 and 2007 c 256 s 1 are each amended to read as follows:

In addition to the unprofessional conduct described in RCW 18.235.130, the director may take disciplinary action for the following conduct, acts, or conditions:

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

(2) Paying money other than the fees provided for by this chapter to any employee of the director or the commission to procure state certification, licensure, or registration under this chapter;

(3) Continuing to act as a state-certified real estate appraiser, state-licensed real estate appraiser, or state-registered appraiser trainee when his or her certificate, license, or registration is on an expired or inactive status;

(4) Violating any provision of this chapter or any lawful rule made by the director pursuant thereto;

(5) Issuing an appraisal report on any real property in which the appraiser has an interest unless his or her interest is clearly stated in the appraisal report;

(6) Being affiliated as an employer, independent contractor, or supervisory appraiser of a state-certified real estate appraiser, state-licensed real estate appraiser, or state-registered appraiser trainee whose certification, license, or registration is currently in a suspended or revoked status;

(7) Failure or refusal without good cause to exercise reasonable diligence in performing an appraisal practice under this chapter, including preparing an oral or written report to communicate information concerning an appraisal practice; and

(8) Negligence or incompetence in performing an appraisal practice under this chapter, including preparing an oral or written report to communicate information concerning an appraisal practice.

**Sec.**  RCW 18.140.280 and 2005 c 339 s 21 are each amended to read as follows:

(1) The director may issue an original registration as a state-registered trainee real estate appraiser, to be valid for a term not exceeding two years together with a maximum of two renewals, which must be completed within seven years from the original date of registration, unless either period is interrupted by service in the armed forces of the United States of America. Only one of the renewals under this subsection may be issued if the trainee has failed to meet qualification standards necessary to take the written examination under RCW 18.140.100.

(2) A trainee real estate appraiser may not provide appraisal services other than through and under the direct supervision of a state-certified general real estate appraiser or a state-certified residential real estate appraiser.

NEW SECTION. **Sec.**  This act takes effect September 1, 2020.

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