

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2138 Session of
1999

INTRODUCED BY CIVERA, CALTAGIRONE, FICHTER, LYNCH, PISTELLA,
SEYFERT, SHANER, SNYDER, E. Z. TAYLOR, J. TAYLOR, TRELLO,
WILT, WOJNAROSKI, YOUNGBLOOD AND RAYMOND, DECEMBER 8, 1999

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
DECEMBER 8, 1999

AN ACT

1 Amending the act of July 10, 1990 (P.L.404, No.98), entitled "An
2 act providing for the certification of real estate
3 appraisers; specifying requirements for certification;
4 providing for sanctions and penalties; and making an
5 appropriation," further providing for powers and duties of
6 board.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 5 of the act of July 10, 1990 (P.L.404,
10 No.98), known as the Real Estate Appraisers Certification Act,
11 is amended to read:

12 Section 5. Powers and duties of board.

13 The board shall have the following powers and duties:

14 (1) To pass upon the qualifications and fitness of
15 applicants for certification and to adopt and revise rules
16 and regulations requiring applicants for certification to
17 pass examinations relating to their qualifications for
18 certification.

19 (2) To adopt and, from time to time, revise such rules

1 and regulations as may be necessary to carry out the
2 provisions of this act. Such regulations shall include, but
3 not be limited to, standards of professional appraisal
4 practice requiring that appraisals be performed in accordance
5 with generally accepted appraisal standards as required
6 pursuant to the Financial Institutions Reform, Recovery, and
7 Enforcement Act of 1989 (Public Law 101-73, 103 Stat. 183).
8 However, the board shall not adopt any rule or take any
9 administrative action which is more restrictive than the
10 Uniform Standards of Professional Appraisal Practice (USPAP)
11 as promulgated and interpreted by the Appraisal Standards
12 Board of The Appraisal Foundation pursuant to Title XI of the
13 Financial Institutions Reform, Recovery, and Enforcement Act
14 of 1989 (Public Law 101-73, 103 Stat. 183).

15 (3) To examine for, deny, approve, issue, revoke,
16 suspend or renew certificates of appraisers pursuant to this
17 act and to conduct hearings in connection therewith.

18 (4) To conduct hearings upon complaints concerning
19 violations of the provisions of this act and the rules and
20 regulations adopted pursuant to this act and seek the
21 prosecution and enjoinder of all such violations.

22 (5) To expend moneys necessary to the proper carrying
23 out of its assigned duties.

24 (6) To establish fees for the operation of the board,
25 including fees for the issuance and renewal of certificates
26 and for examinations.

27 (7) To submit annually a report to the Professional
28 Licensure Committee of the House of Representatives and the
29 Consumer Protection and Professional Licensure Committee of
30 the Senate containing a description of the types of

1 complaints received, status of the cases, board action which
2 has been taken and length of time from the initial complaint
3 to final board resolution.

4 (8) To submit annually to the Department of State, an
5 estimate of the financial requirements of the board for its
6 administrative, investigative, legal and miscellaneous
7 expenses.

8 (9) To submit annually to the Appropriations Committees
9 of the House of Representatives and the Senate, 15 days after
10 the Governor has submitted his budget to the General
11 Assembly, a copy of the budget request for the upcoming
12 fiscal year which the board previously submitted to the
13 Department of State.

14 (10) To submit annually pursuant to the Financial
15 Institutions Reform, Recovery, and Enforcement Act of 1989 a
16 roster listing individuals who have received State
17 certification.

18 Section 2. This act shall take effect in 60 days.