

REAL ESTATE APPRAISERS CERTIFICATION ACT - POWERS AND DUTIES OF BOARD, APPLICATION AND QUALIFICATIONS, RECIPROCITY, CERTIFICATION RENEWAL, LICENSURE RENEWAL AND RECORDS

Act of Jul. 7, 2016, P.L. 474, No. 72

Cl. 63

Session of 2016
No. 2016-72

SB 1270

AN ACT

Amending the act of July 10, 1990 (P.L.404, No.98), entitled "An act providing for the certification of real estate appraisers; specifying requirements for certification; providing for sanctions and penalties; and making an appropriation," further providing for powers and duties of the State Board of Certified Real Estate Appraisers, for application and qualifications, for reciprocity and for certification renewal, licensure renewal and records.

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

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

Section 5. Powers and duties of board.

The board shall have the following powers and duties:

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(11) To the extent required by standards and regulations for the qualifications of appraisers promulgated pursuant to the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, to consider criminal history record information of convictions and arrests that do not result in a conviction, notwithstanding the provisions of 18 Pa.C.S. § 9124(b)(1) (relating to use of records by licensing agencies).

Section 2. Section 6(c) of the act, amended October 9, 2008 (P.L.1380, No.103), is amended to read:

Section 6. Application and qualifications.

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(c) Application.--An applicant for certification or license shall submit a written application on forms provided by the board [The application and any and all documentation submitted with the application shall be subscribed and sworn to before a notary public. The applicant shall be held responsible for the statements contained in the application. The making of a false statement in an application may constitute a ground for certification or license denial or revocation. The application shall evidence] that **includes information subject to the penalties for false swearing set forth in 18 Pa.C.S. § 4903 (relating to false swearing) or unsworn falsification to authorities set forth in 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) and which demonstrates that:**

(1) [He or she] **The applicant** is of good moral character.

(2) [His or her application has been accompanied by] **The applicant has paid** the application fee.

(3) **The applicant has satisfied requirements for dissemination to the board of criminal history record information required by the Appraiser Qualifications Board of the Appraisal Foundation.**

(4) **The applicant has satisfied the qualifications for licensure as an appraiser trainee or certification as a**

residential real estate appraiser or general real estate appraiser required by:

- (i) This act.
- (ii) The regulations of the board.
- (iii) The Real Property Appraiser Qualification Criteria of the Appraiser Qualifications Board of the Appraisal Foundation.

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Section 3. Section 7 of the act is amended to read:
Section 7. Reciprocity.

The board shall have the power to grant a reciprocal certification to an applicant who is certified [or licensed] as an appraiser **or licensed as an appraiser trainee** in another state and has demonstrated qualifications which equal or exceed those required pursuant to this act in the determination of the board[, provided that no certificate shall be granted under this section to an applicant unless the state in which the applicant is certified or licensed affords reciprocal treatment to persons who are residents of this Commonwealth and who are certified pursuant to this act].

Section 4. Section 10 of the act is amended by adding a subsection to read:

Section 10. Certification renewal, licensure renewal and records.

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(b.2) Continuing education for licensed appraiser trainees.-- Licensed appraiser trainees shall be subject to the same continuing education requirements for licensure renewal as residential and general appraisers, but any qualifying education completed after the issuance of the license and during the biennial licensure period may also be applied to satisfy the licensed appraiser trainee's continuing education requirements under this subsection.

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Section 5. This act shall take effect in 60 days.

APPROVED--The 7th day of July, A.D. 2016.

TOM WOLF