

**REVENUE: No revenue impact**

**FISCAL: Fiscal statement issued**

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| <b>Action:</b>        | Do Pass as Amended and Be Printed Engrossed   |
| <b>Vote:</b>          | 6 - 0 - 0                                     |
| <b>Yeas:</b>          | Edwards, Girod, Monroe, Starr, Thomsen, Beyer |
| <b>Nays:</b>          | 0   |
| <b>Exc.:</b>          | 0   |
| <b>Prepared By:</b>   | Patrick Brennan, Administrator                |
| <b>Meeting Dates:</b> | 4/1, 4/15                                     |

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**WHAT THE MEASURE DOES:** Requires Appraiser Certification and Licensure Board to convene panel of licensed and/or certified appraisers to determine whether objective basis exists to believe that alleged violation of provisions governing real estate appraisers has occurred before disciplining individual.

**ISSUES DISCUSSED:**

- Board’s existing disciplinary process
- Regulatory burden on small businesses
- Review panel should consist of appropriate level of appraisers
- Legal representation and legal fees during disciplinary proceedings
- Differences between state and national standards
- Potential cost of review panels

**EFFECT OF COMMITTEE AMENDMENT:** Clarifies that license and state certified appraisers may be appointed to review panel. Specifies that appraisers serving on review panels are considered agents of the Board and the state for actions brought against an appraiser related to service on a review panel appointed under provisions of the measure. Allows for emergency suspension under ORS 183.430(2).

**BACKGROUND:** The Appraiser Certification and Licensure Board (ACLB) is Oregon’s licensure and regulatory agency for appraisers in Oregon. The Board has the authority to take punitive actions against a certificate, license or registration of a state-certified appraiser, a state licensed appraiser or state registered appraiser assistant, including suspension, revocation, reprimand, requiring additional education, or denial of issuance or renewal of license, certificate or registration. These actions can be taken in response to any of a number of causes outlined in ORS 674.140, including: misrepresentation in matters related to real estate appraisal activity; disregard for state or federal law; printing or distributing untruthful or misleading advertising; guaranteeing future profits from resale of property; failure to pay fees; failure or refusal to produce documents to the Board; failure to maintain records; accepting employment or compensation related to property in which the individual has an undisclosed interest; conviction of felony or misdemeanor related to trustworthiness or competence in real estate appraisal; demonstrated negligence or incompetence; or knowingly permitting an individual with revoked or suspended appraisal qualifications to engage in appraisal activity with the individual or on their behalf.

Under current law, the ACLB has sole authority to discipline persons regulated by the Board. Senate Bill 617-A establishes that prior to taking disciplinary action, the Board is to appoint and convene a panel of three state-licensed appraisers to make determination whether there is objective evidence of the alleged violation. Only after such a determination is made would the Board be allowed to commence disciplinary proceedings. Appraisers serving on appointed review panels would be considered agents of the Board and the State.

4/22/2013 9:25:00 AM

***This summary has not been adopted or officially endorsed by action of the committee.***