

## CHAPTER 2013-144

### Committee Substitute for Committee Substitute for House Bill No. 667

An act relating to real estate brokers and appraisers; amending s. 475.215, F.S.; providing a qualifying condition for the issuance of additional licenses to a licensed broker; providing grounds for the Florida Real Estate Commission to deny multiple license requests; providing for applicability and effect of certain final orders of discipline on primary and multiple licenses held by a broker; amending s. 475.611, F.S.; revising the definition of the term “supervisory appraiser”; amending s. 475.612, F.S.; conforming a provision to changes made by the act; amending s. 475.615, F.S.; revising the dated version of certain requirements adopted by the Appraiser Qualifications Board of the Appraisal Foundation based upon which the Florida Real Estate Appraisal Board is authorized to waive or modify certain education, experience, or examination requirements applicable to certified appraisers and registered trainee appraisers; revising certain exceptions from provisions specifying that certain applicants for certification or registration as an appraiser or trainee appraiser are not deemed to be qualified for such certification or registration; amending s. 475.6221, F.S.; deleting authority for a licensed appraiser to act as the direct supervisor of a registered trainee real estate appraiser; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 475.215, Florida Statutes, is amended to read:

475.215 Multiple licenses.—

(1) A licensed broker may be issued upon request additional licenses as a broker, but not as a sales associate or as a broker associate, whenever it is clearly shown that the requested additional licenses are necessary to the conduct of real estate brokerage business and that the additional licenses will not be used in a manner likely to be prejudicial or harmful to any person, including a licensee under this chapter. The commission may also deny a multiple license request pursuant to s. 475.17(1)(a). A final order of discipline rendered against a broker for a violation of this part or s. 455.227(1) applies to the primary license of the broker as well as any multiple licenses held by that broker at the time the final order becomes effective.

Section 2. Paragraph (u) of subsection (1) of section 475.611, Florida Statutes, is amended to read:

475.611 Definitions.—

(1) As used in this part, the term:

(u) “Supervisory appraiser” means a ~~licensed appraiser~~, a certified residential appraiser, or a certified general appraiser responsible for the direct supervision of one or more registered trainee appraisers and fully responsible for appraisals and appraisal reports prepared by those registered trainee appraisers. The board, by rule, shall determine the responsibilities of a supervisory appraiser, the geographic proximity required, the minimum qualifications and standards required of a ~~licensed or~~ certified appraiser before she or he may act in the capacity of a supervisory appraiser, and the maximum number of registered trainee appraisers to be supervised by an individual supervisory appraiser.

Section 3. Subsection (1) of section 475.612, Florida Statutes, is amended to read:

475.612 Certification, licensure, or registration required.—

(1) A person may not use the title “certified real estate appraiser,” “licensed real estate appraiser,” or “registered trainee real estate appraiser,” or any abbreviation or words to that effect, or issue an appraisal report, unless such person is certified, licensed, or registered by the department under this part. However, the work upon which an appraisal report is based may be performed by a person who is not a certified or licensed appraiser or registered trainee appraiser if the work is supervised and approved, and the report is signed, by a certified or licensed appraiser who has full responsibility for all requirements of the report and valuation service. Only a certified or licensed appraiser may issue an appraisal report and receive direct compensation for providing valuation services for the appraisal report. A registered trainee appraiser may only receive compensation for appraisal services from her or his authorized certified ~~or licensed~~ appraiser.

Section 4. Effective January 1, 2014, subsections (2) and (6) of section 475.615, Florida Statutes, are amended to read:

475.615 Qualifications for registration or certification.—

(2) The board is authorized to waive or modify any education, experience, or examination requirements established in this part in order to conform with any such requirements established by the Appraiser Appraisal Qualifications Board of the Appraisal Foundation or any successor body recognized by federal law, including any requirements adopted on December 9, 2011 ~~February 20, 2004~~. The board shall implement this section by rule.

(6) All applicants must be competent and qualified to make real estate appraisals with safety to those with whom they may undertake a relationship of trust and confidence and the general public. If any applicant has been denied registration, licensure, or certification, or has been disbarred, or the applicant’s registration, license, or certificate to practice or conduct any regulated profession, business, or vocation has been revoked or suspended by this or any other state, any nation, or any possession or district of the United States, or any court or lawful agency thereof, because of any conduct or

practices which would have warranted a like result under this part, or if the applicant has been guilty of conduct or practices in this state or elsewhere which would have been grounds for disciplining her or his registration, license, or certification under this part had the applicant then been a registered trainee appraiser or a licensed or certified appraiser, the applicant is shall be deemed not to be qualified unless the applicant has met the conditions adopted by the Appraiser Qualifications Board of the Appraisal Foundation on December 9, 2011, as prescribed by rule of the board and, ~~because of lapse of time and subsequent good conduct and reputation, or other reason deemed sufficient,~~ it appears to the board that the interest of the public is not likely to be endangered by the granting of registration or certification.

Section 5. Subsection (1) of section 475.6221, Florida Statutes, is amended to read:

475.6221 Employment of and by registered trainee real estate appraisers.—

(1) A registered trainee real estate appraiser must perform appraisal services under the direct supervision of a ~~licensed or certified~~ appraiser who is designated as the primary supervisory appraiser. The primary supervisory appraiser may also designate additional ~~licensed or certified~~ appraisers as secondary supervisory appraisers. A secondary supervisory appraiser must be affiliated with the same firm or business as the primary supervisory appraiser and the primary or secondary supervisory appraiser must have the same business address as the registered trainee real estate appraiser. The primary supervisory appraiser must notify the Division of Real Estate of the name and address of any primary and secondary supervisory appraiser for whom the registered trainee will perform appraisal services, and must also notify the division within 10 days after terminating such relationship. Termination of the relationship with a primary supervisory appraiser automatically terminates the relationship with the secondary supervisory appraiser.

Section 6. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

Approved by the Governor June 7, 2013.

Filed in Office Secretary of State June 7, 2013.