

**As Passed by the House**

**126th General Assembly  
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**Am. S. B. No. 144**

**Senators Schuler, Clancy, Mumper, Spada  
Representatives Seitz, Collier, Cassell, Distel, Schaffer, Barrett, Combs,  
DeBose, Domenick, Fende, Fessler, Flowers, Hartnett, Hughes, Miller, Raga,  
Schneider, Stewart, D., Yuko**

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**A B I L L**

To amend section 4763.05 of the Revised Code to 1  
modify the Ohio Real Estate Appraiser law with 2  
respect to the temporary registration of 3  
appraisers licensed or certified in another state. 4

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 4763.05 of the Revised Code be 5  
amended to read as follows: 6

**Sec. 4763.05.** (A)(1) A person shall make application for an 7  
initial state-certified general real estate appraiser certificate, 8  
an initial state-certified residential real estate appraiser 9  
certificate, an initial state-licensed residential real estate 10  
appraiser license, or an initial state-registered real estate 11  
appraiser assistant registration in writing to the superintendent 12  
of real estate on a form the superintendent prescribes. The 13  
application shall include the address of the applicant's principal 14  
place of business and all other addresses at which the applicant 15  
currently engages in the business of preparing real estate 16  
appraisals and the address of the applicant's current residence. 17

The superintendent shall retain the applicant's current residence address in a separate record which shall not constitute a public record for purposes of section 149.03 of the Revised Code. The application shall indicate whether the applicant seeks certification as a general real estate appraiser or as a residential real estate appraiser, licensure as a residential real estate appraiser, or registration as a real estate appraiser assistant and be accompanied by the prescribed examination and certification, registration, or licensure fees set forth in section 4763.09 of the Revised Code. The application also shall include a pledge, signed by the applicant, that the applicant will comply with the standards set forth in this chapter and a statement that the applicant understands the types of misconduct for which disciplinary proceedings may be initiated against the applicant pursuant to this chapter.

(2) For purposes of providing funding for the real estate appraiser recovery fund established by section 4763.16 of the Revised Code, the real estate appraiser board shall levy an assessment against each person issued an initial certificate, registration, or license and against current licensees, registrants, and certificate holders, as required by board rule. The assessment is in addition to the application and examination fees for initial applicants required by division (A)(1) of this section and the renewal fees required for current certificate holders, registrants, and licensees. The superintendent shall deposit the assessment into the state treasury to the credit of the real estate appraiser recovery fund. The assessment for initial certificate holders, registrants, and licensees shall be paid prior to the issuance of a certificate, registration, or license, and for current certificate holders, registrants, and licensees, at the time of renewal.

(B) An applicant for an initial general real estate appraiser

certificate shall possess at least thirty months of experience in  
real estate appraisal, or any equivalent experience the board  
prescribes. An applicant for a residential real estate appraiser  
certificate or residential real estate appraiser license shall  
possess at least two years of experience in real estate appraisal,  
or any equivalent experience the board prescribes. In addition to  
any other information required by the board, the applicant shall  
furnish, under oath, a detailed listing of the appraisal reports  
or file memoranda for each year for which experience is claimed  
and, upon request of the superintendent or the board, shall make  
available for examination a sample of the appraisal reports  
prepared by the applicant in the course of the applicant's  
practice.

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(C)(1) Except as provided in division (C)(2) of this section,  
an applicant for an initial certificate, registration, or license  
shall be at least eighteen years of age, honest, truthful, and of  
good reputation and shall present satisfactory evidence to the  
superintendent of the following, as appropriate:

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(a) If the applicant is seeking a state-certified general  
real estate appraiser certificate, that the applicant has  
successfully completed at least one hundred sixty-five classroom  
hours of courses in subjects related to real estate appraisal,  
including at least one course devoted exclusively to federal,  
state, and municipal fair housing law, presented by a nationally  
recognized appraisal organization, an institution of higher  
education, a career school registered by the state board of career  
colleges and schools, a state or federal commission or agency, or  
any other organization that represents the interests of financial  
institutions or real estate brokers, appraisers, or agents and  
that provides appraisal education, plus fifteen classroom hours  
related to standards of professional practice and the provisions  
of this chapter;

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(b) If the applicant is seeking a state-certified residential real estate appraiser certificate, that the applicant has successfully completed at least one hundred five classroom hours of courses in subjects related to real estate appraisal, including at least one course devoted exclusively to federal, state, and municipal fair housing law, presented by a nationally recognized appraisal organization, an institution of higher education, a career school registered by the state board of career colleges and schools, or any other organization that represents the interests of financial institutions or real estate brokers, appraisers, or agents and that provides appraisal education, plus fifteen classroom hours related to standards of professional practice and the provisions of this chapter;

(c) If the applicant is seeking a state-licensed residential real estate appraiser license, that the applicant has successfully completed at least seventy-five classroom hours of courses in subjects related to real estate appraisal, including at least one course devoted exclusively to federal, state, and municipal fair housing law, presented by a nationally recognized appraisal organization, an institution of higher education, a career school registered by the state board of career colleges and schools, a state or federal commission or agency, or any other organization that represents the interests of financial institutions or real estate brokers, appraisers, or agents and that provides appraisal education, plus fifteen classroom hours related to standards of professional practice and the provisions of this chapter;

(d) If the applicant is seeking a state-registered real estate appraiser assistant registration, that the applicant has successfully completed at least seventy-five classroom hours of courses in subjects related to real estate appraisal, including at least one course devoted exclusively to federal, state, and municipal fair housing law, presented by a nationally recognized

appraisal organization, an institution of higher education, a  
career school registered by the state board of career colleges and  
schools, or any other organization that represents the interests  
of financial institutions or real estate brokers, appraisers, or  
agents, and that provides appraisal education that included at  
least fifteen classroom hours of instruction related to standards  
of professional practice and the requirements of this chapter and  
the rules adopted under this chapter.

(2) Each person who files an application for an initial  
certificate or license within one year of the date established by  
the board as the first date on which applications will be accepted  
under this section, which date shall be no later than September 1,  
1990, and who, at the time of filing that application, does not  
satisfy the educational requirements for the certification or  
licensure sought of either division (C)(1)(a) or (b) of this  
section is exempt from those educational requirements for the term  
of the initial certification or licensure. In applying for a  
renewal certificate or license pursuant to section 4763.06 of the  
Revised Code, a certificate holder or licensee who was exempted  
from the educational requirements of division (C)(1)(a) or (b) of  
this section when applying for the initial certificate or license  
shall present satisfactory evidence to the superintendent that the  
certificate holder or licensee has completed the educational  
requirements for the certification or licensure to be renewed of  
one of those divisions before the renewal certificate or license  
may be issued.

(D) An applicant for an initial general real estate appraiser  
or residential real estate appraiser certificate or residential  
real estate appraiser license shall take and successfully complete  
a written examination in order to qualify for the certificate or  
license. The examination shall require the applicant to  
demonstrate all of the following:

(1) Appropriate knowledge of technical terms commonly used in or related to real estate appraising, appraisal report writing, and the economic concepts applicable to real estate;	146 147 148
(2) Understanding of the principles of land economics, real estate appraisal processes, and problems likely to be encountered in gathering, interpreting, and processing of data in carrying out appraisal disciplines;	149 150 151 152
(3) Understanding of the standards for the development and communication of real estate appraisals as provided in this chapter and the rules adopted thereunder;	153 154 155
(4) Knowledge of theories of depreciation, cost estimating, methods of capitalization, direct sales comparison, and the mathematics of real estate appraisal that are appropriate for the certification or licensure for which the applicant has applied;	156 157 158 159
(5) Knowledge of other principles and procedures as appropriate for the certification or license;	160 161
(6) Basic understanding of real estate law;	162
(7) Understanding of the types of misconduct for which disciplinary proceedings may be initiated against a certificate holder and licensee.	163 164 165
(E)(1) A nonresident, natural person of this state who has complied with this section may obtain a certificate, registration, or license. The board shall adopt rules relating to the certification, registration, and licensure of a nonresident applicant whose state of residence the board determines to have certification, registration, or licensure requirements that are substantially similar to those set forth in this chapter and the rules adopted thereunder.	166 167 168 169 170 171 172 173
<del>(2) A nonresident appraiser may apply for, and the board may issue, a temporary certificate or license if the board determines</del>	174 175

~~that the state in which the nonresident appraiser is licensed or certified has licensing or certification requirements that are substantially similar to the certification or licensure requirements set forth in this chapter and the rules adopted thereunder~~ The board shall recognize on a temporary basis a certification or license issued in another state and shall register on a temporary basis an appraiser who is certified or licensed in another state if all of the following apply:

(a) The temporary registration is to perform an appraisal assignment that is part of a federally related transaction;

(b) The appraiser's business in this state is of a temporary nature;

(c) The appraiser registers with the board pursuant to this division.

An appraiser who is certified or licensed in another state shall register with the board for temporary practice before performing an appraisal assignment in this state in connection with a federally related transaction.

The board shall adopt rules relating to registration for the temporary recognition of certification and licensure of nonresident appraisers from another state. ~~Each temporary certificate and license issued by the board shall identify the location of the real estate property to be appraised and~~ The registration for temporary recognition of certified or licensed appraisers from another state shall not authorize appraisal completion of more than one real estate property located appraisal assignment in this state. The board shall not issue more than two registrations for temporary certificates or licenses practice to any one applicant in any one calendar year ~~to any one applicant.~~

(3) In addition to any other information required to be submitted with the nonresident applicant's or appraiser's

application for a certificate, registration, license, or temporary  
recognition of a certificate or license, each nonresident  
applicant or appraiser shall submit a statement consenting to the  
service of process upon the nonresident applicant or appraiser by  
means of delivering that process to the secretary of state if, in  
an action against the applicant, certificate holder, registrant,  
or licensee arising from the applicant's, certificate holder's,  
registrant's, or licensee's activities as a certificate holder,  
registrant, or licensee, the plaintiff, in the exercise of due  
diligence, cannot effect personal service upon the applicant,  
certificate holder, registrant, or licensee.

(F) The superintendent shall not issue a certificate,  
registration, ~~temporary certificate or license~~, or license to, or  
recognize on a temporary basis an appraiser from another state  
that is a corporation, partnership, or association. This  
prohibition shall not be construed to prevent a certificate holder  
or licensee from signing an appraisal report on behalf of a  
corporation, partnership, or association.

(G) Every person licensed, registered, or certified under  
this chapter shall notify the superintendent, on a form provided  
by the superintendent, of a change in the address of the  
licensee's, registrant's, or certificate holder's principal place  
of business or residence within thirty days of the change. If a  
licensee's, registrant's, or certificate holder's license,  
registration, or certificate is revoked or not renewed, the  
licensee, registrant, or certificate holder immediately shall  
return the annual and any renewal certificate, registration, or  
license to the superintendent.

(H) The superintendent shall not issue a certificate,  
registration, ~~temporary certificate or license~~, or license to any  
person, or recognize on a temporary basis an appraiser from  
another state, who does not meet applicable minimum criteria for



state certification, registration, or licensure prescribed by 239  
federal law or rule. 240

**Section 2.** That existing section 4763.05 of the Revised Code 241  
is hereby repealed. 242