

**As Reported by the House Commerce and Labor Committee**

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**Am. S. B. No. 144**

**Senators Schuler, Clancy, Mumper, Spada**

**Representatives Seitz, Collier, Cassell, Distel, Schaffer**

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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 18  
address in a separate record which shall not constitute a public 19

record for purposes of section 149.03 of the Revised Code. The 20  
application shall indicate whether the applicant seeks 21  
certification as a general real estate appraiser or as a 22  
residential real estate appraiser, licensure as a residential real 23  
estate appraiser, or registration as a real estate appraiser 24  
assistant and be accompanied by the prescribed examination and 25  
certification, registration, or licensure fees set forth in 26  
section 4763.09 of the Revised Code. The application also shall 27  
include a pledge, signed by the applicant, that the applicant will 28  
comply with the standards set forth in this chapter and a 29  
statement that the applicant understands the types of misconduct 30  
for which disciplinary proceedings may be initiated against the 31  
applicant pursuant to this chapter. 32

(2) For purposes of providing funding for the real estate 33  
appraiser recovery fund established by section 4763.16 of the 34  
Revised Code, the real estate appraiser board shall levy an 35  
assessment against each person issued an initial certificate, 36  
registration, or license and against current licensees, 37  
registrants, and certificate holders, as required by board rule. 38  
The assessment is in addition to the application and examination 39  
fees for initial applicants required by division (A)(1) of this 40  
section and the renewal fees required for current certificate 41  
holders, registrants, and licensees. The superintendent shall 42  
deposit the assessment into the state treasury to the credit of 43  
the real estate appraiser recovery fund. The assessment for 44  
initial certificate holders, registrants, and licensees shall be 45  
paid prior to the issuance of a certificate, registration, or 46  
license, and for current certificate holders, registrants, and 47  
licensees, at the time of renewal. 48

(B) An applicant for an initial general real estate appraiser 49  
certificate shall possess at least thirty months of experience in 50  
real estate appraisal, or any equivalent experience the board 51

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.

(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:

(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;

(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 84  
of courses in subjects related to real estate appraisal, including 85  
at least one course devoted exclusively to federal, state, and 86  
municipal fair housing law, presented by a nationally recognized 87  
appraisal organization, an institution of higher education, a 88  
career school registered by the state board of career colleges and 89  
schools, or any other organization that represents the interests 90  
of financial institutions or real estate brokers, appraisers, or 91  
agents and that provides appraisal education, plus fifteen 92  
classroom hours related to standards of professional practice and 93  
the provisions of this chapter; 94

(c) If the applicant is seeking a state-licensed residential 95  
real estate appraiser license, that the applicant has successfully 96  
completed at least seventy-five classroom hours of courses in 97  
subjects related to real estate appraisal, including at least one 98  
course devoted exclusively to federal, state, and municipal fair 99  
housing law, presented by a nationally recognized appraisal 100  
organization, an institution of higher education, a career school 101  
registered by the state board of career colleges and schools, a 102  
state or federal commission or agency, or any other organization 103  
that represents the interests of financial institutions or real 104  
estate brokers, appraisers, or agents and that provides appraisal 105  
education, plus fifteen classroom hours related to standards of 106  
professional practice and the provisions of this chapter; 107

(d) If the applicant is seeking a state-registered real 108  
estate appraiser assistant registration, that the applicant has 109  
successfully completed at least seventy-five classroom hours of 110  
courses in subjects related to real estate appraisal, including at 111  
least one course devoted exclusively to federal, state, and 112  
municipal fair housing law, presented by a nationally recognized 113  
appraisal organization, an institution of higher education, a 114  
career school registered by the state board of career colleges and 115

schools, or any other organization that represents the interests 116  
of financial institutions or real estate brokers, appraisers, or 117  
agents, and that provides appraisal education that included at 118  
least fifteen classroom hours of instruction related to standards 119  
of professional practice and the requirements of this chapter and 120  
the rules adopted under this chapter. 121

(2) Each person who files an application for an initial 122  
certificate or license within one year of the date established by 123  
the board as the first date on which applications will be accepted 124  
under this section, which date shall be no later than September 1, 125  
1990, and who, at the time of filing that application, does not 126  
satisfy the educational requirements for the certification or 127  
licensure sought of either division (C)(1)(a) or (b) of this 128  
section is exempt from those educational requirements for the term 129  
of the initial certification or licensure. In applying for a 130  
renewal certificate or license pursuant to section 4763.06 of the 131  
Revised Code, a certificate holder or licensee who was exempted 132  
from the educational requirements of division (C)(1)(a) or (b) of 133  
this section when applying for the initial certificate or license 134  
shall present satisfactory evidence to the superintendent that the 135  
certificate holder or licensee has completed the educational 136  
requirements for the certification or licensure to be renewed of 137  
one of those divisions before the renewal certificate or license 138  
may be issued. 139

(D) An applicant for an initial general real estate appraiser 140  
or residential real estate appraiser certificate or residential 141  
real estate appraiser license shall take and successfully complete 142  
a written examination in order to qualify for the certificate or 143  
license. The examination shall require the applicant to 144  
demonstrate all of the following: 145

(1) Appropriate knowledge of technical terms commonly used in 146  
or related to real estate appraising, appraisal report writing, 147

and the economic concepts applicable to real estate;	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 that the state in which the nonresident appraiser is licensed or certified has licensing or certification requirements that are</del>	174 175 176 177

~~substantially similar to the certification or licensure~~ 178  
~~requirements set forth in this chapter and the rules adopted~~ 179  
~~thereunder~~ The board shall recognize on a temporary basis a 180  
certification or license issued in another state and shall 181  
register on a temporary basis an appraiser who is certified or 182  
licensed in another state if all of the following apply: 183

(a) The temporary registration is to perform an appraisal 184  
assignment that is part of a federally related transaction; 185

(b) The appraiser's business in this state is of a temporary 186  
nature; 187

(c) The appraiser registers with the board pursuant to this 188  
division. 189

An appraiser who is certified or licensed in another state 190  
shall register with the board for temporary practice before 191  
performing an appraisal assignment in this state in connection 192  
with a federally related transaction. 193

The board shall adopt rules relating to registration for the 194  
temporary recognition of certification and licensure of 195  
~~nonresident appraisers from another state.~~ Each temporary 196  
~~certificate and license issued by the board shall identify the~~ 197  
~~location of the real estate property to be appraised and~~ The 198  
registration for temporary recognition of certified or licensed 199  
appraisers from another state shall not authorize appraisal 200  
completion of more than one real estate property located appraisal 201  
assignment in this state. The board shall not issue more than two 202  
registrations for temporary certificates or licenses practice to 203  
any one applicant in any ~~one~~ calendar year ~~to any one applicant.~~ 204

(3) In addition to any other information required to be 205  
submitted with the nonresident applicant's or appraiser's 206  
application for a certificate, registration, license, or temporary 207  
recognition of a certificate or license, each nonresident 208

applicant or appraiser shall submit a statement consenting to the 209  
service of process upon the nonresident applicant or appraiser by 210  
means of delivering that process to the secretary of state if, in 211  
an action against the applicant, certificate holder, registrant, 212  
or licensee arising from the applicant's, certificate holder's, 213  
registrant's, or licensee's activities as a certificate holder, 214  
registrant, or licensee, the plaintiff, in the exercise of due 215  
diligence, cannot effect personal service upon the applicant, 216  
certificate holder, registrant, or licensee. 217

(F) The superintendent shall not issue a certificate, 218  
registration, ~~temporary certificate or license~~, or license to, or 219  
recognize on a temporary basis an appraiser from another state 220  
that is a corporation, partnership, or association. This 221  
prohibition shall not be construed to prevent a certificate holder 222  
or licensee from signing an appraisal report on behalf of a 223  
corporation, partnership, or association. 224

(G) Every person licensed, registered, or certified under 225  
this chapter shall notify the superintendent, on a form provided 226  
by the superintendent, of a change in the address of the 227  
licensee's, registrant's, or certificate holder's principal place 228  
of business or residence within thirty days of the change. If a 229  
licensee's, registrant's, or certificate holder's license, 230  
registration, or certificate is revoked or not renewed, the 231  
licensee, registrant, or certificate holder immediately shall 232  
return the annual and any renewal certificate, registration, or 233  
license to the superintendent. 234

(H) The superintendent shall not issue a certificate, 235  
registration, ~~temporary certificate or license~~, or license to any 236  
person, or recognize on a temporary basis an appraiser from 237  
another state, who does not meet applicable minimum criteria for 238  
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