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Legislative Document

No. 239

H.P. 169

House of Representatives, January 27, 2021

An Act To Improve the Transparency of Real Estate Appraisals

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ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative HEPLER of Woolwich.

2	Sec. 1. 5 MRSA §200-M is enacted to read:
3	§200-M. Office of the Advocate for Real Estate Appraisal
4 5 6 7 8 9	1. Advocate for Real Estate Appraisal. There is created within the Department of the Attorney General the Office of the Advocate for Real Estate Appraisal to assist members of the public in understanding their rights regarding real estate appraisals. The Attorney General shall appoint the Advocate for Real Estate Appraisal, referred to in this section as "the advocate," to administer the office. The advocate must be an appraiser licensed in accordance with the requirements of Title 32, chapter 124.
10	2. Duties. The advocate shall:
11 12 13 14	A. Prepare and make available on a publicly accessible website interpretive and educational materials and programs concerning the real estate appraisal process and options available to consumers to dispute real estate appraisals and to submit complaints regarding licensed appraisers;
15 16 17	B. Provide individual guidance to members of the public to help them understand their rights in disputing real estate appraisals and submitting complaints regarding licensed appraisers;
18 19 20 21	C. Receive and review inquiries regarding real estate appraisals and determine whether the appraisals were completed in accordance with the Uniform Standards of Professional Appraisal Practice as defined in Title 32, section 14002, subsection 15; and
22 23 24	D. Receive complaints regarding real estate appraisals and respond with nonbinding written findings and recommendations and information regarding the consumers' options.
25 26 27	3. Report. The advocate shall submit a report not later than January 15th of each year to the joint standing committee of the Legislature having jurisdiction over consumer affairs. The report must include:
28 29	A. The total number of inquiries received pursuant to this section in the previous calendar year;
30 31	B. A summary of outcomes of the inquiries received pursuant to this section in the previous calendar year; and
32	C. Recommendations for future legislation, if any.
33	Sec. 2. 32 MRSA §14012, sub-§8 is enacted to read:
34 35 36 37	8. Complaint process. The board shall establish by rule a process for receiving and reviewing complaints regarding licensed real estate appraisers. The board shall include on its publicly accessible website a description of consumer rights in the real estate appraisal process and a step-by-step process for the filing of complaints, with links to relevant forms.
38	Sec. 3. 32 MRSA §14012, sub-§9 is enacted to read:
39 40 41	9. Disciplinary actions. The board shall include on its publicly accessible website searchable information regarding any disciplinary actions as described in section 14014-A, including letters of guidance, taken or issued against licensed real estate appraisers.

Be it enacted by the People of the State of Maine as follows:

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Sec. 4. 32 MRSA §14012, sub-§10 is enacted to read:

- 10. Report. The board shall submit a report not later than January 15th of each year to the joint standing committee of the Legislature having jurisdiction over matters related to licensing of real estate appraisers. The report must include:
 - A. The total number of complaints received pursuant to subsection 8 in the previous calendar year;
 - B. A summary of outcomes of the complaints received pursuant to subsection 8 in the previous calendar year; and
 - C. Recommendations for future legislation, if any.

10 SUMMARY

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This bill creates within the Department of the Attorney General the Office of the Advocate for Real Estate Appraisal, the purpose of which is to assist members of the public in understanding their rights regarding real estate appraisals. The office is administered by the Advocate for Real Estate Appraisal, who is appointed by the Attorney General and who must be a licensed Maine real estate appraiser. The duties of the advocate include preparing and making available on a publicly accessible website interpretive and educational materials and programs concerning the real estate appraisal process and options available to consumers to dispute real estate appraisals and to submit complaints regarding licensed appraisers; providing individual guidance to members of the public to help them understand their rights in disputing real estate appraisals and submitting complaints regarding licensed appraisers; receiving and reviewing inquiries regarding real estate appraisals and determining whether the appraisals were completed in accordance with the Uniform Standards of Professional Appraisal Practice; and responding with nonbinding written findings and recommendations and information regarding the consumer's options. The bill requires the advocate to submit a report not later than January 15th of each year to the joint standing committee of the Legislature having jurisdiction over consumer affairs. The report must include the total number of inquiries received in the previous calendar year; a summary of outcomes of the inquiries received; and recommendations for future legislation, if any.

The bill also amends the licensing laws for real estate appraisers to require the Board of Real Estate Appraisers to establish by rule a process for receiving and reviewing complaints regarding licensees. It requires the board to include on its publicly accessible website a description of consumer rights in the real estate appraisal process and a step-by-step process for the filing of complaints, with links to relevant forms. It requires the board to include on its publicly accessible website searchable information regarding any disciplinary actions, including letters of guidance, taken or issued against licensed appraisers. It requires the board to submit a report not later than January 15th of each year to the joint standing committee of the Legislature having jurisdiction over matters related to licensing of real estate appraisers. The report must include the total number of complaints received in the previous calendar year; a summary of outcomes of the complaints received; and recommendations for future legislation, if any.