

Legislative Analysis



TIME LIMIT FOR COMPLAINT AGAINST APPRAISER

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5591 as introduced
Sponsor: Rep. Brandt Iden
Committee: Regulatory Reform
Complete to 2-28-18

Analysis available at
<http://www.legislature.mi.gov>

REVISED SUMMARY:

House Bill 5591 would require a complaint filed against a real estate appraiser that seeks an administrative penalty for certain conduct on the part of the appraiser to be filed within 18 months of the date of the alleged violation or, if the violation was in connection with the performance of an appraisal, the delivery of the appraisal to the client.

The bill would amend Section 2635 of Article 26 of the Occupational Code and would apply to complaints filed under Article 5 of the Code with the Department of Licensing and Regulatory Affairs against a limited real estate appraiser, licensed real estate appraiser, certified residential real estate appraiser, or certified general real estate appraiser. Section 2635 subjects a licensee to administrative penalties under Article 6 of the Code for certain, specified acts. Among the acts that could subject a licensee to penalties is violating any of the standards for the development and communication of real property appraisals or demonstrating incompetence in developing and communicating an appraisal. A violation of one of the listed acts, which involves inflating a home's value to a predetermined amount, may also result in a criminal penalty.

Administrative penalties that may be imposed under Article 6 for a violation of Section 2635 and for which a complaint was filed under Article 5 include license or certificate of registration sanctions (suspension, denial, or revocation), censure, probation, being required to make restitution, or a fine of not more than \$10,000.

MCL 339.2635

FISCAL IMPACT:

House Bill 5591 would have an indeterminate fiscal impact on the Department of Licensing and Regulatory Affairs, which would depend on the bill's impact on the number of complaints filed with the department. If the limitation established by this bill were to decrease the number of complaints received by the department, modest cost savings may result.

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