

OCCUPATIONAL CODE (EXCERPT)
Act 299 of 1980

339.2661 Definitions.

Sec. 2661. As used in this act:

- (a) "Appraisal" means that term as defined in section 2601.
- (b) "Appraisal management company" means a person that provides appraisal management services.
- (c) "Appraisal management services" means to perform any of the following functions for a client or clients:
 - (i) Recruiting, selecting, and retaining appraisers.
 - (ii) Contracting with independent contract appraisers to perform appraisal assignments.
 - (iii) Managing the process of having an appraisal performed, including, but not limited to, providing administrative services such as receiving appraisal orders and appraisal reports, submitting completed appraisal reports to creditors and secondary market participants, collecting fees from creditors and secondary market participants for services provided, and paying appraisers for services performed.
 - (iv) Reviewing and verifying the work of appraisers.
- (d) "Appraiser" means that term as defined in section 2601.
- (e) "Appraiser panel" means a network, list, or roster of licensed or certified appraisers approved by an appraisal management company to perform appraisals as independent contractors for the appraisal management company. As used in this subdivision, appraiser includes both appraisers accepted by the appraisal management company for consideration for future appraisal assignments and appraisers engaged by the appraisal management company to perform 1 or more appraisals. An appraiser is an independent contractor if the appraiser is treated as an independent contractor by the appraisal management company for purposes of federal income taxation.
- (f) "Certified appraiser" means a certified general real estate appraiser, as that term is defined in section 2601, or a certified residential real estate appraiser, as that term is defined in section 2601.
- (g) "Client" means a person that contracts with, or otherwise enters into an agreement with, an appraisal management company for the performance of real estate appraisal services.
- (h) "Controlling person" means any of the following:
 - (i) An owner, officer, or director of a corporation, partnership, or other business entity that offers or applies to offer appraisal management services in this state.
 - (ii) An individual who is employed, appointed, or authorized by an appraisal management company and has the authority to enter into contractual relationships with clients for the performance of appraisal management services and the authority to enter into agreements with independent appraisers for the performance of real estate appraisal services.
 - (iii) An individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company.
- (i) "Federally regulated appraisal management company" means an appraisal management company that is owned and controlled by an insured depository institution, as that term is defined in 12 USC 1813, and is regulated by the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, or the Federal Deposit Insurance Corporation.
- (j) "Real estate appraisal services" means the practice of developing an opinion of the value of real property in a manner that conforms with the uniform standards of professional appraisal practice.
- (k) "Uniform standards of professional appraisal practice" means that term as defined in section 2601.

History: Add. 2012, Act 505, Eff. Apr. 1, 2014;—Am. 2020, Act 250, Imd. Eff. Dec. 22, 2020.

Popular name: Act 299