

Appraisal Management Companies - By Jurisdiction

Executive Summary

APPRAISAL MANAGEMENT COMPANIES

ANNUAL REPORT EXECUTIVE SUMMARY

March 2020

[Appraisal Management Companies – 2020 Short Answer Table](#)

Overview

Of the fifty-four jurisdictions surveyed, only three (Guam, Puerto Rico, and the U.S. Virgin Islands) do not require licensing, registration or certification, and other regulation of appraisal management companies (AMCs). Six states passed AMC laws in 2009; thirteen states did so in 2010, and Alabama, Illinois, Kentucky, Maryland, Mississippi, Montana, Nebraska, South Dakota, and Texas did in 2011. In 2012, Colorado, Kansas, New Hampshire, Michigan and Pennsylvania followed suit. Virginia, which already regulated AMC conduct, also added a licensure requirement in 2012. Four more states enacted AMC regulatory schemes in 2013: Delaware, North Dakota, West Virginia, and Wyoming. Colorado reenacted and recodified its AMC law in 2014. No jurisdictions enacted AMC licensing laws in 2015. Idaho and Iowa enacted laws regulating AMCs in 2016. Six states (Hawaii, Maine, New Jersey, Rhode Island, South Carolina, and Wisconsin) enacted AMC licensing/registration laws in 2017. Vermont repealed its AMC licensing statutes in 2017, but AMCs must register and are regulated by the Board of Real Estate Appraisers. During 2018, Alaska, Ohio, and New York passed AMC registration laws. In 2019, legislation to regulate AMCs was approved in the District of Columbia and Massachusetts.

Fee

Disclosures

Of the jurisdictions that regulate AMCs, eight have no requirements regarding appraisal fee disclosures. The remaining states require AMCs and/or appraisers to disclose fees to the client or have provisions providing that an AMC may not prohibit an independent appraiser from disclosing the fee in the appraisal report. Arkansas AMCs must disclose to the client, and to the regulatory agency, if the agency requests the information, the amount paid to the appraiser. A Nevada AMC must disclose to the regulator whether it uses an appraisal fee schedule and the amount paid for each listed service. Utah requires fee disclosures to both clients and appraisers.

Registration or licensing fees range from \$125 to \$5,000. Nearly all states require a surety bond of at least \$20,000. In Oregon an applicant for AMC registration must submit an irrevocable letter of credit in the amount of \$25,000.

Restrictions

The restrictions imposed on AMC operations under licensing regimes include requiring certifications at the time of application and/or annually that the AMC only uses licensed appraisers in good standing, periodically reviews an appraiser's services for compliance with applicable appraisal standards and keeps detailed records of requests for appraisal services and the appraiser who fulfills the request. Additionally, appraisers may only be terminated from the appraiser panel upon written notice of the reasons for termination and may not be subjected to any form of coercion, undue influence or inducement designed to affect the result of the appraisal.

Penalties

The penalties imposed for violations of the various AMC regulatory laws include significant fines, license revocation or restrictions, civil actions by injured parties and criminal sanctions.

Alabama

Alabama, Fee Disclosures

An AMC may not prohibit an appraiser from reporting in the appraisal report the fee paid to the appraiser by the AMC.

Additionally, an AMC must separately state to the client:

- the fees paid to an appraiser for appraisal services; and
- the fees charged by the AMC for "services associated with the management of the appraisal process, including procurement of the appraiser's services."

Note: An AMC may not include any fees for management services performed by it in the amount it reports as charges for the appraiser's actual completion of an appraisal.

Rule 780-x-17-.18 amended 2015; r. 780-x-17.21 promulgated 2016.

[Ala. Admin. Code r. 780-x-17-.18, .21 \(2019\)](#)

Alabama, License Fees

Appraisal management companies must be registered with the Alabama Real Estate Appraisers Board.

The registration fee is \$3,500. Additionally, an applicant must post a \$25,000 surety bond with the application; the cash equivalent or securities may be deposited in lieu of the bond, with the Board's approval.

The annual renewal fee is \$2,000. In addition to the renewal fee, each appraisal management company shall submit a National Registry Fee of \$25 for each appraiser who has completed an appraisal for a covered transaction in Alabama during the 12 months immediately preceding the month in which the company submits its license renewal.

Enacted 2011; rule amended 2019.

[Ala. Code §§ 34-27A-50, -55 \(2019\); Ala. Admin. Code r. 780-x-17-.04 \(2019\); AMC Registration Forms and Instructions](#)

Alabama, Restrictions

Licensure Required

A person may not directly or indirectly engage in business as an appraisal management company without first registering with the [Alabama Real Estate Appraisers Board](#).

Note: Registration is required if the AMC oversees a network or panel of more than four certified or licensed appraisers in a state, or 25 or more nationally in a given year.

Exceptions: The registration requirement does not apply to:

- a financial institution regulated by a federal agency (an AMC that is a wholly owned subsidiary of a financial institution may not be considered a department, division or unit within a financial institution); or
- a person who enters into an agreement with an appraiser to perform an appraisal and, upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed the appraisal and the person who requested the appraisal.

A registration is valid for one year.

Section 34-27A-2 amended 2019; §§ 34-27A-50, -63 enacted 2011.

[Ala. Code §§ 34-27A-2, -50, -63 \(2019\)](#)

Annual Certifications

An AMC must certify to the Board at the time of registration application and renewal that it:

- has a system in place to verify that a person being added to the appraiser panel for appraisal services in Alabama holds a license in good standing in Alabama;
- has a system in place to review the work of all appraisers performing real estate appraisal services for the AMC on a periodic basis to confirm that the services are being performed according to Uniform Standards of Professional Appraisal Practice and Alabama law;
- has a system in place to require that appraisals are conducted independently and free from inappropriate influence and coercion as required by appraisal the independence standards established under the Truth in Lending Act, including the requirement that fee appraisers be

compensated at a customary and reasonable rate when the AMC is providing services for a consumer credit transaction secured by the principal dwelling of the consumer;

- maintains a record of each service request it receives and identity of the appraiser that performs the appraisal services for the AMC; and
- requires all appraisers have geographic competency to perform an appraisal assignment.

Enacted 2011.

[Ala. Code §§ 34-27A-51, -57 \(2019\)](#)

Prohibitions

An employee, officer, director or agent of an AMC may not influence or attempt to influence the development, reporting or review of an appraisal through coercion, extortion, collusion, compensation, inducement, instruction, intimidation, bribery or any other manner, including:

- withholding or threatening to withhold timely payment to or future business for an appraiser;
- demoting or terminating, or threatening to demote or terminate, an appraiser;
- promising future business, promotions or increased compensation for an appraiser;
- conditioning the request for appraisal services or the payment of an appraisal fee or salary or bonus on the opinion, conclusion or valuation to be reached or on a preliminary estimate or opinion requested from an appraiser;

- requesting that an appraiser provide an estimated, predetermined or desired valuation in an appraisal report or provide estimated values or comparable sales at any time before an appraiser's completion of an appraisal service;
- providing an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or target amount to be loaned to the borrower (except that a copy of the sales contract for purchase transactions may be provided);
- providing an appraiser, or any entity or person related to the appraiser, stock or other financial or nonfinancial benefits;
- allowing removal of an appraiser from an appraiser panel without giving the appraiser prior written notice; and
- engaging in any other act or practice that impairs or attempts to impair an appraiser's independence, objectivity or impartiality.

Note: The above limitations do not prohibit an AMC from requesting in writing within 45 days that an appraiser provide additional information about the basis for a valuation, correct objective factual errors in an appraisal report, or consider additional verifiable information not previously known or considered by the appraiser in completing an assignment.

An AMC may not alter, revise or otherwise change a completed appraisal report submitted by an appraiser unless required by federal or state guidelines.

Statute enacted 2011; regulation amended 2015.

[Ala. Code § 34-27A-60 \(2019\)](#); [Ala. Admin. Code r. 780-x-17-.18 \(2019\)](#)

AMC-Appraiser Relationships

Before placing an assignment, an AMC must require that the appraiser confirm in writing or via electronic means that the appraiser receiving the assignment is a competent appraiser for performing the assigned appraisal.

An AMC must compensate appraisers at the "customary and reasonable" rate for appraisals being performed in the market area of the property being appraised in accordance with the Truth in Lending Act, 15 U.S.C. § 1639E and the regulations adopted thereunder, and maintain records of how it determined the compensation rate paid for each appraisal assignment.

Note: The Alabama Real Estate Appraisers Board, "at its discretion, may contract with an objective third party, such as an educational institution, to develop a schedule of customary and reasonable fee rates of compensation for one to four residential appraisals prepared for consumer credit transactions secured by the principal dwelling of the consumer."

Except for cases of contract breach, substandard performance or mutually agreed to payment date, an AMC must pay an appraiser for completion of an appraisal or valuation assignment within 45 days after the AMC, or an assignee, receives a completed appraisal or valuation study.

An AMC may not remove an appraiser from the panel without giving the appraiser written notice of the reasons for the removal and of the nature of the alleged conduct or violations of the Uniform Standards of Professional Appraisal Practice or state licensing standards, if such is the reason for removal. The appraiser must be given an opportunity to respond to the written notice.

Statutes enacted 2011; regulations 780-x-17-.15, .16 promulgated 2011; r. 780-x-17-.21 promulgated 2016..

[Ala. Code §§ 34-27A-58, -59 \(2019\); Ala. Admin. Code rr. 780-x-17-.15, -.16, .21 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

[Alabama, Penalties](#)

The Alabama Real Estate Appraisers Board may censure, conditionally or unconditionally suspend registration or impose civil penalties of up to \$25,000 against any AMC that the Board determines is attempting to or has performed any of the following:

- an act in violation of the Alabama AMC law;
- a violation of any rule adopted by the Board; or
- the procurement of AMC registration through fraud, misrepresentation or deceit.

Statute enacted 2011; regulation promulgated 2011.

[Ala. Code § 34-27A-61 \(2019\)](#); [Ala. Admin. Code r. 780-x-17-.19 \(2019\)](#)

Alaska

Alaska, Fee Disclosures

When reporting to a borrower, an AMC must separately state to the client:

- the fees paid to an appraiser for the completion of an appraisal; and
- the fees charged to the borrower by the AMC for appraisal management services.

An AMC may not prohibit an appraiser from reporting in the appraisal report submitted by the appraiser the fee that the appraiser was paid by the company for the performance of the appraisal.

Note: An AMC may not include any fees for appraisal services as charges for an appraisal management service.

Enacted 2018.

[Alaska Stat. §§ 08.87.145, .215\(b\)\(6\) \(2019\)](#)

Alaska, License Fees

The initial application fee for an appraisal management company is \$500, and the initial registration fee is \$700. The biennial registration renewal fee is \$700. An AMC applicant must also submit a surety bond in the amount of \$50,000.

In addition to registration and renewal fees, an AMC must pay an annual federal registry fee of \$25 for each appraiser on the appraiser panel performing one or more federally related transactions in the preceding calendar year.

AMC certification must be renewed every two years.

Statute enacted 2018; regulation section 02.370 amended 2019, section 70.160 adopted 2019.

[Alaska Stat. §§ 08.87.135 \(2019\); Alaska Admin. Code tit. 12, §§ 02.370, 70.160 \(2019\)](#)

Alaska, Restrictions

Licensure Required

A person shall register as a real estate appraisal management company with the board to perform appraisal management services if the person:

- Provides an appraisal management service
 - To a creditor or secondary mortgage market participant, including an affiliate; and
 - In connection with valuing a borrower's principal dwelling as security for a consumer credit transaction or incorporating consumer credit transactions into a securitization; and
- Oversees an appraiser panel.

Exceptions: The registration requirement does not apply to:

- a person who is employed by a department or division of an entity that provides appraisal management services only to that entity;
- an AMC that is owned and controlled by an insured depository institution regulated by the Consumer Financial Protection Bureau, the Federal Housing Finance Agency, the Board of Governors of the Federal Reserve System, the FDIC, United States Comptroller of the Currency, or the National Credit Union Administration; or
- a real estate appraiser who enters into an agreement with another appraiser to perform an appraisal and, upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed the appraisal and the person who requested the appraisal.

A registration is valid for one year.

Enacted 2018.

[Alaska Stat. §§ 08.87.130, .160 \(2019\)](#)

Annual Certifications

An AMC must present to the Board with registration application evidence that it:

- has a system in place to verify that a person being added to the appraiser panel is certified as a real estate appraiser under Alaska law and qualified to conduct federally related transactions under federal law;

- requires appraisers to comply with the Uniform Standards of Professional Appraisal Practice; and
- engages only Alaska-certified appraisers.

Enacted 2018.

[Alaska Stat. § 08.87.135 \(2019\)](#)

Prohibitions

An AMC or a controlling person, employee, officer, director or agent of an AMC may not:

- seek to influence an appraiser through coercion, extortion, intimidation, or bribery;
- condition payment of an appraisal fee on an appraiser's the opinion, conclusion or valuation;
- request that an appraiser provide a predetermined opinion, conclusion or valuation;
- alter an appraisal report submitted by an appraiser without the appraiser's written consent;
- engaging in any other act or practice with intent to impair an appraiser's independence, objectivity or impartiality.

Enacted 2018.

[Alaska Stat. § 08.87.215 \(2019\)](#)

AMC-Appraiser Relationships

An AMC may not:

- require an appraiser to sign an indemnification agreement for a claim that does not arise from services performed by the appraiser; or
- prohibit lawful communication between an appraiser and any other person whom the appraiser determines possesses information relevant to the appraisal.

Enacted 2018.

[Alaska Stat. § 08.87.215 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

[Alaska, Penalties](#)

The Alaska Board of Certified Real Estate Appraisers may take disciplinary action against, or suspend or revoke a registration of an AMC upon a finding that the company:

- or a controlling person, employee, director, officer, or agent of the company has violated a provision of the AMC law or a Board regulation;

- or a controlling person of the company has had a certificate to act as a real estate appraiser or a registration as an AMC "denied, cancelled, suspended, revoked, put on probation, or surrendered in lieu of a pending revocation in any state;"
- fails to comply with the Uniform Standards of Professional Appraisal Practice;
- performs appraisal management services in a manner that causes injury or loss to the public;
- has ceased to operate in Alaska as an AMC; or
- used fraud, deception, misrepresentation, or bribery in securing a registration.

Enacted 2018.

[Alaska Stat. § 08.87.220 \(2019\)](#)

Arizona

Arizona, Fee Disclosures

An AMC may not prohibit an appraiser from reporting in the appraisal report the fee paid to the appraiser. An appraiser must disclose the fee paid for an appraisal report ordered by an AMC in the scope-of-work section in the report.

Amended 2012.

[Ariz. Rev. Stat. § 32-3673 \(2019\)](#)

Arizona, License Fees

Both the initial registration fee and biennial renewal fee for AMC registration is \$2,500.

In addition to the registration fee, an applicant must show proof of a surety bond in the amount of not less than \$20,000 issued by a surety company authorized to do business in Arizona.

Statute amended 2017; rules amended 2019.

[Ariz. Rev. Stat. § 32-3667 \(2019\); Ariz. Admin. Code §§ R4-46-106, -402 \(2019\)](#)

Arizona, Restrictions

Licensure Required

A person may not directly or indirectly engage in business as an appraisal management company without first registering with the Arizona Superintendent of the [Department of Financial Institutions](#).

Note: Registration is required regardless of the entity's use of the term "appraisal management company," "mortgage technology provider," lender processing services," "lender services," "loan processor," "mortgage services," "real estate closing services provider," "settlement services provider," "vendor management company," or any other name, if it does any of the following:

- administers an appraiser panel composed of at least 16 state-licensed or state-certified independent contractor appraisers in one state or at least 25 state-licensed or state-certified appraisers in at least two states to perform real property appraisal services in Arizona for a client;
- receives requests for real property appraisal services and for a fee paid by the client, enters into an agreement with one or more appraisers to perform the services contained in the request; or
- otherwise serves as a third-party liaison of appraisal management services between clients and appraisers.

Exceptions: The registration requirement does not apply to:

- a financial institution department or unit that is subject to direct regulation by an Arizona or federal agency and that receives requests for real estate appraisals and then assigns the requests to an appraiser who is part of the institution's appraiser panel;
- a business entity that employs appraisers exclusively on an employer/employee basis to perform real property appraisal services in the normal course of its business and that is responsible for ensuring that those services are performed in accordance with uniform standards of professional appraisal practice and federal and state law; or
- a relocation management company in the course of employee relocation pursuant to its relocation policy.

An initial registration is valid for one year; registration renewals are valid for two years.

Sections 32-3662, -3663, -3665 amended 2019; § 32-3667 amended 2017.

[Ariz. Rev. Stat. §§ 32-3662, -3663, -3665, -3667 \(2019\)](#)

Annual Certifications

An AMC must certify to the Superintendent at the time of registration application and renewal that it:

- has a system in place to verify that a person being added to the appraiser panel for appraisal management services in Arizona holds a license or certification in good standing in Arizona;
- has a system in place to review the work of all independent appraisers performing real estate appraisal services for the AMC on a periodic basis to confirm that the services are being performed according to uniform standards of professional appraisal practice;

- maintains a detailed record of each service request it receives and the independent appraiser that performs the appraisal services for the AMC;
- has a system in place to train those who select individual appraisers for real property services performed in Arizona to ensure that the selectors have appropriate training in placing appraisal assignments; and
- will allow the Superintendent to exam the AMC's books and records, with a written agreement that requires the AMC to submit reports, information and documents to the Superintendent as required by rule.

Section 32-3662 amended 2019; § 32-3672 amended 2017.

[Ariz. Rev. Stat. §§ 32-3662, -3672 \(2019\)](#)

Prohibitions

An employee, officer, director or agent of an AMC registered under Arizona law may not influence or attempt to influence the development, reporting or review of an appraisal through coercion, extortion, collusion, compensation, inducement, intimidation, bribery or any other manner, including:

- withholding or threatening to withhold timely payment or future business for an appraiser;
- demoting or terminating, or threatening to demote or terminate, an appraiser;
- expressly or impliedly promising future business, promotions or increased compensation for an appraiser;

- conditioning the request for appraisal services or the payment of an appraisal fee or salary or bonus on the opinion, conclusion or valuation to be reached or on a preliminary estimate or opinion requested from an independent appraiser;
- requesting that an appraiser provide an estimated, predetermined or desired valuation in an appraisal report or provide estimated values or comparable sales at any time before an appraiser's completion of an appraisal service;
- providing an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or target amount to be loaned to the borrower (except that a copy of the sales contract for purchase transactions may be provided);
- providing an appraiser, or any entity or person related to the appraiser, stock or other financial or nonfinancial benefits;
- allowing removal of an appraiser from an appraiser panel without giving the appraiser prior written notice;
- obtaining, using or paying for a second or subsequent appraisal or ordering an automated valuation model in connection with a mortgage financing transaction, unless there is a reasonable basis to believe that the initial appraisal was flawed or tainted and the basis is clearly and appropriately noted in the loan file or unless the appraisal or automated valuation is done pursuant to a bona fide pre-funding or post-funding appraisal review or quality control process; and
- engaging in any other act or practice that impairs or attempts to impair an appraiser's independence, objectivity or impartiality.

An appraisal fee may not be based on the predetermined value or range of value of the subject property or the amount of the transaction price.

Note: The above limitations do not prohibit an AMC from requesting that an appraiser either provide additional information about the basis for a valuation or correct objective factual errors in an appraisal report.

An AMC may not alter, revise or otherwise change a completed appraisal report, including removal of the signature of the appraiser, or use a report for any purpose other than intended use stated in the report.

Enacted 2010.

[Ariz. Rev. Stat. §§ 32-3673, -3674, -3676 \(2019\)](#)

AMC-Appraiser Relationships

An AMC may not enter into a contract or agreement with an independent appraiser for the performance of appraisal services in Arizona unless the appraiser is licensed or certified in good standing with the Superintendent.

Except for cases of contract breach or substandard performance, an AMC must pay an independent appraiser for completion of an appraisal or valuation assignment within 45 days after the appraiser's transmittal of the completed appraisal or valuation study to the AMC or its assignee.

An AMC may not remove an appraiser from the panel, or otherwise refuse to assign appraisal service requests to the appraiser, without giving the appraiser written notice or the reasons for the removal from the AMC's appraiser panel. The appraiser may file a complaint with the Superintendent for a review of the AMC's decision.

An AMC may not require an appraiser to sign an indemnification agreement that would hold the AMC harmless from any liability, damage, loss or claim arising from services performed by the AMC.

Sections 32-3671 and -3675; enacted 2010; § 32-3640 enacted 2012; 32-3677 amended 2019.

[Ariz. Rev. Stat. § 32-3640, -3671, -3675, -3677 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Arizona, Penalties

Administrative Penalties

The Superintendent of Financial Institutions may censure an AMC, conditionally or unconditionally suspend or revoke its registration or impose civil penalties of up to \$15,000 per violation if an AMC is attempting to perform, has performed or has attempted to perform any of the following:

- committing any act in violation of the AMC law;
- violating any administrative rule;
- knowingly making or causing to be made any false representation of material fact to the Superintendent;
- suppressing or withholding from the Superintendent any information the applicant possesses and that, if submitted, would have rendered the applicant ineligible for registration; or
- violating the federal Financial Institutions Reform, Recovery and Enforcement Act of 1989.

Amended 2017.

[Ariz. Rev. Stat. § 32-3678 \(2019\)](#)

Arkansas

Arkansas, Fee Disclosures

An AMC must disclose to its client the actual fees paid to an appraiser for appraisal services separately from any other fees or charges for appraisal management services and, upon request, must make the information available to the Appraiser Licensing and Certification Board.

Enacted 2009; rules promulgated 2009.

[Ark. Code Ann. § 17-14-407\(f\) \(2019\); Ark. Appraiser Licensing and Certification Bd., AMC R. & Regs. § V\(A\)\(9\) \(2019\)](#)

Arkansas, License Fees

Appraisal management companies must be registered by the Arkansas Appraiser Licensing and Certification Board.

The filing fee is \$500. Additionally, an applicant must post a \$20,000 surety bond with the application; the cash equivalent or securities may be deposited in lieu of the bond, with the Board's approval.

Note: Pursuant to 2017 legislation the maximum registration which may be imposed by the Board was increased from \$500 to \$1,500; however, the Board website lists the filing fee as \$500.

A criminal background check fee not to exceed \$50 must be paid by the AMC for each person owning more than 10 percent of the AMC.

Section 17-14-403 enacted 2009; § 17-14-406 amended 2017; rules promulgated 2009.

[Ark. Code Ann. §§ 17-14-403, -406 \(2019\); Ark. Appraiser Licensing and Certification Bd., AMC R. & Regs. §§ III\(A\); IV\(A\), \(B\) \(2019\)](#)

Arkansas, Restrictions

Licensure Required

An appraisal management company before acting or offering to act in Arkansas must be registered by the [Arkansas Appraiser Licensing and Certification Board](#) before it may engage in business as an AMC. The registration requirements do *not* apply to:

- a federal, state, county, or municipal government agency;
- a person authorized to engage in business as a bank, farm credit system, savings institution, or credit union under federal or state law
- a licensed real estate broker or agent performing activities regulated by the Arkansas Real Estate Commission unless the broker or agent receives compensation or other pecuniary gain in connection with the referral, placement, or execution of a request for appraisal services;
- an officer or employee of a government agency, person, or licensed real estate broker or agent described in Ark. Code Ann. § 17-14-412 when acting within the his or her scope of employment;
- a federally regulated AMC;
- a person who exclusively employs appraisers on an employer and employee basis for the performance of appraisals;
- a person acting as an appraisal firm that at all times during a calendar year employs on an exclusive basis as independent contractors not more than 15 appraisers for the performance of appraisals;

- "[a] person who enters into an agreement with an appraiser for the performance of an appraisal that on completion results in a report signed by both the appraiser who completed the appraisal and the appraiser who requested completion of the appraisal;"
- an AMC operating only in Arkansas with an appraiser panel of not more than 15 appraisers at all times during a calendar year; or
- an AMC operating in multiple states, including Arkansas, with an appraiser panel of not more than 24 appraisers in all states at all times during a calendar year.

Statute enacted 2009; regulation promulgated 2009.

[Ark. Code Ann. §§ 17-14-403, -412 \(2019\); Ark. Appraiser Licensing and Certification Bd., AMC R. & Regs. § III\(A\) \(2019\)](#)

Annual Certifications

An AMC must certify to the Board at the time of the registration and renewal applications that:

- it has a system and process in place to verify that a person being added to the company's appraiser panel holds a license in good standing in Arkansas pursuant to the Arkansas Appraiser Licensing and Certification Act;
- it has a system in place to review on a periodic basis the work of all independent appraisers performing real estate appraisal services for it to ensure that the services are being conducted in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP);
- it maintains a detailed record of each real estate appraisal service request applicable to Arkansas properties it receives, including the the name of the independent appraiser that performs appraisal services and the fee paid to the appraiser for each assignment;

- it requires appraisers completing appraisals at its request to comply with the USPAP;
- it has a system in place to verify the only licensed or certified appraisers are used for federally related transaction; and
- its designated controlling person or principal accepts the responsibilities attendant to acting as the managing principal.

Statute amended 2019; rules promulgated 2009.

[Ark. Code Ann. § 17-14-405\(b\)\(5\) \(2019\)](#); [Ark. Appraiser Licensing and Certification Bd., AMC R. & Regs. § III\(B\)\(6\) \(2019\)](#)

Prohibitions

It is unlawful for any employee, director, officer or agent of an Arkansas-licensed AMC to improperly influence or attempt to improperly influence the development, reporting, result or review of an appraisal through, without limitation, coercion, extortion, intimidation, bribery, blackmail, threat of nonpayment or withholding payment for appraisal services, or threat of exclusion from future appraisal work.

In addition, a registrant shall not permit any employee, agent, third party or controlling principal to engage in any of the following activities:

- requiring the appraiser to collect the appraisal fee from the borrower, homeowner or third party;
- requiring the appraiser to provide the registrant with the appraiser's digital signature or seal;

- altering, amending or changing an appraisal report submitted by a licensed or certified appraiser by removing the appraiser's signature or seal or by adding or removing information to or from the appraisal report;
- requesting that an appraiser provide an estimated, predetermined or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the appraiser's completion the appraisal report;
- providing an independent appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or targeted amount to be loaned to the borrower (except that a copy of the sales contract for purchase transactions may be provided);
- committing any act or practice that impairs or attempts to impair an appraiser's independence, objectivity or impartiality;
- making referrals to Arkansas appraisers during any period in which a certificate of registration has expired;
- entering into agreements with independent appraisers if the appraisers are not licensed and certified and in good standing with the Board;
- requiring an AMC employee who is an appraiser to sign an appraisal completed by another appraiser who contracts with the AMC in order to avoid compliance with Ark. Code Ann. § 17-14-408(b); or
- requiring a panel appraiser to pay or reimburse the AMC for the Appraisal Management National Registry fee.

Note: The above limitations do not prohibit an AMC from requesting that an independent appraiser provide additional information about the basis for a valuation, correct objective factual errors in an appraisal report, or provide further substantiation or explanation for the appraiser's value conclusion.

Statute amended 2017; rules promulgated 2009.

[Ark. Code Ann. § 17-14-408 \(2019\); Ark. Appraiser Licensing and Certification Bd., AMC R. & Regs. § VII \(2019\)](#)

AMC-Appraiser Relationships

An Arkansas-licensed AMC may enter into contracts or agreements with an independent appraiser for the performance of real estate appraisal services only if the person is licensed and in good standing pursuant to the Arkansas Appraiser Licensing and Certification Act.

Except in cases of breach of contract or substandard performance of services, an AMC must pay an appraiser for completing an appraisal or valuation assignment not later than the 60th day after the date the appraiser provides the initial appraisal or valuation assignment to the AMC. An AMC must compensate appraisers "at a rate that is reasonable and customary for appraisals being performed in the market area of the property being appraised consistent with the presumptions under federal law." An appraiser who is aggrieved under these provisions may file a complaint with the Board against the AMC.

An AMC may not remove an independent appraiser from the AMC's panel without written notice that includes evidence which supports the fact that the appraiser has acted illegally, violated the minimum reporting standards or other applicable state statutes or rules, has had substandard performances, or otherwise acted in an improper or unprofessional manner.

Any employee or independent contractor of an AMC who performs a Uniform Standards of Professional Appraisal Practice Standard 3 appraisal review of an appraisal report on a property located in Arkansas must be an appraiser with the proper level of appraiser credential issued by the Board.

Sections 17-14-413 and -414 enacted 2017; § 17-14-408 amended 2017; rules promulgated 2009.

[Ark. Code Ann. §§ 17-14-408\(b\)\(5\), -413, -414 \(2019\); Ark. Appraiser Licensing and Certification Bd., AMC R. & Regs. § VII\(B\)\(5\) \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Arkansas, Penalties

Administrative Penalties

The Appraiser Licensing and Certification Board may deny, suspend, revoke or refuse to issue or renew the registration of an AMC, or restrict or limit the activities of an AMC or a person who owns an interest in or participates in the business of an AMC, if the Board finds that any of the following circumstances apply to the applicant, registrant, or a partner, member, manager, officer, director, managing principal, controlling person or a person occupying a similar status or performing similar functions, or a person directly or indirectly controlling the applicant or registrant:

- the person's registration application contained a statement that is false or misleading as to a material fact;
- the person has pled guilty or nolo contendere to or been convicted of a felony or, within the last 10 years, a misdemeanor involving mortgage lending or real estate appraising or an offense involving breach of trust or fraudulent or dishonest dealing;
- the person is enjoined from engaging in or continuing any conduct or practice involving appraisal management services or operating an AMC;
- the person acted as an AMC while not properly registered by the Board;
- the person failed to pay the proper filing or renewal fee;
- the person has violated or failed to comply with the AMC Registration Act; or

- the person is subject to an order of the Board, or any other state AMC regulatory agency, denying, suspending or revoking the person's privilege to operate as an AMC.

The Board may also impose a civil penalty not to exceed \$1,000 per violation or take any other disciplinary action it deems appropriate.

Injunctive Relief

The Board may bring an action in the circuit court to obtain injunctive relief to prevent a registered or unregistered person from violating any provision of the registration law.

Criminal Proceedings

A violation of the Appraiser Licensing and Registration Act is subject to prosecution as a Class D felony.

Section 17-14-411 enacted 2009; § 17-14-410 amended 2019; rules promulgated 2009.

[Ark. Code Ann. §§ 17-14-410, -411 \(2019\); Ark. Appraiser Licensing and Certification Bd., AMC R. & Regs. §§ IX, X \(2019\)](#)

California

California, Fee Disclosures

An AMC may not prohibit a contracted appraiser/client from disclosing the fee paid to the appraiser/client for an appraisal assignment in the body of the appraisal report.

Amended 2019.

[Cal. Code Regs. tit. 10, § 3577 \(2019\)](#)

California, License Fees

The fee for review of an appraisal management company registration application is \$400 and the issuance fee for new or renewed registrations is \$4,600. A fee of \$70 per controlling person also must be paid.

Registrations are subject to renewal every two years.

Section 11345.1 enacted 2009; regulation amended 2019.

[Cal. Bus. & Prof. Code § 11345.1 \(2019\)](#); [Cal. Code Regs. tit. 10, § 3582 \(2019\)](#)

California, Restrictions

Licensure Required

No person or entity may act as an appraisal management company or represent itself to the public as an AMC, either in its advertising or through its business name, without first obtaining a certificate of registration from the [Bureau of Real Estate Appraisers](#).

Exceptions:

An AMC does not include a department or division of an entity that provides appraisal management services only to that entity.

An AMC that is a subsidiary of an insured depository institution and regulated by a federal financial institution is not required to register with the Bureau.

The registration law applies to an AMC that within a given 12 calendar-month period oversees an appraiser panel of more than 15 state-certified or state-licensed appraisers in a state or 25 or more state-certified or state-licensed appraisers in two or more states.

Note: The provisions of the AMC certification law cease to be operative 60 days after the effective date of any federal law mandating the registration or licensing of AMCs with an entity other than the state regulatory authority with jurisdiction over licensed and certified appraisers.

Sections 11302 and 11320.5 amended 2017; § 11346 added 2009.

[Cal. Bus. & Prof. Code §§ 11302\(d\), 11320.5, 11346 \(2019\)](#)

Certifications

No application certification requirements were located. However, all AMCs must:

- ensure that all contracted appraisal panel members possess all required licenses and certificates from the Bureau;
- establish and comply with processes reasonably designed to ensure that the AMC, in engaging an appraiser, "selects an appraiser who is independent of the transaction and who has the requisite license, education, expertise, and experience necessary to competently complete the appraisal assignment for the particular market and property type;"
- direct the appraiser to perform the assignment in accordance with the Uniform Standards of Professional Appraisal Practice;
- establish and comply with processes reasonably designed to ensure that the AMC conducts its appraisal management services in accordance with the requirements of the Truth in Lending Act, 15 U.S.C. § 1639e(a) through (i), and regulations thereunder; and
- engage appraisal panel members with an engagement letter that must include terms of payment.

Section 11345.3 amended 2017.

[Cal. Bus. & Prof. Code § 11345.3 \(2019\)](#)

Prohibitions

An AMC may not improperly influence or attempt to improperly influence the development, reporting, result or review of any appraisal by engaging, without limitation, any of the following:

- withholding or threatening to withhold timely payment for an appraisal;
- withholding or threatening to withhold future business for an independent appraiser, including removal from an appraiser panel;
- expressly or impliedly promising future business, promotion or increased compensation for an independent appraiser;
- implying to an appraiser that retention of the appraiser depends on the estimated property value reached by the appraiser;
- excluding an appraiser from consideration for future assignments because he or she reported a value that does not meet the AMC's predetermined threshold;
- conditioning an appraiser's compensation on consummation of the real estate transaction for which the appraisal was prepared;
- conditioning a request for appraisal service or payment of an appraisal fee or salary or bonus on the opinion, conclusion or valuation in a report, or on a preliminary estimate or opinion requested from an independent appraiser;
- requesting compensation from an appraiser to achieve higher priority in the assignment of appraisal business; or

- requesting an appraiser to provide an estimated, predetermined or desired valuation in an appraisal report, providing to an appraiser an anticipated, estimated, encouraged or desired valuation in an appraisal report, or requesting that an appraiser provide estimated values of comparable sales any time before the completion of a report.

Note: The above restrictions do not prohibit an AMC or an individual with an interest in a real estate transaction from requesting an appraiser to consider additional appropriate information including relevant sales comparables not considered in the initial appraisal report, to provide further detail, substantiation or explanation of the conclusion of value, or to correct errors in the report. Additionally, an AMC may withhold compensation based on breach of contract or substandard performance.

A registered AMC may not:

- require an appraiser to provide it with the appraiser's digital signature or seal, provided an appraiser may voluntarily provide his or her seal to another person to the extent permitted under the Uniform Standards of Professional Appraiser Practice;
- alter or otherwise change an appraiser 's completed appraisal report; or
- structure an appraisal assignment for, or a contract with, an employee appraiser or an independent contractor appraiser in order to evade the provisions of the AMC registration law.

Section 11345.4 amended 2011; § 11345.45 amended 2012; § 11345.6 amended 2017; § 1090.5 amended 2011.

[Cal. Bus. & Prof. Code §§ 11345.4, .45, .6 \(2018\); Cal. Civ. Code § 1090.5 \(2019\)](#)

AMC-Appraiser Relationships

Appraisal Management Companies must adopt reasonable procedures designed to ensure that all appraisal assignments completed by its independent contractor or employee appraisers are performed in accordance with the Uniform Standards of Professional Appraisal Practice.

An AMC may not remove an independent appraiser from its panel of approved appraisers without prior written notice. The notice must include the reason(s) for the appraiser's removal.

Amended 2019.

[Cal. Code Regs. tit. 10, § 3577\(a\), \(i\) \(2019\)](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions. Note, however, that the term "appraisal" for purposes of the AMC certification law excludes an opinion given by a real estate licensee in the ordinary course of his or her business in connection with a function for which a license is required under California law.

Amended 2017.

[Cal. Bus. & Prof. Code § 11302\(b\) \(2019\)](#)

California, Penalties

Administrative Penalties

The Director of the Bureau of Real Estate Appraisers may issue an order to pay an administrative fine of up to \$10,000 per violation of any provision of the AMC registration law or any regulation adopted to carry out its purposes.

The Director may issue a citation, order of abatement, assess a fine or private or public reproof, suspend or revoke any certificate of registration and/or deny the renewal or issuance of a certificate of any person or entity who has:

- been convicted of a felony or any crime substantially related to the qualifications, functions or duties of the real estate appraisal profession;
- done any act involving dishonesty, fraud or deceit with the intent to benefit himself or another, or to injure another;
- been convicted for commission or solicitation of a criminal act which involved or threatened bodily harm;
- done any act which if done by the holder of a real estate appraiser license would be grounds for revocation or suspension of such license;
- knowingly made a false statement of a material fact required to be disclosed in an application for a license authorizing the practice of real estate appraisal;
- violated any provision of the Uniform Standards of Professional Appraisal Practice;
- violated any provision of the Real Estate Appraisers' Licensing and Certification Law or regulations promulgated thereunder; or any provision of the Business and Professions Code applicable to applicants for or holders of licenses or Certificate of Registration;
- been prohibited from participating in the affairs of an insured depository institution pursuant to federal law; or
- submitted a financial instrument to the Bureau of Real Estate Appraisers for payment of any fine, fee or penalty which instrument is dishonored due to an act or omission of the person.

Section 11315.1 enacted 2009; regulation 3721 amended 2019.

[Cal. Bus. & Prof. Code § 11315.1 \(2019\)](#); [Cal. Code Regs. tit. 10, § 3721 \(2019\)](#)

Colorado

Colorado, Fee Disclosures

AMC Disclosures

Upon the completion of an appraisal, an AMC must disclose to its client the fee paid to the appraiser engaged to complete the appraisal.

Enacted 2012; recodified 2019.

[2019 Colo. Laws Ch. 136](#) (codified as Colo. Rev. Stat. § 12-10-614(1)(r))

Appraiser Disclosures

An appraiser must disclose in the appraisal report the fee paid to the appraiser by an AMC for a residential real estate appraisal.

Amended 2012; recodified 2019.

[2019 Colo. Laws Ch. 136](#) (codified as Colo. Rev. Stat. § 12-10-613(1)(j))

Colorado, License Fees

An AMC must obtain a license from the [Colorado Board of Real Estate Appraisers](#) before engaging in business in Colorado. The Board sets licensure application and renewal fees. The initial license fee as of March 9, 2020 is \$4,000; the annual renewal fee is \$1,710.

Licensees must maintain errors and omissions insurance and post a bond in the amount of \$25,000.

Enacted 2012; recodified 2019.

[2019 Colo. Laws Ch. 136](#) (codified as Colo. Rev. Stat. §§ 12-10-608, -609, -617)

Colorado, Restrictions

Licensure Required

An appraisal management company may not engage in business as an AMC in Colorado without first obtaining a license from the [Colorado Board of Real Estate Appraisers](#). An AMC need not be domiciled in Colorado in order to obtain a license, "if the company maintains a definite place of business in another jurisdiction and is registered as a foreign entity with the Colorado Secretary of State."

Exceptions: The registration law does not apply to:

- an entity that directly performs appraisal services;
- financial institutions and AMC subsidiaries owned and controlled by a financial institution and subject to regulation by a federal financial institution regulatory;
- an entity that does not contract with appraisers, but solely distributes orders to a client-selected appraiser panel; or
- a mortgage company, or its subsidiary, which manages a panel of appraisers who are engaged to provide services on mortgage loans either originated by the mortgage company or funded by mortgage company funds.

Enacted 2012; recodified 2019.

[2019 Colo. Laws Ch. 136](#) (codified Colo. Rev. Stat. §12-10-607); [Colo. Code Regs. § 725-2:17.12 \(2019\)](#)

Certifications

All AMC applications must contain a certification that the controlling appraiser is responsible for the AMC.

Amended 2016.

[Colo. Code Regs. § 725-2:17.10 \(2019\)](#)

Prohibitions

It is violation of the AMC law if an AMC:

- fails to exercise due diligence when hiring or engaging an appraiser to ensure the appraiser is credentialed by the Board and competent to perform the assignment;
- influences or attempts to influence the development, reporting, result or review of an appraisal or appraiser engagement through coercion, extortion, collusion, compensation, inducement, intimidation, bribery or other manner, except that an AMC may request an appraiser to (a) consider additional appropriate property information, (b) provide further detail or explanation for the value conclusion, or (c) correct appraisal report errors;
- prohibits an appraiser from communication with the client, intended users, real estate brokers, property owners, management companies or other entities whom the appraiser reasonably believes has pertinent information, except when the client has adopted an explicit policy prohibiting such communications;
- alters or modifies a completed appraisal report without the appraiser's written consent, and the intended user's consent, except to modify the report's format solely for transmission to the client;

- requires the appraiser to provide the AMC access to his or her electronic signature;
- fails to validate or verify that the appraiser's completed work complies with state and federal regulations by conducting an annual audit of a random appraisal sample;
- fails to perform the terms of a written agreement with an appraiser;
- fails to disclose the identity of the client to the appraiser;
- uses an appraisal report for a client other than the requesting client, without the requesting client's consent; or
- fails to maintain possession of documents or records as prescribed by Board rules.

Enacted 2012; recodified 2019.

[2019 Colo. Laws Ch. 136](#) (codified as Colo. Rev. Stat. § 12-10-614)

AMC-Appraiser Relationships

An AMC must pay an appraiser within 60 days after the appraisal is completed, unless:

- it is otherwise agreed; or
- the AMC notifies the appraiser in writing that there is a bona fide dispute as to the performance or quality of the appraisal.

An AMC may not require an appraiser to indemnify the AMC against liability or claims other than those arising out of the services performed by the appraiser, whether as a result of negligence or willful misconduct.

Enacted 2012; amended 2019.

[2019 Colo. Laws Ch. 136](#) (codified as Colo. Rev. Stat. § 12-10-614(1)(b), (h))

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Colorado, Penalties

Any person or entity that acts as an AMC without first obtaining a license or that acts as an AMC after its license has been revoked or suspended is guilty of a misdemeanor punishable by:

- a fine of not more than \$500 and/or imprisonment for not more than 6 months, if an individual; or
- a fine of not more than \$5,000, if an entity.

The Board of Real Estate Appraisers may apply for an injunction, restraining order, or other appropriate order, if an AMC commits or intends to commit any act or practice that violates the AMC law. For any violation of the law, the Board may:

- impose an administrative fine of up to \$2,500 for each separate violation;
- censure a licensee;

- place a licensee on probation;
- temporarily suspend a license;
- permanently revoke a license.

Enacted 2012; recodified 2019.

[2019 Colo. Laws Ch. 136](#) (codified as Colo. Rev. Stat. §§ 12-10-614, -617)

Connecticut

Connecticut, Fee Disclosures

Disclosures to Clients

An AMC must disclose to a client prior to providing, or along with, the appraisal report:

- the dollar amount of the total compensation paid by the AMC to the appraiser who performed the appraisal; and
- the dollar amount of the total compensation to be retained by the AMC from the appraisal fee paid to the AMC for the appraisal.

Disclosure in Appraisal Report

An AMC may not prohibit or attempt to prohibit an appraiser from including or referencing in an appraisal report the appraisal fee, the name of the AMC, or the client or lender's name or identity.

Disclosure to Appraiser

An AMC, at the time an assignment is offered, *must* disclose to the appraiser the total amount that the appraiser may expect to earn from the assignment, disclosed as a dollar amount.

An AMC may, before requiring the appraiser to submit a completed report, disclose to the appraiser:

- the total fee that will be collected by the AMC for the assignment; and
- the total amount that the AMC will retain from the fee charged, disclosed as a dollar amount.

Statute amended 2011; regulation promulgated 2015.

[Conn. Gen. Stat. § 20-529a \(2019\)](#); [Conn. Agencies Regs. § 20-529e-6 \(2019\)](#)

Connecticut, License Fees

The AMC registration application fee is \$1,000. A certificate of registration expires biennially; the renewal fee is \$1,000.

Amended 2019.

[Conn. Gen. Stat. § 20-529\(b\), \(e\) \(2019\)](#)

Connecticut, Restrictions

Registration Required

An appraisal management company may not engage in business as an AMC in Connecticut, attempt to perform or perform appraisal management services in Connecticut or advertise or hold itself out as doing business as an AMC in Connecticut, without first registering with the [Connecticut Department of Consumer Protection](#).

Exceptions: The registration law does not apply to:

- an appraiser that has an agreement with another appraiser for the performance of an appraisal, which is signed by both appraisers upon completion;
- an AMC that (a) is wholly owned by a financial institution subject to regulation by an agency or department of the federal government or a Connecticut state agency, and (b) only receives appraisal requests from an employee of the financial institution;
- a department or unit of a financial institution subject to regulation by an agency or department of the federal government or a Connecticut state agency that only receives appraisal requests from an employee of the financial institution;
- any local, state or federal agency or department thereof.

Registrations are subject to renewal every two years.

Sections amended 2019.

[Conn. Gen. Stat. §§ 20-500, -529 \(2019\)](#)

Certifications

Before issuing or renewing a certificate of registration, the Commissioner of Consumer Protection *may* certify that each AMC has procedures in place to:

- verify that a person being added to the AMC's appraiser panel holds an appraiser's certificate in good standing under Connecticut law;
- maintain detailed records of each appraisal request and the appraiser who performs each appraisal; and
- review on a periodic basis the work of all appraisers performing appraisals for the AMC, to ensure that the appraisals are conducted in accordance with the Uniform Standards of Professional Appraisal Practice.

Each AMC must certify annually to the Commissioner of Consumer Protection that it maintains a detailed record of each appraisal request or order it receives and of the appraiser who performs the appraisal.

Section 20-529 amended 2019; § 20-529a amended 2011.

[Conn. Gen. Stat. §§ 20-529, -529a \(2019\)](#)

Prohibitions

It is violation of the AMC law if an employee, owner, controlling person, director, officer or agent of an AMC intentionally influences, coerces or encourages, or attempts to influence, coerce or encourage, an appraiser to misstate or misrepresent the value of a subject property, by any means, including:

- withholding or threatening to withhold timely payment for an appraisal or business from an appraiser;
- demoting, terminating or threatening to demote or terminate an appraiser;

- promising future business, promotion or increased compensation to an appraiser;
- conditioning an appraisal request or payment of a fee, salary or bonus on the opinion, preliminary estimate, conclusion or valuation to be reached by the appraiser;
- requesting that an appraiser provide a predetermined or desired valuation in a report or estimated values or comparable sales at any time prior to the completion of an appraisal;
- providing an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or target amount to be loaned to the borrower (except that a copy of the purchase contract may be provided);
- providing or offering an appraiser, or any person or entity related to the appraiser, stock or other financial or nonfinancial benefits;
- removing an appraiser from the panel without prior written notice;
- obtaining, using or paying for a subsequent appraisal or ordering an automated valuation model in connection with a mortgage financing transaction unless: (a) there is a reasonable basis to believe that the initial appraisal was flawed or tainted and such basis is clearly noted in the transaction file, or (b) such subsequent appraisal or automated valuation model is performed pursuant to a bona fide prefunding or postfunding appraisal review, loan underwriting or quality control process; or
- using any other act or practice that impairs or attempts to impair an appraiser's independence, impartiality or objectivity.

Note: The above limitations do not prohibit an AMC from requesting that an appraiser provide additional information about the basis for a valuation or correct objective factual errors in an appraisal report.

Amended 2014.

AMC-Appraiser Relationships

Any employee of an AMC or any contractor working on its behalf who has any involvement in the performance of appraisals in Connecticut or review and analysis of completed appraisals in Connecticut must be certified and in good standing under Connecticut's appraiser licensing law.

An AMC must, at the time an assignment is offered, disclose to the appraiser:

- the total amount, expressed as dollars, that the appraiser may expect to earn from the assignment;
- the property address, or equivalent information that would allow the appraiser to determine whether the appraiser has been involved with any service regarding the subject property within the three years preceding the date on which the assignment offer is made;
- the assignment conditions and scope of work requirements in sufficient detail to allow the appraiser to determine whether the appraiser is competent to complete the assignment; and
- any known deadlines within which the assignment must be completed.

The AMC, at or before the time the appraiser accepts an assignment, obtain the appraiser's acknowledgment as to the AMC's competency requirements as defined by the Uniform Standards of Professional Appraisal Practice.

The AMC may not base the payment of an appraisal fee on a mortgage-related event occurring subsequent to completion of the appraisal.

The AMC may not require an appraiser to provide the it with the appraiser's digital signature, and may not not "alter, amend, or change an appraisal report submitted by a certified appraiser by removing the appraiser's signature or seal or by adding information to or removing information from the appraisal report."

Each AMC operating in Connecticut must pay an appraiser for completion of an appraisal or valuation assignment no later than 45 days after the date on which the appraiser transmits or otherwise provides the completed study to the AMC or its assignee.

Exception: The 45-day payment period does not apply in cases:

- of breach of contract;
- of substandard performance of services;
- where the parties have mutually agreed upon an alternate payment schedule in writing.

After an appraiser is first added to an appraiser panel, an AMC may not remove the appraiser from the panel, or otherwise refuse to assign appraisal requests or orders, without:

- notifying the appraiser in writing of the reasons why he or she is being removed from the panel, and if the appraiser is being removed for illegal conduct or violation of the applicable appraisal standards, the nature of the alleged conduct or violation must be identified; and
- providing the appraiser an opportunity to respond to the notification.

An appraiser removed from a panel may file a complaint with the Commissioner of Consumer Protection requesting a review of the removal decision.

Sections 20-529b and 20-529c amended 2019; regulations promulgated 2015.

[Conn. Gen. Stat. §§ 20-529b, -529c \(2019\); Conn. Agencies Regs. §§ 20-529e-6, -12 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Connecticut, Penalties

Administrative Penalties

Upon a finding by the Commissioner of Consumer Protection that an AMC has made any materially false, fictitious or fraudulent statement or violated any provision of the AMC registration law, the Commissioner may, after notice and hearing, refuse to renew, suspend or revoke a certificate of registration and impose a civil penalty of up to \$25,000.

Enacted 2010.

[Conn. Gen. Stat. § 20-529d \(2019\)](#)

Delaware

Delaware, Fee Disclosures

AMCs may not prohibit an appraiser from reporting in an appraisal report the fee paid to the appraiser.

Enacted 2013.

[Del. Code tit. 24, § 4030 \(2019\)](#)

Delaware, License Fees

All AMCs must register with the [Delaware Division of Professional Regulation, Council on Real Estate Appraisers](#). The registration fee is \$1,100; renewal fees will be announced at the time of renewal. Registrations expire on October 31 of odd years.

NOTE: The [Council on Real Estate Appraisers website](#) states that AMC licenses must be renewed annually; however, the statute cited applies only to individual appraisers and not AMCs.

Upon application for registration, an AMC must submit evidence of a \$20,000 surety bond, and must pay a registration fee to cover the cost of enrollment in the federal roster or registry.

Amended 2019.

[Del. Code tit. 24, § 4022\(b\) \(2019\); Fee Schedule \(last visited Mar. 9, 2020\)](#)

Delaware, Restrictions

Registration Required

An appraisal management company may not engage in business as an AMC in Delaware, attempt to perform or perform appraisal management services in Delaware or advertise or hold itself out as doing business as an AMC in Delaware, without first registering with the [Council for Real Estate Appraisers](#).

Exceptions: The registration law does not apply to:

- an AMC that is a subsidiary owned and controlled by a financial institution directly regulated by a Delaware or federal government agency; or
- a business entity that employs real estate appraisers exclusively on an employer-employee basis to perform all real estate appraisal services in the normal course of its business and that is responsible for ensuring that those services are performed in accordance with the Uniform Standards of Professional Appraisal Practice and state and federal law.

Section 4022 amended 2019; § 4023 enacted 2013.

[Del. Code tit. 24, §§ 4022, 4023 \(2019\)](#)

Annual Certifications

Each AMC must certify at the time of application for registration and on a biennial basis at the time of the renewal of registration that it:

- has a system and process in place to verify that a person being added to the appraiser panel holds a license or certificate in good standing in Delaware;
- has a system in place to review the quality of appraisals of all independent appraisers that are performing real property appraisals for the AMC to confirm that appraisal services are being conducted in accordance with the Uniform Standards of Professional Appraisal Practice;
- maintains a detailed record of each service request that it receives and the name of the independent appraiser that performs the services; and
- has a system in place to train persons who select individual appraisers to ensure that the selectors have appropriate training in placing appraisal assignments.

Section 4022 amended 2019; § 4029 enacted 2013.

[Del. Code tit. 24, §§ 4022, 4029 \(2019\)](#)

Prohibitions

AMCs are prohibited from influencing or attempting to influence the development, reporting or review of an appraisal through coercion, extortion, collusion, compensation, inducement, intimidation, bribery or any other manner, including:

- withholding or threatening to withhold timely payment for an appraisal;
- withholding or threatening to withhold future business or demoting or terminating, or threatening to demote or terminate, an independent appraiser;
- promising future business, promotions or increased compensation for an independent appraiser;
- conditioning a request for service or the payment of a fee, salary or bonus on the opinion, conclusion or valuation to be reached or on a preliminary estimate or opinion requested from an independent appraiser;
- requesting that an independent appraiser provide an estimated, predetermined or desired valuation in an appraisal report or provide estimated values or comparable sales at any time before the completion of an appraisal;
- providing to an independent appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or target amount to be loaned to the borrower;
- providing to an independent appraiser, or any entity or person related to him or her, stock or other financial or nonfinancial benefits;
- allowing removal of an independent appraiser from an appraiser panel without prior written notice to the appraiser;
- obtaining, using or paying for a second or subsequent appraisal or ordering an automated valuation model in connection with a mortgage financing transaction, unless such action is required by law or there is a reasonable basis to believe that the initial appraisal was flawed or tainted, or unless the appraisal or automated valuation model is done pursuant to a bona fide appraisal review or quality control process; or

- engaging in any other act or practice that impairs or attempts to impair an appraiser's independence, objectivity or impartiality.

An appraisal fee may not be based on the predetermined appraised value or range of appraised value of the subject property or the amount of the transaction price.

The above restrictions do not prevent an AMC from requiring an independent appraiser to provide additional information regarding the basis of a valuation, correct objective factual errors in his or her report; or consider additional property information.

AMCs are prohibited from:

- altering, modifying, revising, or otherwise changing a completed appraisal report submitted by an independent appraiser, including by removal of the appraiser's signature; or
- using an appraisal report for any purpose other than the intended use stated in the report.

Enacted 2013.

[Del. Code tit. 24, §§ 4031, 4033 \(2019\)](#)

AMC-Appraiser Relationships

An AMC may contract with an independent appraiser for the performance of appraisal services in Delaware only if the appraiser is licensed or certified in good standing in Delaware.

An AMC must make payment to an independent appraiser for the completion of an appraisal or valuation assignment within 45 days after the date on which the completed appraisal or valuation

study is transmitted to the AMC or its assignee except in cases of breach of contract or substandard performance of services.

An AMC may not remove an appraiser from the panel, or otherwise refuse to assign requests for services to the appraiser, without notifying the appraiser in writing of the reasons for the appraiser's removal. An appraiser that is removed from a panel may seek Council review of the AMC's decision, if he or she was removed for illegal conduct, violation of the Uniform Standards or violation of state licensing standards.

Section 4034 amended 2019; sections 4028 and 4032 enacted 2013.

[Del. Code tit. 24, §§ 4028, 4032, 4034 \(2018\)](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Delaware, Penalties

After notice and hearing, the Council on Real Estate Appraisers may impose the following penalties for violations of the AMC law or regulations:

- censure of the AMC;
- suspension or revocation of the AMC's registration; or
- a civil penalty of not more than \$15,000 per violation.

Enacted 2013.

[Del. Code tit. 24, § 4035 \(2018\)](#)

District of Columbia

District Of Columbia, Fee Disclosures

No applicable provisions located.

District Of Columbia, License Fees

Note: the District of Columbia Appraisal Management Company Regulation Temporary Act of 2019 is scheduled to expire on July 8, 2020.

All AMCs must register with the [Department of Insurance, Securities, and Banking](#). The registration fee is \$1,000 plus a \$300 NMLS fee; the renewal fee is \$1,000 plus an NMLS fee. Registrations expire on December 31 of each year.

AMCs that have been in existence for more than one year must pay a Federal Registry Fee of \$25 multiplied by the number of appraisers who have performed an appraisal for the AMC in connection with a covered transaction in the District during the previous year. If the AMC has been in existence for less than one year, the fee is \$25 multiplied by the number of appraisers who have performed an appraisal for the AMC in connection with a covered transaction in the District since the AMC commenced doing business.

Upon application for registration, an AMC must submit evidence of a \$25,000 surety bond.

Adopted 2019.

[D.C. Appraisal Management Company Regulation Congressional Review Emergency Act of 2019, Sec. 104; D.C. Mun. Regs. tit. 26-C, §§ 3102, 3104, 3109 \(2019\); Appraisal Management Company Registration Application \(July 2019\)](#)

District Of Columbia, Restrictions

Note: the District of Columbia Appraisal Management Company Regulation Temporary Act of 2019 is scheduled to expire on July 8, 2020.

Registration Required

It shall be unlawful for a person to directly or indirectly engage or to attempt to engage in business as an appraisal management company in the District, or to advertise or hold itself out as engaging in or conducting business as an appraisal management company in the District without first obtaining a registration issued by the [Department of Insurance, Securities, and Banking](#).

Exceptions: The registration law does not apply to a department or division of an entity that provides appraisal management services only to that entity

Enacted 2019.

[D.C. Appraisal Management Company Regulation Congressional Review Emergency Act of 2019, §§ 101, 104](#)

Annual Certifications

No specific reporting requirements were located. The Department is directed to impose requirements on AMCs to:

- register with and be subject to supervision by the Department;
- engage only state-certified or state-licensed appraisers for federally related transactions in conformity with any federally regulated transaction regulations;
- establish and comply with processes and controls reasonably designed to ensure that the appraisal management company, in engaging an appraiser, selects an appraiser who is independent of the transaction and who has the requisite education, expertise, and experience necessary to competently complete the appraisal assignment for the particular market and property type;

- Direct appraisers to perform assignments in accordance with Uniform Standards of Professional Appraisal Practices; and
- establish and comply with processes and controls reasonably designed to ensure that the AMC conducts its appraisal management services in accordance with the requirements of the Truth in Lending Act and regulations thereunder.

Enacted 2019.

[D.C. Appraisal Management Company Regulation Congressional Review Emergency Act of 2019, § 102](#)

Prohibitions

AMCs are prohibited from improperly influencing or attempting to improperly influence the development, reporting or review of an appraisal through coercion, extortion, collusion, compensation, inducement, intimidation, bribery or any other manner, including, or any other manner, including:

- withholding payment for appraisal services;
- threatening to exclude an appraiser from future work or threatening to demote or terminate the appraiser in order to improperly obtain a desired result;
- conditioning payment of an appraisal fee upon the opinion, conclusion, or valuation to be reached by the appraiser; or
- requesting that an appraiser report a predetermined opinion, conclusion, or valuation, or the desired valuation of any person or entity.

An AMC may not alter, amend, or change an appraisal report submitted by an appraiser without the appraiser's knowledge and written consent.

Enacted 2019.

[D.C. Appraisal Management Company Regulation Congressional Review Emergency Act of 2019, § 110](#)

AMC-Appraiser Relationships

Before or at the time of placing an assignment to appraise real property in the District with an appraiser on the appraiser panel of the AMC, the AMC shall verify that the appraiser receiving the assignment holds an appraiser license or certification in good standing in the District. An AMC registered in the District may not enter into any contract or agreement with an appraiser for the performance of appraisals in the District unless the company verifies that the appraiser is licensed or certified in good standing in the District.

An AMC may not require an appraiser to sign any indemnification agreement that would require the appraiser to defend and hold harmless the AMC or any of its agents or employees for any liability, damage, losses, or claims arising out of the services performed by the AMC or its agents, employees, or independent contractors and not the services performed by the appraiser.

Except in bona fide cases of breach of contract or substandard performance of services, an appraisal management company must make payment to an independent appraiser for the completion of an appraisal or valuation assignment no later than 45 days after the date on which the appraiser transmits or otherwise provides the completed appraisal or valuation assignment to the company or its assignee unless a mutually agreed-upon alternate arrangement previously has been established.

Except within the first 90 days after an independent appraiser is added to an appraiser panel, an AMC may not remove an independent appraiser from an appraiser panel without prior written notice to the appraiser. The notice must include evidence of the following, if applicable:

- The appraiser's illegal conduct;
- A violation of USPAP, the AMC law, or the rules adopted by the Department;
- Improper or unprofessional conduct; or
- Substandard performance or other substantive deficiencies.

Enacted 2019.

[D.C. Appraisal Management Company Regulation Congressional Review Emergency Act of 2019, §§ 106, 107, 109, 110](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

District Of Columbia, Penalties

Note: the District of Columbia Appraisal Management Company Regulation Temporary Act of 2019 is scheduled to expire on July 8, 2020.

The Department may take the following action against an AMC that engages in prohibited conduct:

- deny, suspend, or revoke the AMC's registration;
- impose a monetary penalty of not more than \$5,000 per violation;

- issue a letter of reprimand;
- refuse to issue or renew the registration of the AMC; or
- take other disciplinary action against the company.

Enacted 2019.

[D.C. Appraisal Management Company Regulation Congressional Review Emergency Act of 2019, § 111](#)

Florida

Florida, Fee Disclosures

No applicable provisions located.

Florida, License Fees

The Florida Real Estate Appraisal Board has set the fee for AMC application at \$150, and the biennial fee at \$300.

Rule amended 2018.

[Fla. Admin. Code Ann. r. 61J1-2.001 \(2019\)](#)

Florida, Restrictions

Registration Required

A person may not engage, or offer to engage, in appraisal management services for compensation in Florida or advertise or represent itself as an AMC without first registering with the [Florida Department of Business & Professional Regulation](#).

"'Appraisal management company' means a person who, within a 12- month period, oversees an appraiser panel of more than 15 state-certified or state-licensed appraisers in a state, or 25 or more state-certified or state-licensed appraisers in two or more states, and who performs appraisal management services regardless of the use of the term 'appraisal management company,' 'appraiser cooperative,' 'appraiser portal,' 'mortgage technology company,' or other term."

Exceptions: The registration requirement does not apply to:

- any financial institution that owns and operates an internal appraisal office, business unit or department; or
- an AMC that is a subsidiary owned and controlled by a financial institution that is regulated by a federal financial institution regulatory agency.

Section 475.611 amended 2017; § 475.6235 amended 2017.

[Fla. Stat. §§ 475.611, .6235 \(2019\)](#)

Certifications

No relevant provisions were located.

Prohibitions

An AMC may be disciplined by the Florida Real Estate Appraisal Board if it has attempted to influence the development, reporting or review of an appraisal through coercion, extortion, collusion, inducement, compensation, intimidation, or bribery, or by other means, including:

- withholding or threatening to withhold timely payment for an appraisal, unless nonpayment is based on specific quality or other service issues that constitute noncompliance with the appraisal engagement;
- withholding or threatening to withhold future business;
- expressly or impliedly promising future business, promotion or increased compensation to an appraiser;
- conditioning an appraisal request or payment of a fee, salary or bonus on the opinion, conclusion or valuation to be reached by the appraiser, or on a preliminary estimate or opinion requested from an appraiser;
- requesting that an appraiser provide an estimated, predetermined or desired valuation in a report, or estimated values or comparable sales at any time prior to the completion of an appraisal;
- providing an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or target amount to be loaned to the borrower (except that a copy of the purchase contract must be provided to the appraiser);
- providing an appraiser, or any person or entity related to the appraiser, stock or other financial or nonfinancial benefits;
- requiring or attempting to require a client to sign any indemnification agreement that would require the client to hold harmless the AMC or its owners, agents, or employees from any liability, damage, loss, or claim arising from the services performed by an appraiser;
- obtaining, using or paying for a second or subsequent appraisal or ordering an automated valuation model in connection with a mortgage transaction unless there is a reasonable basis to believe the initial appraisal was flawed and such basis is clearly noted in the loan file, or unless such appraisal or model is done pursuant to a bona fide prefunding or postfunding appraisal review or quality control process; or

- using any other act or practice that knowingly impairs or attempts to impair an appraiser's independence, impartiality or objectivity.

An AMC is also subject to discipline if it has:

- instructed an appraiser to violate any standard for the development or communication of a real estate appraisal or other provision of the Uniform Standards of Professional Appraisal Practice;
- failed to communicate an appraisal without good cause;
- accepted an appraisal assignment if the employment is contingent upon the AMC reporting a predetermined result, analysis or opinion, or if the fee for performing the assignment is contingent upon the opinion, conclusion or valuation reached; or
- altered or otherwise changed a completed appraisal report submitted by an appraiser.

Note: The above limitations do not prohibit an AMC from requesting that an appraiser provide additional information about the basis for a valuation or correct objective factual errors in an appraisal report.

Amended 2017.

[Fla. Stat. § 475.6245 \(2019\)](#)

AMC-Appraiser Relationships

An AMC may only employ, contract with or otherwise retain an appraiser whose registration, license or certification is in good standing.

Before placing an assignment, an AMC must require that the appraiser confirm in writing or via electronic means that the appraiser receiving the assignment is a competent appraiser for performing the assigned appraisal.

An AMC may not require an appraiser to prepare an appraisal if the appraiser, in his or her own professional judgment, believes that he or she:

- does not have the necessary expertise for the assignment or for the geographic area, and has notified the AMC and declined the assignment; or
- cannot meet all relevant legal and professional obligations within the time-frame specified by the AMC, and has notified the AMC and declined the assignment.

An appraiser may be removed from an appraiser panel only if he or she receives prior written notice, and provide the appraiser the opportunity to respond.

An AMC may not require an appraiser to sign an indemnification agreement requiring the appraiser to hold harmless the AMC, or its owners, agents, employees or independent contractors, from any liability, damage, loss or claim arising from the AMC's services or those of its owners, agents, employees or independent contractors and not the appraiser's services.

Statute amended 2017; rule amended 2019.

[Fla. Stat. § 475.6245\(s\)\(8\), \(u\), \(v\) \(2019\); Fla. Admin. Code r. 61J1-9.002 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Florida, Penalties

Administrative Penalties

The Florida Real Estate Appraisal Board may reprimand an AMC, conditionally or unconditionally suspend or revoke its registration, or impose administrative fines of up to \$5,000 for each separate offense if the Board determines the AMC is attempting to perform, has performed or has attempted to perform any of the following:

- committing any act in violation of the AMC regulatory law;
- violating any Board rule; or
- obtaining a registration of an AMC through fraud, misrepresentation or deceit.

Amended 2017.

[Fla. Stat. § 475.6245 \(2019\)](#)

Criminal Penalties

Any person who violates the AMC law commits a second degree misdemeanor punishable by up to 60 days imprisonment and a fine of up to \$500 or double the pecuniary gain derived from the offense.

Sections 475.626 and 775.083 amended 2017; § 775.082 amended 2019.

[Fla. Stat. §§ 475.626; 775.082\(4\)\(b\), .083\(1\) \(2019\)](#)

Georgia

Georgia, Fee Disclosures

Disclosure to Clients

An AMC must separately state to the client the fees paid to an appraiser for appraisal services and the fees charged by the AMC for services associated with the management of the appraisal process, including procurement of the appraiser's services.

Amended and renumbered 2019.

Ga. Code Ann. § 43-39A-14.1(i) (LexisNexis 2019)

Disclosure in Appraisal Report

An AMC may not prohibit an appraiser who is part of an appraiser panel from recording the fee that the appraiser was paid by the AMC for the appraisal within the appraisal report that is submitted to the AMC.

Renumbered 2019.

Ga. Code Ann. § 43-39A-14.1(h)(10) (LexisNexis 2019)

Georgia, License Fees

The Georgia Real Estate Appraisers Board has established a \$1,000 registration fee for AMCs. The renewal fee is \$500. Evidence of a surety bond in the amount of at least \$20,000 must also be submitted with an AMC application.

Forms dated July 2017.

[Ga. AMC Registration Form](#); [Ga. AMC Renewal Form](#)

Georgia, Restrictions

Registration Required

A person may not directly or indirectly engage or attempt to engage in business as an appraisal management company, perform appraisal management services, or advertise or hold itself out as engaging in or conducting business as an AMC without first obtaining a registration issued by the [Georgia Real Estate Appraisers Board](#).

Exceptions: "Appraisal management company" does not include:

- any person licensed to practice law in Georgia who orders an appraisal in connection with a bona fide client relationship when that person directly contracts with an appraiser;
- any person that contracts with an appraiser as an independent contractor for the completion of a real estate appraisal assignment and who, upon completing the assignment, cosigns the appraisal report with the appraiser who is acting as an independent contractor;
- any federal, state or local government or any of its subdivisions that order appraisals;
- any person who orders an appraisal on behalf of any federal, state or local government or its subdivisions; or
- a department or division of an entity that provides appraisal management services only to such entity.

Sections amended 2019.

Ga. Code Ann. §§ 43-39A-2, -7 (Lexis/Nexis 2019)

Annual Certifications

An AMC must certify to the Board on an annual basis that it:

- instructs appraisers in letters of engagement to decline the assignment if the appraiser is not geographically competent or the assignment falls outside the appraiser's scope-of-practice restrictions;
- has a system in place to verify that the appraiser receiving the assignment holds a license or registration in good standing in Georgia and has not had an appraiser license or certificate refused, denied, canceled, surrendered in lieu of revocation or revoked in any state;
- has a system in place to do an appraisal review on a periodic basis of the work of all appraisers who are performing appraisals for the AMC to validate that the appraisals are conducted according to standards established by the Board;
- has reported to the Board the results of any appraisal reviews in which an appraisal is found to be substantially noncompliant with Board standards or any state or federal appraisal laws; and
- maintains records required to be kept by the Board that the Board is authorized to inspect.

Renumbered 2019.

Ga. Code Ann. § 43-39A-14.1(g) (LexisNexis 2019)

Prohibitions

An AMC doing business in Georgia may not:

- knowingly employ any person directly involved in real estate appraisal or appraisal management services who does not hold a license or registration in good standing in Georgia or who has had an appraiser license or certificate refused, denied, canceled, surrendered in lieu of revocation, or revoked in any state;
- knowingly enter into any contract, agreement or other business relationship directly involved with performing real estate appraisal or appraisal management services with any entity that employs, has an independent contractor arrangement with, or any other business relationship with any person who does not hold a license or registration in good standing in Georgia or who has had an appraiser license or certificate refused, denied, canceled, surrendered in lieu of revocation, or revoked in any state;
- request or require an appraiser to modify an appraisal report, unless the modification provides additional information about the basis for a valuation, corrects objective factual errors or provides additional information within the appraisal regarding additional sales provided through an established dispute process;
- require an appraiser to prepare an appraisal if, in the appraiser's own independent professional judgment, the appraiser believes he or she does not have the necessary expertise for the assignment or for the specific geographic area, and has notified the AMC and declined the assignment;
- prohibit or inhibit legal or allowable communication between the appraiser and a lender, real estate licensee, or any other person who the appraiser believes possesses information that would be relevant;
- knowingly require an appraiser to take any action that does not comply with the AMC law and the Board's rules and regulations, or any assignment conditions and certifications required by the client for whom the appraisal is being performed;
- make any portion of its fee or the appraiser's fee contingent on a predetermined or favorable outcome, including a loan closing or a specific dollar amount being determined by the appraiser;

- alter, modify or otherwise change a completed appraisal report submitted by an appraiser by permanently removing the appraiser's signature or seal or by adding information to or removing information from the report with an intent to change the valuation conclusion;
- require an appraiser to provide the AMC with the appraiser's digital signature or seal, provided that an appraiser may voluntarily provide his or her digital signature or seal to another person;
- indicate to any party that it is acting in any capacity other than a conduit between an appraiser and a client;
- require an appraiser to submit a report in an unsecured format; or
- fail to include its registration number on an appraisal order.

Statute renumbered 2019; rule amended 2015.

Ga. Code Ann. § 43-39A-14.1(h) (LexisNexis 2019); [Ga. Comp. R. & Regs. 539-1-.23 \(2019\)](#)

AMC-Appraiser Relationships

An AMC doing business in Georgia may enter into an independent contractor arrangement with a person to perform real estate appraisal services only if the person holds a license or certificate in good standing in Georgia and has not had a license or certificate to act as an appraiser refused, denied, canceled, surrendered in lieu of revocation or revoked in any state.

An AMC may not require an appraiser to indemnify or hold it harmless from any liability, damage, loss or claim arising out of the services provided by the AMC. Indemnification agreements for services performed by the appraiser are permitted.

An AMC must pay for work performed by an appraiser within 30 days from the date the assignment is completed, unless otherwise agreed to in writing by all parties. When paying an appraiser for performing any appraisal activity in a federally related transaction, an AMC must comply with federal statutes and rules regulating such transactions and the standards required by the federal financial institutions regulatory agency that regulates the financial transaction for which the appraisal is undertaken, including appraiser compensation at a rate that is customary and reasonable for comparable appraisals being performed for one- to four-family residential units in the geographic area of the appraised property.

Statute renumbered 2019; rule amended 2015.

Ga. Code Ann. § 43-39A-14.1(h) (LexisNexis 2019); [Ga. Comp. R. & Regs. 539-1-.23 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Georgia, Penalties

Administrative Penalties

If the Georgia Real Estate Appraisers Board, after notice and hearing, finds an AMC guilty of violating the AMC registration law or Board rules and regulations, or of committing any unfair trade practices, the Board may take any one or more of the following actions:

- refuse to grant or renew the registration of the AMC;
- suspend or revoke the registration of the AMC;
- impose a fine of up to \$1000 for each violation, with fines for multiple violations limited to \$5000 in any one disciplinary proceeding, or such other amount as the parties agree; or

- take other appropriate disciplinary action as established by Board rule.

Renumbered 2019.

Ga. Code Ann. § 43-39A-14.1(k) (LexisNexis 2019)

Guam

Guam, Fee Disclosures

No applicable provisions located.

Guam, License Fees

Guam does not require licensure or registration of AMCs.

Guam, Restrictions

No applicable provisions located.

Guam, Penalties

No applicable provisions located.

Hawaii

Hawaii, Fee Disclosures

An AMC may not prohibit an independent appraiser who is part of the appraiser panel from recording the fee that the appraiser was paid by the AMC for the performance of an appraisal within the communication of the appraisal.

Enacted 2017.

[Haw. Rev. Stat. § 466L-20 \(2019\)](#)

Hawaii, License Fees

The nonrefundable application fee is \$60. A biennial registration fee of \$4,200 and a biennial compliance resolution fund fee of \$500 is payable to the Director.

In addition, the Director may charge an AMC reasonable fees to offset costs of operating the AMC registration program. Upon the issuance of a new registration and at each renewal period, each AMC must also pay a special assessment fee of \$300 that must be deposited into the compliance resolution fund established pursuant to Haw. Rev. Stat. § 26-9(o).

Each AMC applying for or renewing a registration must post with the Director and maintain a surety bond in the amount of \$25,000

Enacted 2017.

[Haw. Rev. Stat. § 466L-27 \(2019\)](#)

Hawaii, Restrictions

Licensure Required

No person may directly or indirectly engage or attempt to engage in business as an appraisal management company, directly or indirectly perform or attempt to perform appraisal management services, or advertise or hold oneself out as engaging in or conducting business as an AMC without first being registered with the [Department of Commerce and Consumer Affairs](#), if within a 12-month calendar year, beginning January 1 of each year and ending on December 31 of each year, the AMC oversees an appraiser panel of more than 15 state-certified or state-licensed appraisers in a state or 25 or more state-certified or state-licensed appraisers in two or more states.

Exceptions: The registration law does not apply to:

- a person that exclusively employs appraisers on an employer-employee basis for the performance of appraisals in Hawaii;
- a federally regulated AMC;

- a department or unit within a financial institution that is subject to direct regulation by an agency of the federal government that is a member of the Federal Financial Institutions Examination Council or its successor, or to regulation by the Commissioner of Financial Institutions under chapter 412, that receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser that is an independent contractor to the institution, except that an AMC that is a wholly owned subsidiary of a financial institution is not considered a department or unit within a financial institution to which the provisions of chapter 466L do not apply; or
- "an appraiser who enters into an agreement with another appraiser for the performance of an appraisal that upon completion results in a report signed by both the appraiser who completed the appraisal and the appraiser who requested the completion of the appraisal;"

Registrations expire on December 31 of each odd-numbered year.

Enacted 2017.

[Haw. Rev. Stat. §§ 466L-2, -6, -10, -29 \(2019\)](#)

Annual Certifications

As a condition of registration or renewal of registration, each AMC in Hawaii must certify that the company:

- requires appraisers completing appraisals at the company's request to comply with the Uniform Standards of Professional Appraisal Practice (USPAP);
- has a system and process in place to verify that an individual added to the appraiser panel of the company holds an appraiser license or certification in good standing in Hawaii;

- maintains a detailed record of each service request the company receives for appraisals of real property located in Hawaii; and
- will require appraisals to be conducted independently, as required by the appraisal independence requirements under the Truth in Lending Act, 15 U.S.C. § 1639e, including the requirement that a customary and reasonable fee be paid to an independent appraiser who completes an appraisal in connection with a consumer credit transaction secured by the principal dwelling.

Enacted 2017.

[Haw. Rev. Stat. §§ 466L-11, -19, -21, -22 \(2019\)](#)

Prohibitions

No employee, director, officer, or agent of an AMC registered in Hawaii to engage in any act or practice that violates appraisal independence including:

- "any appraisal of a property offered as security for repayment of the consumer credit transaction that is conducted in connection with such transaction in which a person with an interest in the underlying transaction compensates, coerces, extorts, colludes, instructs, induces, bribes, or intimidates a person, appraisal management company, firm, or other entity conducting or involved in an appraisal, or attempts to compensate, coerce, extort, collude, instruct, induce, bribe, or intimidate such a person, for the purpose of causing the appraisal value assigned, under the appraisal, to the property to be based on any fact other than the independent judgment of the appraiser;"
- mischaracterizing the appraised value of the property securing the extension of credit;
- "seeking to influence an appraiser or otherwise to encourage a targeted value in order to facilitate the making or pricing of the transaction;" and

- "withholding or threatening to withhold timely payment for an appraisal report or for appraisal services rendered when the appraisal report or services are provided in accordance with the contract between the parties."

No employee, director, officer, agent, independent contractor, or other third party acting on behalf of an AMC shall improperly influence or attempt to improperly influence the development, reporting, result, or review of an appraisal through intimidation, coercion, extortion, bribery, or any other manner, including but not limited to:

- withholding payment for appraisal services;
- threatening to exclude an appraiser from future work or to demote or terminate the appraiser in order to improperly obtain a desired result;
- conditioning payment of an appraisal fee upon the opinion, conclusion, or valuation to be reached; or
- requesting that an appraiser report a predetermined opinion, conclusion, or valuation or the desired valuation of any person or entity.

An AMC may not alter, amend, or change an appraisal report submitted by an appraiser without the appraiser's knowledge and written consent. However, nothing in the AMC law prevents an AMC from "requesting an appraiser to provide additional information about the basis for a valuation, correct objective factual errors in an appraisal report, or consider additional appropriate property information."

Enacted 2017.

[Haw. Rev. Stat. § 466L-23, -25 \(2019\)](#)

AMC-Appraiser Relationships

An AMC must:

- engage only state-licensed or state-certified appraisers for federally related transactions in conformity with any federally related transaction regulations;
- establish and comply with processes and controls reasonably designed to ensure that the AMC, in engaging an appraiser, selects an appraiser who is independent of the transaction and has the requisite education, expertise, and experience necessary to competently complete the appraisal assignment for the particular market and property type; and
- direct an appraiser to perform the assignment in accordance with the USPAP.

Before or at the time of placing an assignment to appraise real property in Hawaii with an appraiser on its appraiser panel, the AMC must verify that the appraiser receiving the assignment holds an appraiser license or certification in good standing in Hawaii and verify that the appraiser meets the competency rule of the USPAP. An attestation provided by an appraiser that such appraiser is geographically competent within the appraiser's scope of practice will satisfy this AMC responsibility.

Except within the first 90 days after an independent appraiser is added to an appraiser panel, an AMC may not remove an independent appraiser from an appraiser panel without prior written notice to the appraiser; provided that the notice include, if applicable, the appraiser's:

- illegal conduct;
- violation of the USPAP, chapter 466L, or rules adopted thereunder;
- improper or unprofessional conduct; or

- substandard performance or other substantive deficiencies.

An AMC may not:

- require an appraiser to sign any indemnification agreement that would require the appraiser to defend and hold harmless the AMC or any of its agents or employees for any liability, damage, losses, or claims arising out of the services performed by the AMC or its agents, employees, or independent contractors, and not the services performed by the appraiser;
- "[p]rohibit lawful communications between the appraiser and any other person to whom the appraiser, in the appraiser's professional judgment, believes possesses information that would be relevant;" or
- "[e]ngage in any other act or practice that impairs or attempts to impair a real estate appraiser's independence, objectivity, and impartiality."

Enacted 2017.

[Haw. Rev. Stat. §§ 466L-6, -17, -25 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Hawaii, Penalties

Administrative Penalties

The Director may deny, suspend, or revoke the registration of an AMC, impose a monetary penalty not to exceed \$5,000 per violation, issue a letter of reprimand, refuse to issue or renew the registration of an AMC, or take other disciplinary action against an AMC for any one or more of the following acts or conditions:

- the applicant is not of a good moral character;
- the applicant has had a registration revoked or suspended for cause, or surrendered in lieu of disciplinary proceedings;
- the applicant, upon renewal of registration, would not be eligible for registration on an initial application;
- the issuance of a registration would result in a violation of chapter 466L or any rules adopted thereunder;
- "the registrant has demonstrated incompetency, untrustworthiness, or conduct or practices rendering the registrant unfit to carry on appraisal management services; made continuance in the business detrimental to the public interest; or is no longer in good faith carrying on appraisal management services, and for this conduct is found by the director to be a source of detriment, injury, or loss to the public;"
- the AMC committed any act in violation of chapter 466L;
- the AMC violated any rule adopted by the Department;
- the AMC procured a registration or renewal of registration or intentionally committed any other act by fraud, misrepresentation, or deceit; or
- the AMC violates chapter 436B.

The Director may also maintain a suit to enjoin the performance or the continuance of any act by a person acting without a required registration , and if injured thereby, for the recovery of damages.

Criminal Penalties

Any person who engages in an activity requiring AMC registration and who fails to obtain the registration, or who uses any work, title, or representation to induce the false belief that the person is registered to engage in such activity, is guilty of a misdemeanor and is subject to a fine of not more than \$1,000 or imprisoned not more than one year, or both. Each day of violation is deemed a separate offense.

Enacted 2017.

[Haw. Rev. Stat. §§ 466L-6, -26 \(2019\)](#)

Idaho

Idaho, Fee Disclosures

An AMC registered in Idaho may not prohibit an independent appraiser that is part of an appraisal panel from recording the fee that the appraiser was paid by the AMC for the performance of the appraisal within the communication of the appraisal.

Enacted 2016.

[Idaho Code § 54-4127 \(2019\)](#)

Idaho, License Fees

Effective July 1, 2017, appraisal management companies must be registered by the Idaho Real Estate Appraiser Board.

The Board has imposed an initial registration fee of \$1,000. The annual registration renewal fee is \$900. The fees imposed by the state regulation do not include an AMC registry fee, collected from AMCs by the state and transmitted to the federal government on an annual basis.

Additionally, an applicant must post a \$25,000 surety bond with the application.

Statute enacted 2016; rule amended 2019.

[Idaho Code § 54-4124 \(2019\)](#); [Idaho Admin Code r. 24.18.01.150 \(2019\)](#)

Idaho, Restrictions

Licensure Required

Effective July 1, 2017, a person may not directly or indirectly engage in business as an appraisal management company without first registering with the [Idaho Real Estate Appraiser Board](#).

Note: Registration is required if the AMC oversees an appraiser panel of more than 15 state-certified or licensed appraisers in Idaho, or 25 or more appraisers in two or more states, in a given calendar year. See [Idaho Code § 54-4123](#) for how panel size must be calculated each year for purposes of the registration requirement.

Exceptions: The registration requirement does not apply to:

- a person that exclusively employs appraisers on an employer-employee basis for the performance of appraisals in Idaho;
- a federally regulated AMC;
- a department or unit within a financial institution that is subject to direct regulation by federal agency that is a member of the Federal Financial Institutions Examination Council or its successor, or to regulation by an Idaho agency, that receives a request for the performance of an appraisal from one

employee of the financial institution, and another employee of the same financial institution assigns the appraisal request to an appraiser that is an independent contractor to the institution, except that an AMC that is a wholly owned subsidiary of a financial institution is not deemed a department or unit within a financial institution to which Idaho AMC registration law does not apply; and

- an appraiser who enters into an agreement with another appraiser to perform an appraisal and, upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed the appraisal and the appraiser who requested the appraisal.

A registration is valid for one year.

Enacted 2016.

[Idaho Code §§ 54-4122\(3\), -4123, -4124, -4125 \(2019\)](#)

Annual Certifications

An AMC must certify to the Board at the time of original registration application and renewal that:

- it has a system and process in place to verify that a person being added to the company's appraiser panel holds a current license pursuant to the Idaho Real Estate Appraiser Act, which status may be verified by the AMC by contacting the Board or using the national registry of the Appraisal Subcommittee;
- it has a system in place to train those who select appraisers for appraisal services in Idaho to ensure the selectors have appropriate training in placing assignments;
- it will require appraisals to be conducted independently as required by 15 U.S.C. § 1639e, including the requirements that a customary and reasonable fee will be paid to independent

appraisers when the AMC is providing services for a consumer credit transaction secured by a consumer's principal dwelling;

- it has a system in place to review on a periodic basis the work of all independent appraisers performing real estate appraisal services for it to ensure that the services are being conducted in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP);
- it maintains a detailed record of each real estate appraisal service request applicable to Idaho properties it receives; and
- it has retained all records required to be maintained under the Idaho Appraisal Management Company Registration and Regulation Act (the Act), including registration and renewal information for the period specified for retention of an appraiser's work file in the USPAP.

Enacted 2016.

[Idaho Code §§ 54-4124, -4127, -4128 \(2019\)](#)

Prohibitions

It is a violation of the Act for any employee, director, officer or agent of an AMC registered in Idaho to engage in any act or practice that violates appraisal independence as described in the Act, including the following acts or practices:

- "any appraisal of a property offered as security for repayment of the consumer credit transaction that is conducted in connection with such transaction in which a person with an interest in the underlying transaction compensates, coerces, extorts, colludes, instructs, induces, bribes or intimidates a person, appraisal management company, firm or other entity conducting or involved in an appraisal, or attempts to compensate, coerce, extort, collude, instruct, induce, bribe, or intimidate such a person, for the purpose of causing the appraisal value assigned, under the appraisal, to the property to be based on any factor other than the independent judgment of the appraiser";

- to mischaracterize, or suborn any mischaracterization of, the appraised value of the property securing the extension of credit;
- to seek to influence an appraiser or otherwise to encourage a targeted value in order to facilitate the making or pricing of the transaction; and
- to withhold or threaten to withhold timely payment for an appraisal report or for appraisal services rendered when the report or services are provided for in accordance with the contract between the parties.

Note: The above prohibitions do not prohibit an AMC, employee of an AMC, consumer or any other person with an interest in a real estate transaction from asking an appraiser to undertake one or more of the following:

- consider additional appropriate property information, including the consideration of additional comparable properties to make or support an appraisal;
- provide further detail, substantiation or explanation for the appraiser's consideration in the value conclusion; or
- correct objective errors in the appraisal report.

An AMC applying to the board for a registration in Idaho may not knowingly or through lack of diligence for the purpose of performing appraisals or appraisal management services:

- employ any person who has had a license or certificate to act as an appraiser in any state refused, denied, canceled, revoked or surrendered in lieu of revocation, unless the person has subsequently had the license or certificate granted or reinstated;
- enter into any independent contractor arrangements, whether in verbal, written or other form, with any person who has had a license or certificate to act as an appraiser in Idaho refused, denied, canceled, revoked or surrendered in lieu of a revocation, unless the person has subsequently had the license or certificate granted or reinstated; and

- enter into any contract, agreement or other business relationship relating to the appraisal of real property, in any form, with any entity that employs, has entered into an independent contract arrangement, or has entered into any contract, agreement or other business relationship, in any form, with any person who has ever had a license or certificate to act as an appraiser any state refused, denied, canceled, revoked or surrendered in lieu of revocation, unless the person has subsequently had the license or certificate granted or reinstated.

Enacted 2016.

[Idaho Code §§ 54-4127, -4131 \(2019\)](#)

AMC-Appraiser Relationships

Every AMC must "establish and comply with processes and controls reasonably designed to ensure that the AMC, in engaging an appraiser, selects an appraiser who is independent of the transaction and who has the requisite education, expertise and experience necessary to competently complete the appraisal assignment for the particular market and property type."

An AMC must engage only Idaho state-certified or Idaho state-licensed appraisers for appraisal services for federally related transactions in conformity with any federally related transaction regulations.

Before or at the time of placing an assignment with an appraiser on the AMC's appraiser panel, the AMC must verify that the appraiser receiving the assignment meets the competency rule of the USPAP. An attestation provided by an appraiser that he or she is geographically competent within the appraiser's scope of practice will satisfy this AMC responsibility.

Except as otherwise provided in the Act, an AMC registered in Idaho may not enter into any contracts or agreements with an appraiser for the performance of the appraisal in Idaho unless it verifies that the individual is licensed or certified to perform the appraisal pursuant to the Idaho Real Estate Appraiser Act. The AMC may verify the appraiser's status by contacting the Board or using the national registry of the appraisal Subcommittee.

Every AMC that engages an appraiser to perform one or more appraisals in covered transactions or for secondary mortgage market participants in connection with covered transactions must direct appraisers to perform the assignment in accordance with the USPAP.

Except in cases of breach of contract or substandard performance of services, an AMC must pay an appraiser for the completion of an appraisal or valuation assignment not later than 45 days after the date the appraiser provides the completed appraisal or valuation assignment to the AMC or its assignee unless otherwise agreed to by the parties. An appraiser with an adjudicated claim for fees unpaid for more than 45 days may assert a claim against the bond or letter of credit required in [Idaho Code § 54-4124](#).

An appraiser who is deemed part of the AMC's appraiser panel is deemed to remain on the panel until the date on which the AMC:

- sends written notice to the appraiser removing the appraiser from the panel with an explanation of its action; or
- receives written notice from the appraiser asking to be removed from the panel or notice of the appraiser's death or incapacity.

Enacted 2016.

[Idaho Code §§ 54-4123, -4128, -4130, -4131 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Idaho, Penalties

The Idaho Real Estate Appraiser Board may censure, conditionally or unconditionally suspend, revoke or deny issuance or renewal of registration or impose civil penalties of up to \$2,500 for each violation against any AMC that the Board determines is attempting to or has performed any of the following:

- an act in violation of the Idaho AMC law;
- a material violation of any rule adopted by the Board; or
- the procurement of AMC registration through a false statement, submitting false information or refusing to provide complete information in response to an application question.

Enacted 2016.

[Idaho Code § 54-4133 \(2019\)](#)

Illinois

Illinois, Fee Disclosures

An AMC may not prohibit or attempt to prohibit an appraiser from including or referencing the appraisal fee, the AMC name or identity, or the client's or lender's name or identity in the body of the appraisal report.

When an appraisal obtained through an AMC is used for loan purposes, the borrower or loan applicant must be provided with a written disclosure of the total compensation to the appraiser or appraisal firm within the certification of the appraisal report, and it may not be redacted or otherwise obscured.

458/10-10 amended 2011; 459/165 enacted 2011.

[225 ILCS 458/10-10; 459/165 \(2019\)](#)

Illinois, License Fees

The Illinois Department of Financial and Professional Regulation has set the original registration fee at \$2,500, with an annual renewal fee of \$2,000.

An AMC must maintain a [surety bond](#) payable to the Department in the amount of \$25,000.

Enacted 2011; 459/55 amended 2018.

[225 ILCS 459/50, /55 \(2019\); Ill. Admin. Code tit. 68, § 1452.200 \(2019\)](#)

Illinois, Restrictions

Licensure Required

Effective January 1, 2012, it is unlawful for a person or entity to act or assume to act as an appraisal management company, to engage in the business of appraisal management service, or to advertise or hold himself or herself out to be a registered AMC without first obtaining a registration issued by the [Department of Financial and Professional Regulation](#). A person or entity that violates this requirement is guilty of a Class A misdemeanor for the first offense and a Class 4 felony for second and subsequent offenses.

Registrations expire on December 31 of even-numbered years.

Exceptions: The Appraisal Management Company Registration Act does not apply to:

- a federal, state, county or municipal government agency or an officer or employee of a government agency;
- a corporate relocation company when the appraisal is not used for mortgage purposes and the end-user client is an employer company;
- any person licensed in Illinois under any other act while engaged in the activities or practice for which he or she is licensed;
- any person licensed to practice law in Illinois who is working with or on behalf of a client in connection with one or more appraisals for that client;

- an appraiser that enters into an agreement with another appraiser for the performance of an appraisal, and upon completion of the appraisal, the report of the appraiser performing the appraisal is signed by both appraisers, except that an AMC may not avoid the registration requirement by requiring an AMC employee who is an appraiser to sign an appraisal that was completed by another appraiser who is a panel member;
- any person acting as an agent of the Illinois Department of Transportation in the acquisition or relinquishment of land for transportation issues to the extent of their contract scope;
- a design professional entity when the appraisal is not used for mortgage purposes and the end-user is an agency of Illinois government or a unit of local government;
- an appraiser firm whose ownership is appropriately certified under the Real Estate Appraiser Licensing Act; or
- An AMC solely engaged in non-residential appraisal management services.

Note: A federally regulated AMC must register with the Department for the sole purpose of collecting required information for, and to pay all fees associated with Illinois' obligation to register federally regulated AMCs with the Appraisal Management Companies National Registry, but is otherwise exempt from all other Illinois AMC regulation.

Enacted 2018; rule promulgated 2013.

[225 ILCS 459/15, /20 \(2019\); Ill. Admin. Code tit. 68, § 1452.40 \(2019\)](#)

Annual Certifications

At the time of registration application, an AMC must certify that:

- it will use Illinois-licensed appraisers to provide appraisal services within Illinois;
- it has a system in place using a licensed Illinois appraiser to review the work of all employed and independent appraisers performing real estate appraisal services for the AMC in Illinois on a periodic basis, except for a quality control review, to verify the appraisal assignments are being conducted in accordance with the Uniform Standards of Professional Appraisal Practice;
- it maintains a detailed record of each service request received and the independent appraiser that performs appraisal services for the AMC;
- the employees of the AMC working on its behalf directly involved in providing appraisal management services, will be appropriately trained and familiar with the appraisal process;
- it will comply with all other requirements of the Appraisal Management Company Registration Act and the Department rules implementing the Act.

Enacted 2018.

[225 ILCS 459/40 \(2019\)](#)

Prohibitions

An AMC may not improperly influence or attempt to influence or attempt to improperly influence the development, reporting, result, or review of any appraisal by engaging in any of the following:

- withholding or threatening to withhold timely payment for a completed appraisal, except where addressed in a mutually agreed to contract;

- withholding or threatening to withhold future business from, or demoting, or terminating, or threatening to demote or terminate, an Illinois-licensed or certified appraiser;
- promising future business, promotion or increased compensation for an independent appraiser;
- conditioning an assignment for appraisal service or the payment of an appraisal fee or salary or bonus on the opinion, conclusion or valuation to be reached in an appraisal report;
- requesting that an appraiser provide an estimated, predetermined or desired valuation in an appraisal report or provide estimated values or sales at any time prior to the completion of an appraisal report;
- allowing or directing the removal of an appraiser from a panel without prior written notice to the appraiser;
- requiring an appraiser to collect a fee from the borrower or occupant of the property to be appraised; or
- knowingly withholding any end-user client guidelines, policies, requirements, standards, assignment conditions and special instructions from an appraiser prior to the acceptance of an appraisal assignment.

An AMC may not modify or alter or otherwise change a completed appraisal report submitted by an independent appraiser by, without limitation, permanently or temporarily removing the appraiser's signature or seal or adding information to or removing information from the report with an intent to change the value conclusion or the condition of the property.

An AMC may not require an appraiser to provide it with the appraiser's digital signature or seal; however, an appraiser may voluntarily provide his or her digital signature or seal to another person on an assignment-by-assignment basis in accordance with the Uniform Standards of Professional Appraisal Practice.

An AMC may not structure an appraisal assignment or a contract with an independent appraiser for the purpose of evading the Illinois Appraisal Management Company Registration Act.

Enacted 2011.

[225 ILCS 459/165 \(2019\)](#)

AMC-Appraiser Relationships

An AMC may not require a non-employee appraiser to sign a non-compete clause.

An AMC may not require an appraiser to sign any type of indemnification agreement that would require the appraiser to defend and hold harmless the AMC or any of its agents, employees or independent contractors for any liability, damage, losses or claims arising out of the services performed by the AMC or its agents, employees or independent contractors, and not the services performed by the appraiser.

An AMC must provide a written, comprehensive payment policy to each approved appraiser vendor, and written assignment guidelines and conditions for each assignment.

An AMC must provide written notice to an appraiser within 30 calendar days prior to removing the appraiser from the list of approved appraisers, which notice must include all causes leading to the removal.

Statute enacted 2011; rules promulgated 2013.

[225 ILCS 459/165 \(2019\); Ill. Admin. Code tit. 68, §§ 1452.100, .110, .120 \(2019\)](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Illinois, Penalties

Administrative Penalties

The Department of Financial and Professional Regulation may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action as it may deem appropriate, including imposing fines not to exceed \$25,000 for each violation of the Illinois Appraisal Management Company Registration Act.

Criminal Penalties

Any person found to have violated any provision of the Act is guilty of a Class A misdemeanor. The violator is guilty of a Class 4 felony on conviction of a second or subsequent offense.

Enacted 2011; 459/65 amended 2019.

[225 ILCS 459/65, /145, /150 \(2019\)](#)

Indiana

Indiana, Fee Disclosures

An AMC may not prohibit a real estate appraiser from including in an appraisal report the appraiser's fee amount for preparing the appraisal.

Enacted 2018.

[Ind. Code Ann. § 25-34.1-11-13.5 \(2019\)](#)

Indiana, License Fees

The Indiana Real Estate Appraiser Licensure and Certification Board has set a \$250 fee for initial registration of an AMC and a \$250 annual registration renewal fee.

Amended 2019.

[Ind. Code Ann. § 25-34.1-11-10 \(2019\); 877 Ind. Admin. Code 1-1-1 \(2019\)](#)

Indiana, Restrictions

Registration Required

Effective July 1, 2010, an appraisal management company may not perform appraisal management services without first obtaining a certificate from the [Indiana Real Estate Appraiser Licensure and Certification Board](#). A certificate of registration must be renewed biennially.

Section 25-34.1-11-8 enacted 2010; § 25-34.1-11-10 amended 2015.

[Ind. Code §§ 25-34.1-11-8, -10 \(2019\)](#)

Annual Certifications

There are no relevant provisions.

Prohibitions

An AMC may not corrupt or improperly influence, or attempt to corrupt or improperly influence, through bribery, coercion, extortion, intimidation, collusion, or any other manner:

- the independent judgment of an appraiser with respect to the value of the real estate that is the subject of a real estate transaction; or
- the development, reporting, result, or review of an appraisal prepared in connection with a real estate transaction.

Section 25-34.1-11-11 enacted 2010; § 24-5-23.5-7 enacted 2009.

[Ind. Code §§ 24-5-23.5-7; 25-34.1-11-11 \(2019\)](#)

AMC-Appraiser Relationships

An AMC may only hire an independent contractor to perform an appraisal if he or she holds an Indiana-issued real estate appraiser license or certificate or an Indiana real estate broker license.

Before an AMC may engage a real estate appraiser to perform an appraisal it must provide the real estate appraiser with a proposed contract to perform the appraisal, which must include:

- the order for appraisal;
- information delineating the work to be completed;
- the date when the appraiser must complete the appraisal; and
- the terms and conditions for the payment of the appraiser for the appraisal.

An AMC that engages a real estate appraiser as an independent contractor to perform an appraisal must pay the real estate appraiser for the appraisal not later than:

- the deadline indicated by the payment terms set forth in the contract or agreement under which the AMC engages the real estate appraiser to perform the appraisal, if applicable, or as set forth in the real estate appraiser's invoice to the AMC if there is no contract with respect to a particular appraisal or a contract that does not address payment terms or clearly indicate a payment deadline; or
- 45 days after the delivery of the appraisal report to the AMC by the appraiser if a contract, an agreement, or an invoice does not exist with respect to the particular appraisal; or if a contract, an agreement, or an invoice exists with respect to the particular appraisal, but does not address payment terms or clearly indicate a payment deadline.

The above times for payment do not apply in the case of any of the following:

- a breach by the real estate appraiser of the contract or agreement under which the AMC engages the real estate appraiser to perform the appraisal;
- the inclusion in the appraisal report of one or more significant and material documented errors of law, regulation, or appraisal standards;
- the failure of the real estate appraiser's scope of work to meet or exceed the expectations of parties who are regularly intended users for similar assignments and what the actions of the real estate appraiser's peers would be in performing the same or a similar assignment.

Section 25-34.1-11-11 enacted 2010; §§ 25-34.1-11-13.3, -13.5 enacted 2018.

[Ind. Code § 25-34.1-11-11, -13.3, -13.5 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Indiana, Penalties

Administrative Penalties

The Indiana Real Estate Appraiser Licensure and Certification Board may impose any of the following sanctions, singly or in combination, if the Board finds that an AMC has violated the registration law:

- permanently revoke or suspend the AMC's license;
- censure the AMC or issue a letter of reprimand;
- place the AMC on probation status, subject to conditions set by the Board; and
- order the AMC to pay consumer restitution to a person who suffered damages as a result of the conduct or omission that was the basis for the disciplinary sanctions.

The Board may also impose a civil penalty of not more than \$10,000 per violation.

Section 25-34.1-11-17 enacted 2010; § 25-1-11-12 amended 2011.

[Ind. Code §§ 25-1-11-12; 25-34.1-11-17 \(2019\)](#)

Criminal Penalties

An AMC which performs appraisal management services without a certificate of registration commits a Class A infraction punishable by a prison term of not more than one year and/or a fine of not more than \$5,000.

Section 25-34.1-11-18 enacted 2010; § 35-50-3-2 amended 1977.

[Ind. Code §§ 35-50-3-2; 25-34.1-11-18 \(2018\)](#)

Iowa

Iowa, Fee Disclosures

An AMC may not prohibit an appraiser from disclosing within the appraisal report the fee that the appraiser was paid by the AMC for the performance of appraisal services.

Enacted 2016.

[Iowa Code § 543E.15\(8\) \(2019\)](#)

Iowa, License Fees

Effective January 1, 2017, appraisal management companies must be registered by the Superintendent of the [Division of Banking of the Iowa Department of Commerce](#).

The Division has set a \$250 application fee, and an initial registration and annual renewal fee of \$750. An additional \$50 applies to a late submission of a renewal application.

Additionally, an applicant must post a \$25,000 surety bond with the application.

Statute enacted 2016; rule promulgated 2016.

[Iowa Code § 543E.19 \(2019\); Iowa Admin. Code r. 187—25.8\(5\) \(2019\)](#)

Iowa, Restrictions

Licensure Required

Effective January 1, 2017, a person may not directly or indirectly engage in business as an appraisal management company or advertise or hold itself out as engaging in or conducting such business in Iowa without first registering with the Superintendent of the Division of Banking of the Iowa Department of Commerce (the "Administrator").

Note: Registration is required if the AMC oversees an appraiser panel of more than 15 state-certified appraisers in Iowa, or 25 or more certified or licensed appraisers nationally, in a given year, and that "directly or indirectly performs appraisal management services for creditors or secondary mortgage market participants in connection with consumer credit transactions secured by the principal dwellings of Iowa consumers or securitizations of those transactions."

A person who is not required to register as an AMC because its appraisal panel does not meet the above size requirements may apply to the Administrator for preregistration as an AMC. See [Iowa Admin. Code r. 187—25.13](#) for details of the preregistration procedure.

Exceptions: The registration requirement does not apply to:

- a person that exclusively employs appraisers on an employer-employee basis for the performance of appraisals;
- a government body that performs appraisals or retains appraisers on its own;
- a federally regulated AMC; or
- a department or division of an entity that provides appraisal management services only to that entity.

A registration is valid for one year.

Enacted 2016.

Annual Certifications

An AMC must certify to the Administrator at the time of original registration application and renewal that it:

- verifies that appraisers who will perform appraisal assignments concerning real estate located in Iowa hold a valid, unexpired certificate in good standing as a real estate appraiser issued under Iowa Code ch. 543D;
- requires that appraisals provided or coordinated by the AMC comply with the Uniform Standards of Professional Appraisal Practice (USPAP) and has a system in place to monitor such compliance;
- maintains a system to assure that appraisal management services are performed independently and free from inappropriate influence and coercion pursuant to the appraisal independence standards established under the federal Truth in Lending Act, including the requirements for the payment of reasonable and customary fees, and pursuant to Iowa Code §§ 543D.18(1), (2), and 543D.18A;
- maintains a system to retain detailed records of all appraisal management services to be performed in Iowa; and
- maintains "a system to assure that the appraiser selected for an appraisal assignment is independent of the transaction and has the requisite education, expertise, and experience necessary to competently complete the appraisal assignment for the particular market and property type."

Enacted 2016.

Prohibitions

An Iowa-registered AMC, or an employee, owner, director, controlling person, or other agent of an AMC, may not:

- require an appraiser to indemnify an AMC or hold it harmless for any liability, damage, losses, or claims arising out of the services performed by the AMC, and not the services performed by the appraiser;
- "[a]lter, modify, or otherwise change a completed appraisal report submitted by an appraiser without the appraiser's written consent";
- require that an appraiser provide the AMC with the appraiser's digital or electronic signature, seal or certification, or any password or other form of security intended to prevent persons other than the appraiser from affixing the appraiser's digital or electronic signature, seal, or certification on a completed appraisal report;
- remove an appraiser from an appraiser panel without prior written notice that identifies the basis for removal;
- require an appraiser to modify any aspect of an appraisal report other than through a request permitted under Iowa Code § 543D.18A(4);
- require an appraiser to perform an assignment if the appraiser has notified the AMC that, in the appraiser's own professional judgment, any of the following apply: (i) the appraiser does not have the necessary competence or expertise for the specific geographic area or type of property to be appraised; or (ii) the time frame under which the assignment is to be performed is insufficient for the appraiser to meet all relevant legal and professional obligations;

- require, either knowingly or through lack of reasonable diligence, an appraiser to take any action that would violate the USPAP, or any provision of Iowa Code ch. 543D or rule adopted pursuant thereto;
- "[p]rohibit or inhibit lawful communications between the appraiser and the lender, a real estate salesperson or broker, or any other person from whom the appraiser, in the appraiser's own professional judgment, believes information obtained would be relevant to the appraisal assignment";
- condition payment of all or any part of an appraiser's fee or the AMC's fee on a particular outcome, including but not limited to any of the following outcomes: (i) a loan closing; (ii) a specific dollar amount in an appraisal report; or (iii) an outcome that would violate Iowa Code §§ 543D.18(2) or 543D.18A(1); or
- engage in any acts or practices that violate Iowa Code § 543E.14.

The following individuals may not have had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of revocation in any state for a substantive reason, but may have had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of revocation in a state for a nonsubstantive reason if the license or certificate was subsequently granted or reinstated:

- an appraiser in an AMC's appraiser panel who performs or may perform appraisals of real estate located in Iowa;
- an employee, independent contractor or other agent of an AMC who performs an appraisal review of an appraisal of real estate located in Iowa; or
- an AMC employee, independent contractor or other agent who, with respect to real estate located in Iowa, has any responsibility for assigning appraisers to specific appraisal assignments, providing quality control for appraisal reports, or communicating with appraisers regarding potential appraisal report deficiencies.

An appraiser who on behalf of an AMC performs an appraisal review of an appraisal of a dwelling located in Iowa must comply with the review provisions of the USPAP, and must be certified as an appraiser under any state's the laws, except that a review appraiser must be certified under Iowa

law "if such certification is required by any applicable state or federal law, rule, or regulation, or to the extent the review appraiser provides the review appraiser's own opinion of value, concurs with the original appraiser's opinion of value, or disagrees with the original appraiser's opinion of value."

An AMC may rely on the national registry of appraisers of the Appraisal Subcommittee for purposes of verifying compliance with the above requirements.

Enacted 2016.

[Iowa Code §§ 543E.11, .15 \(2019\)](#)

AMC-Appraiser Relationships

An AMC must direct all appraisers it requests to perform appraisal assignments involving real estate located in Iowa to comply with the USPAP, including the competency rule. An AMC must have an appraisal review system in place to monitor compliance.

An AMC must, except in the case of breach of contract or substandard performance of an appraisal service, make payment to an appraiser for the completion of an appraisal service within 45 days of the date on which the appraiser transmits or otherwise provides the results of the completed appraisal service to the AMC. The AMC must maintain detailed records to verify that all payments to appraisers have been so made. All such records must be maintained for at least five years after payment is made or the completion of the appraisal service, whichever is later.

An AMC registered Iowa law must take all reasonable steps to assure that appraisals are conducted independently and free from inappropriate influence or coercion pursuant to the appraisal independence standards established under the federal Truth in Lending Act, including the requirements for the payment of reasonable and customary fees, and in compliance with the independence, objectivity, and impartiality provisions of Iowa Code § 543D.18(1) and (2), and § 543D.18A.

An AMC must "compensate appraisers at a rate that is reasonable and customary for appraisal services being performed in the market area of the property being appraised in accordance with federal law."

Enacted 2016.

[Iowa Code §§ 543E.12, .13, .14 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Iowa, Penalties

After notice and hearing, the Administrator may:

- revoke, suspend or refuse to issue, renew or reinstate a registration;
- reprimand, censure or limit the registrant's scope of practice;
- impose a civil penalty not to exceed \$10,000 per violation;
- require remedial action; or
- place the registrant on probation.

Such sanctions may be imposed for one or more of the following reasons:

- "fraud or deceit in obtaining registration, which may also result in permanent revocation of the registration";
- "dishonesty, fraud, or gross negligence in the provision of appraisal management services";
- a violation of the Iowa AMC law or implementing rules by the AMC or by an employee, owner, director, controlling person, or other agent of the AMC;
- "conviction of a felony or other indictable offense, any element of which is dishonesty, deception, or fraud, or is otherwise related to the performance of appraisal management services, under the laws of any state or the United States"; or
- cancellation, revocation, suspension, or refusal to renew the authority to practice as an AMC, or the acceptance of the voluntary surrender of a registration to practice as an AMC to conclude a disciplinary investigation or action, by any other state, a federal agency, or foreign authority for any cause other than failure to pay appropriate fees in that jurisdiction.

Enacted 2016.

[Iowa Code § 543E.17 \(2019\)](#)

Kansas

Kansas, Fee Disclosures

AMC Disclosures

An AMC must have a system in place to disclose to a client the fee paid for appraisal management services and to the appraiser for completing an appraisal.

Appraiser Disclosures

An AMC may not prohibit an appraiser that is on its appraiser panel from stating the fee paid to the appraiser by the AMC within the appraisal report.

Enacted 2012.

[Kan. Stat. Ann. § 58-4714 \(2018\)](#)

Kansas, License Fees

Effective October 1, 2012, an appraisal management company must obtain a registration from the Kansas Real Estate Appraisal Board before engaging in business as an AMC in Kansas. The initial registration fee established by the Board is \$1,500. The renewal fee is \$900.

Statute enacted 2012; rule amended 2014.

[Kan. Stat. Ann. § 58-4715 \(2019\)](#); [Kan. Admin. Regs. § 117-20-4 \(2019\)](#)

Kansas, Restrictions

Registration Required

Effective October 1, 2012, an appraisal management company that oversees an appraiser panel of more than 15 Kansas-licensed or -certified appraisers, or a total of more than 25 appraisers certified or licensed in Kansas or any other jurisdiction, must be registered with the [Kansas Real Estate Appraisal Board](#).

Exceptions: The registration requirement does not apply to:

- an AMC that is a subsidiary owned and controlled by a financial institution subject to regulation by a federal financial institution regulatory agency;
- a person or entity who exclusively employs appraisers on an employer-employee basis; or

- Kansas-licensed or certified appraisers in good standing who are engaged in real estate appraising and maintain a list of not more than 15 employees or independent contractors who are credentialed appraisers in good standing.

Enacted 2012.

[Kan. Stat. Ann. §§ 58-4703, -4705, -4715 \(2019\)](#)

Annual Certifications

An AMC applying for registration or renewal must certify that it:

- has a system in place to verify that a person being added to the AMC's appraiser panel for appraisal services performed in Kansas holds a credential in good standing in Kansas, if a license or certification is required to perform appraisals, and is geographically competent and performs appraisal assignments within the appraiser's scope of practice;
- has a system in place to review the appraisal reports submitted by each appraiser who is performing appraisals for the AMC within Kansas on an annual basis to validate that the real estate appraisal services are being conducted in accordance with The Uniform Standards of Professional Appraisal Practice and the state real estate appraiser licensing law and regulations;
- maintains a detailed record of each service request that it receives and the appraiser that performs appraisal services for the AMC;
- requires that appraisals are conducted independently and free from inappropriate influence and coercion pursuant to the appraisal independence standards established under the federal Truth in Lending Act; and

- performed an appraisal review on at least five percent of all appraisal reports submitted by appraisers performing services for the AMC in Kansas on an annual basis.

Enacted 2012; § 58-4704 amended 2018; rule promulgated 2012.

[Kan. Stat. Ann. §§ 58-4704, -4711, -4712, -4713 \(2019\)](#); [Kan. Admin. Regs. § 117-20-7 \(2019\)](#)

Prohibitions

An AMC is prohibited from influencing or attempting to influence the development, reporting, result, or review of an appraisal through coercion, extortion, collusion, compensation, inducement, intimidation, bribery or in any other manner, including but not limited to the following:

- withholding or threatening to withhold timely payment or partial payment for an appraisal with the exception of a substandard or noncompliant appraisal;
- withholding or threatening to withhold, either expressed or implied, future business from, or demoting or terminating or threatening to demote or terminate an appraiser;
- promising, either expressly or implicitly, future business, promotions, or increased compensation for an appraiser;
- conditioning an appraisal assignment or the payment of an appraisal fee or salary or bonus on the opinion, conclusion, or valuation to be reached, or on a preliminary estimate or opinion requested from an appraiser;
- requesting that an appraiser provide an estimated, predetermined, or desired valuation in an appraisal, or provide estimated values or comparable sales at any time prior to the appraiser's completion of an appraisal;

- providing to an appraiser an anticipated, estimated, encouraged, or desired value for a subject property or a proposed or target amount to be loaned to the borrower;
- providing to an appraiser, or any entity or individual related to the appraiser, stock or other financial or nonfinancial benefit or thing of value;
- allowing or directing the removal of an appraiser from an appraiser panel, or the addition of an appraiser to an exclusionary list of disapproved appraisers used by any entity, without prior written notice to the appraiser; or
- committing any other act or practice that impairs or attempts to impair an appraiser's independence, objectivity, or impartiality.

Note: The above restrictions do not prevent an AMC from requesting that an appraiser provide additional information about the basis for a valuation, including consideration of additional comparables or correct objective factual errors in an appraisal.

An AMC may not:

- require an appraiser to modify any aspect of an appraisal unless the modification complies with the AMC law;
- require an appraiser to prepare an appraisal if the appraiser, in the appraiser's own independent professional judgment, believes he or she does not have the necessary expertise for the assignment or for the specific geographic area and has notified the AMC and declined the assignment;
- require an appraiser to prepare an appraisal under a time frame that the appraiser, in his or her own professional judgment, believes does not afford the appraiser the ability to meet all the relevant legal and professional obligations and has notified the AMC and declined the assignment;
- prohibit or inhibit allowable communication between the appraiser and the lender, a real estate licensee, or any other person from whom the appraiser, in the appraiser's own professional judgment, believes information would be relevant;

- require the appraiser to do anything that does not comply with USPAP, the Kansas Certified and Licensed Real Estate Appraisers Act or the regulations adopted thereunder, or any assignment conditions and certifications required by the client;
- employing any person as an appraiser if a credential issued to that appraiser by any appraiser-credentialing jurisdiction was refused, denied, revoked, suspended, or surrendered or non-renewed in lieu of a pending disciplinary proceeding, in any jurisdiction and not subsequently reinstated or granted or is otherwise not in good standing in any jurisdiction;
- commit an act of unprofessional conduct as defined by rules and regulations of the Board;
- fail to report to the Board the results of any appraisal reviews in which an appraisal is found to be substantially noncompliant with the Uniform Standards of Professional Appraisal Practice;
- make any portion of the appraiser's fee or the AMC's fee contingent on a predetermined or favorable outcome, including but not limited to a loan closing, or a specific dollar amount being achieved by the appraiser in the appraisal;
- alter or attempt to alter a completed appraisal submitted by an appraiser; or
- require an appraiser to provide the AMC with his or her digital signature.

Enacted 2012.

[Kan. Stat. Ann. §§ 58-4716, -4719 \(2019\)](#)

AMC-Appraiser Relations

If a license or certificate is required to perform an appraisal, an AMC must, prior to making an appraisal assignment to a panel member, verify that the appraiser holds a credential in good standing in Kansas. An engagement letter must instruct the appraiser to decline the assignment if he or she is not geographically competent or if the assignment falls outside his or her scope of practice.

An AMC may not require an appraiser to sign any indemnification agreement that requiring the appraiser to defend and hold harmless the AMC for any liability, damage, losses, or claims arising out of the services performed by the AMC or its agents, employees, or independent contractors and not the services performed by the appraiser.

Except in cases of breach of contract or substandard performance, an AMC pay an appraiser for the completion of an appraisal or valuation assignment within 45 days of the date on which the appraiser transmits or otherwise provides the completed appraisal or valuation study to the AMC, unless there is a previously established mutually agreed upon alternate arrangement.

An AMC may not remove an appraiser from its panel, or otherwise refuse to assign requests for appraisal services to an appraiser without:

- notifying the appraiser in writing of the reasons why such he or she is being removed from the panel;
- providing an opportunity for the appraiser to respond either personally or through legal counsel; and
- if the appraiser is being removed from the panel for illegal conduct, violation of the USPAP, or a violation of the AMC law or the regulations adopted thereunder, providing notice to the appraiser and to the Board detailing allegations of fact and the alleged violations.

Enacted 2012; § 58-4721 amended 2018.

[Kan. Stat. Ann. §§ 58-4711, -4716\(c\), -4718, -4721 \(2019\)](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Kansas, Penalties

In case of a violation of the AMC law or regulations, the Real Estate Appraisal Board may:

- censure an AMC;
- condition, limit, suspend or revoke the AMC's registration; and/or
- impose a civil fine not to exceed \$2,000 per violation.

Any such violation is a Class C misdemeanor.

Enacted 2012.

[Kan. Stat. Ann. § 58-4723 \(2019\)](#)

Kentucky

Kentucky, Fee Disclosures

An AMC must disclose on all invoices, purchase orders or other documents establishing work to be performed for or compensation due from its client's itemized fees paid to any third party for services performed, including appraisal services, for the client through contract with or arrangement through the AMC. The disclosure must include:

- the name of the third party performing the service, including a licensed appraiser performing appraisal services;
- the nature of the service and itemized fees paid to the third party, for appraisal services or any other services performed; and
- itemized fees or charges received by the AMC for appraisal management services.

If the disclosure becomes inaccurate because of changes to services requested or performed, a revised or amended disclosure must be provided by the end of the next business day after the change to services has been performed. The revised or amended disclosure must be clearly marked as revised or amended and contain sufficient information for the client to identify the original disclosure referenced.

Enacted 2011.

[Ky. Rev. Stat. § 324A.156\(6\) \(2019\)](#)

Kentucky, License Fees

Effective October 1, 2011, an appraisal management company must be registered with the Kentucky Real Estate Appraisers Board. The fees payable are:

- an application fee of \$2,000; and
- an annual registration fee of \$2,000.

An AMC must also pay a \$300 fee to the state appraisal management company recovery fund, which was established to provide restitution to Kentucky-licensed or certified appraisers for unpaid appraisal fees owed by AMCs. Once the fund reaches \$300,000, this fee is no longer required.

Statutes enacted 2013.

[Ky. Rev. Stat. §§ 324A.155, .163 \(2019\)](#); [KY Real Estate Appraisers Board, Application for Appraisal Management Company Registration \(accessed Mar. 10, 2020\)](#); [Annual Renewal Notice, Appraisal Management Company Registration \(accessed Mar. 10, 2020\)](#).

Kentucky, Restrictions

Licensure Required

Effective October 1, 2011, an appraisal management company before acting or offering to act as an AMC or perform appraisal management services in Kentucky must be registered by the [Kentucky Real Estate Appraisers Board](#).

Exceptions: The registration requirement does not apply to:

- the federal government, state government, any county or municipal government, or any agency or instrumentality thereof;
- a person authorized to engage in business as, or as a subsidiary of, a bank, credit union, or savings and loan association under federal law, Kentucky law or the law of any other state;
- a real estate broker or agent properly licensed or otherwise authorized to do business in Kentucky listing or selling real estate;
- an officer or employee of any entity listed above when acting within the scope of his or her employment;
- an entity that is responsible for ensuring that the real estate appraisal activity performed by an employee is performed according to applicable appraisal standards;

- an appraiser who in the normal course of business enters into an agreement with another appraiser for the performance of a real estate appraisal activity that the appraiser cannot complete for any reason, including competency, workload, schedule or geographic location;
- an individual who in the normal course of business enters into an agreement with an appraiser for the performance of real estate appraisal activity and under the agreement cosigns the report of the appraiser performing the appraisal upon completion of the appraisal activity; or
- an AMC that contracts with one or more appraisers for the performance of fewer than 10 appraisals in Kentucky in a calendar year.

Registrations must be renewed every year.

Amended 2013.

[Ky. Rev. Stat. §§ 324A.152\(1\), \(6\); .164 \(2019\)](#)

Annual Certifications

An AMC must certify to the Board at the time of registration application that:

- it has a system and process in place to verify that a person being added to the company's appraiser panel holds a license in good standing in Kentucky;
- it has a system in place to review on a periodic basis the work of all appraisers performing real estate appraisal services for it to ensure that the services are being conducted in accordance with the Uniform Standards of Professional Appraisal Practice;

- it maintains a detailed record of each real estate appraisal service request it receives, including the name of the appraiser that performs appraisal services for the AMC; and
- the registration application contains no statement that is false or misleading with respect to a material fact.

Amended 2013.

[Ky. Rev. Stat. § 324A.152 \(2019\)](#)

Prohibitions

It is unlawful for any employee, director, officer or agent of an AMC, or any other third party acting in a joint venture with or as an independent contractor for an AMC to improperly influence or attempt to improperly influence the development, reporting, result or review of an appraisal through, without limitation, coercion, extortion, intimidation, bribery, blackmail, threat of nonpayment or withholding payment for appraisal services, or threat of exclusion from future appraisal work.

In addition, an AMC must not:

- request, allow or require an appraiser to collect any portion of the fee charged by the AMC from the borrower, homeowner or other third party;
- require an appraiser to provide the registrant with the appraiser's digital signature or seal;
- alter, amend or change an appraisal report submitted by a licensed or certified appraiser by removing the appraiser's signature, adding or removing information to or from the appraisal report or altering the final value opinion reported by the appraiser;

- request that an appraiser provide an estimated, predetermined or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the appraiser's completion the appraisal report;
- provide an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or targeted amount to be loaned to the borrower (except that a copy of the sales contract for purchase transactions may be provided);
- commit any act or practice that impairs or attempts to impair an appraiser's independence, objectivity or impartiality;
- have a direct or indirect interest, financial or otherwise, in the property or transaction involving the appraisal; or
- enter into agreements with appraisers if the appraisers are not licensed and certified and in good standing with the Board.

Note: The above limitations do not prohibit an AMC from requesting that an appraiser provide additional information about the basis for a valuation, correct objective factual errors in an appraisal report, or provide further detail, substantiation or explanation for the appraiser's value conclusion.

Enacted 2011.

[Ky. Rev. Stat. § 324A.158 \(2019\)](#)

AMC-Appraiser Relationships

An AMC may enter into contracts or agreements with an appraiser for the performance of real estate appraisal services only if the appraiser is licensed or certified in good standing with the Kentucky Real Estate Appraisers Board.

An AMC may not remove an appraiser from the AMC's panel without written notice. An appraiser may only be removed from a panel with written notice for a violation of the minimum Uniform Standards of Professional Appraisal Practice or other applicable statutes or administrative regulations resulting in a suspension or revocation of the appraiser's license in Kentucky or other substandard or otherwise improper performance as may be determined by Board regulations.

Enacted 2011.

[Ky. Rev. Stat. § 324A.158 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Kentucky, Penalties

The Kentucky Real Estate Appraisers Board upon its own motion or written complaint of a person reporting a violation, and after notice and the opportunity for a hearing may:

- suspend or revoke an AMC's registration;
- impose a fine not to exceed \$5000 per violation; or
- take other appropriate disciplinary actions as established by Board regulations.

The Board may also obtain injunctive relief to prevent a person from violating the AMC law.

Enacted 2011.

[Ky. Rev. Stat. § 324A.162 \(2019\)](#)

Louisiana

Louisiana, Fee Disclosures

AMC Disclosures

An AMC must separately disclose to the client:

- the fee paid to the appraiser for appraisal services; and
- the fees charged by the AMC for services associated with appraisal process management, including procurement of the appraiser's services.

It may not include any fees for appraisal management services performed by the company in the amount reported as charges for the completion of an appraisal by the appraiser.

Amended 2016.

[La. Rev. Stat. Ann. § 37-3415.15 \(2019\)](#)

Appraiser Disclosures

An AMC may not prohibit a panel-member appraiser from reporting the fee paid to the appraiser by the AMC for the appraisal report.

Amended 2016.

[La. Rev. Stat. Ann. § 37-3415.15 \(2019\)](#)

Louisiana, License Fees

Pursuant to La. Rev. Stat. Ann. § 37:3415.10, the Louisiana Real Estate Appraisers Board has established a \$1,500 initial license and annual license renewal fee for appraisal management companies.

An applicant for a license or license renewal must submit proof that it has obtained a \$20,000 surety bond.

Section 37:3415.10 amended 2019 (set to expire Dec. 31, 2022); § 37-3415.3 amended 2012.

[La. Rev. Stat. Ann. §§ 37:3415.3, .10 \(2019\)](#)

Louisiana, Restrictions

Licensure Required

Effective January 1, 2010, a person, corporation, partnership, sole proprietorship, subsidiary, unit or other business entity must first be licensed as an appraisal management company by the [Louisiana Real Estate Appraisers Board](#) before it may engage in business as an AMC, directly or indirectly engage or attempt to perform appraisal management services or advertise or hold itself out as engaging in or conducting business as an appraisal management company.

Note: Licensure is required regardless of the entity's use of the term "appraisal management company," "national valuation solutions provider," "mortgage technology company," or any other name.

Amended 2012.

[La. Rev. Stat. Ann. § 37:3415.3 \(2019\)](#)

Annual Certifications

An AMC must annually certify to the Board on a prescribed form that:

- it has a system and process in place to verify that a person being added to the company's appraiser panel holds a license in good standing in Louisiana pursuant to the Real Estate Appraisers Law;
- it has a system in place to review on a periodic basis the work of all appraisers performing real estate appraisal services for it to ensure that the services are being conducted in accordance with the Uniform Standards of Professional Appraisal Practice;
- it maintains a detailed record for five years of each real estate appraisal service request it receives, including the fee paid by lenders to all appraisers for all real estate appraisal services, and the names of appraisers or entities that perform appraisal services for the AMC;
- the designated controlling person has accepted the responsibilities attendant to acting as such; and
- it can attest to the good moral character of the individuals that are directed to manage the AMC's business.

Sections 37:3415.12 and .14 enacted 2009; § 37:3415.13 amended 2012; rule promulgated 2011.

[La. Rev. Stat. §§ 37:3415.12, .13, .14 \(2019\); La. Admin. Code tit. 46, § 30301 \(2019\)](#)

Prohibitions

It is unlawful for any employee, director, officer or agent of a Louisiana-licensed AMC to influence or attempt to influence the development, reporting or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery, or in any other manner, including, without limitation, the following:

- withholding or threatening to withhold timely payment for an appraisal or future business for an independent appraiser;

- demoting or terminating or threatening to demote or terminate an independent appraiser;
- expressly or impliedly promising future business, promotions or increased compensation for an independent appraiser;
- conditioning a request for an appraisal service or payment of an appraisal fee or salary or bonus on the opinion, conclusion or valuation to be reached, or on a preliminary estimate or opinion from an independent appraiser;
- requesting that an independent appraiser provide an estimated, predetermined or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the appraiser's completion of a real estate appraisal service;
- providing an independent appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or targeted amount to be loaned to the borrower (except that a copy of the sales contract for purchase transactions may be provided);
- providing an independent appraiser, or any person or entity related to the appraiser, stock or other financial or nonfinancial benefits;
- allowing the removal of an independent appraiser from an appraiser panel, without prior written notice;
- requiring an appraiser to collect the appraisal fee;
- requiring an appraiser to provide the AMC with his or her digital signature or seal;
- committing any act or practice that impairs an appraiser's independence, objectivity or impartiality;

- obtaining, using or paying for a second or subsequent appraisal or ordering an automated valuation model in conjunction with a mortgage financing transaction unless there is a reasonable basis to believe that the initial appraisal was flawed or tainted and such basis is clearly noted in the loan file, or unless such appraisal or automated valuation model is done pursuant to a bona fide pre- or post-funding appraisal review or quality control process or underwriting guidelines, and so long as the lender adheres to a policy of selecting the most reliable appraisal, rather than the one that states the highest value; and
- forcing an appraiser to accept an assignment where the delivery times are so short that they force the appraiser to render a misleading report.

Note: The above limitations do not prohibit an AMC from requesting that an independent appraiser provide additional information about the basis for a valuation or correct objective factual errors in an appraisal report.

An AMC may not alter, modify or otherwise change a completed appraisal service report by an appraiser.

Statutes enacted 2009; rule amended 2016.

[La. Rev. Stat. §§ 37:3415.16, .17 \(2019\); La. Admin. Code tit. 46, § 30701 \(2019\)](#)

AMC-Appraiser Relationships

A Louisiana-licensed AMC may enter into contracts or agreements with an independent appraiser for the performance of real estate appraisal services only if the person is licensed and in good standing pursuant to the Louisiana Real Estate Appraisers Law.

Except in the case of breach of contract or substandard performance of real estate appraisal activity, an AMC must make payment to an independent contractor appraiser for the completion of an appraisal or appraisal review assignment within 30 days after the appraiser provides the completed appraisal report to the AMC or in accordance with another payment schedule agreed to in writing by the appraiser and the AMC.

Prior to, or at the time of, an appraisal assignment, an AMC must verify that the appraiser to whom the assignment is made satisfies the competency rule of the Uniform Standards of Professional Appraisal Practice.

An AMC must compensate an appraiser at the customary and reasonable rate for appraisals performed in the market area of the appraised property, consistent with federal law.

An AMC may not require an appraiser to indemnify it or hold it harmless from any liability, damage, losses or claims arising out of the services provided by the AMC. This prohibition does not preclude indemnification agreements for services performed by the appraiser

Except within the first 30 days after an independent appraiser is first added to the appraiser panel, an AMC may not remove an appraiser from the panel, or otherwise refuse to assign appraisal service requests to the appraiser, without:

- notifying the appraiser in writing of the reasons why he or she is being removed from the panel, and if the appraiser is being removed for illegal conduct, violation of the Uniform Standards of Professional Appraisal Practice or a violation of state licensing standards, the nature of the alleged conduct or violation must be identified; and
- providing the appraiser an opportunity to respond to the notification.

An appraiser that is removed from an appraiser panel for alleged illegal conduct or violation of the uniform standards or state licensing standards may file a complaint with the Real Estate Appraisers Board for a review of the AMC's decision, except that the Board may in no case make any determination regarding the nature of the business relationship between the appraiser and the AMC which is unrelated to the actions specified above.

An AMC may not make referrals to an appraiser during a period in which its license has expired.

Sections 37-3415.11 and .18 enacted 2009; § 37:3415.15 amended 2016; § 37:3415.13 amended 2012; rule 30701 amended 2016, rule 30401 promulgated 2013.

[La. Rev. Stat. §§ 37:3415.11, .15, .18 \(2019\); La. Admin. Code tit. 46, §§ 30401, 30701 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Louisiana, Penalties

Administrative Penalties

The Board of Real Estate Appraisers may censure an AMC, conditionally or unconditionally suspend or revoke any license, levy fines or impose civil penalties not to exceed \$50,000, if in the Board's opinion, the AMC is attempting to perform, is performing, has performed, or has attempted to perform any of the following:

- committing any act in violation of the Louisiana Appraisal Management Company Licensing and Regulation Act;
- violating any rule or regulation adopted by the Board;
- procuring a license by fraud, misrepresentation or deceit.

The Board may impose a civil penalty not to exceed \$5,000 upon any unlicensed person, who after a hearing or informal resolution, is found to have engaged in real estate appraisal activity without a currently valid license issued by the Board pursuant to the Act.

An unlicensed person may not receive any compensation for services rendered, and the Board may require the return of any fees collected.

Injunctive Relief

The Board may separately or simultaneously with other proceedings bring an action to restrain a licensed or unlicensed individual from further violation of any provision of the Act, during the pendency of any criminal proceeding or Board proceeding and against any unlawful practice thereafter.

Criminal Proceedings

Administrative proceedings before the Board are not exclusive remedies. Criminal actions may be simultaneously instituted against the accused for any violation of the Louisiana Appraisal Management Company Licensing and Regulation Act.

Statutes enacted 2009; rule amended 2016.

[La. Rev. Stat. Ann. §§ 37:3415.19, .20\(C\) \(2019\)](#); [La. Admin. Code tit. 46, § 30901 \(2019\)](#)

Maine

Maine, Fee Disclosures

When reporting fees to a client, an AMC must separately indicate the fees paid to an appraiser for the completion of an appraisal service and the fees charged by the AMC to the client for appraisal management services.

Re-enacted 2018.

[Me. Rev. Stat. Ann. § 14049-F \(2019\)](#)

Maine, License Fees

The Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation may establish by rule fees in amounts that are reasonable and necessary for their respective purposes, except that the fee for any one purpose may not exceed \$450 annually.

The licensing application fee is \$480 in total.

Re-enacted 2018.

[Me. Rev. Stat. Ann. tit. 32, § 14045 \(2019\); Me. Bd. Real Estate Appraisers, AMC License Application \(rev. 11/06/2017\)](#)

Maine, Restrictions

Licensure Required

Pursuant to the 2017 Appraisal Management Company Licensing Act, a person must obtain an AMC license from the [Maine Board of Real Estate Appraisers](#) before the person engages or attempts to engage in business as an AMC, performs or attempts to perform appraisal management services. or advertises or holds out the person as engaging in or conducting business as an AMC.

"Appraisal management company" is defined as a person that:

- "[p]rovides appraisal management services to creditors or secondary mortgage market participants with appraisers who are part of an appraiser panel that includes more than 15 appraisers who are independent contractors";
- "[p]rovides appraisal management services in connection with valuing a consumer's principal dwelling as security for a consumer credit transaction or incorporating such transactions into securitizations;" and
- within a calendar year or a 12-month period established by Board rule, oversees an appraiser panel of more than 15 certified or licensed appraisers in one state or 25 or more certified or licensed appraisers in more than one state.

Exception: A federally regulated AMC is not required to obtain a license, but it must:

- notify the Board of its intent to operate in Maine; and
- provide to the Board information required to be submitted by the Board to the federal Appraisal Subcommittee pursuant to regulations and policies of the Subcommittee

regarding the determination of a national registry fee under Me. Rev. Stat. Ann. tit. 32, § 14045.

Re-enacted 2018.

[Me. Rev. Stat. Ann. tit. 32, §§ 14042, 14043, 14049-K \(2019\)](#)

Annual Certifications

When applying for a license, an AMC must certify that it:

- requires appraisers completing appraisals at its request to comply with the Uniform Standards of Professional Appraisal Practice (USPAP), including the requirements of geographic and product competence;
- "is not owned by a person, in whole or in part, and does not employ any person in a position in which the person has the responsibility to order appraisal services or to review the results of a completed appraisal service, who has had an appraiser license or certificate in this State or any other state, refused, denied, cancelled, surrendered in lieu of revocation, or revoked, unless such license or certificate was subsequently granted or reinstated;"
- "does not knowingly enter into any independent contractor arrangement for the performance of appraisal services with a person who has had a license or certificate to act as an appraiser in this State or any other state refused, denied, cancelled, revoked or surrendered in lieu of a pending revocation unless the license or certificate was subsequently granted or reinstated;"
- will maintain a detailed record of each service request that it receives and the appraiser that performs the residential real estate appraisal services for the AMC.

An AMC licensed or applying to be licensed or to renew a license must also certify to the Board that it maintains a detailed record of each service request that the company receives for appraisals of real property located in Maine.

Re-enacted 2018.

[Me. Rev. Stat. Ann. tit. 32, § 14049-D \(2019\); Me. Bd. Real Estate Appraisers, AMC License Application \(rev. 11/06/2017\)](#)

Prohibitions

The Board may deny a license, refuse to renew a license or impose disciplinary sanctions for:

- payment of a finder's fee or a referral fee by an AMC to a person who does not have a Maine appraiser license in connection with appraisal management services; or
- acceptance by an AMC of a fee "for performing an appraisal service when, in fact, the fee is or was contingent upon the appraiser's reporting a predetermined analysis, opinion or conclusion or is or was contingent upon the analysis, opinion, conclusion or valuation reached or upon the consequences resulting from the appraisal assignment."

An AMC or an employee, director, officer or agent of an AMC may not:

- cause the results of an appraisal service to be based on any factor other than the appraiser's independent judgment;
- "[s]eek to influence an appraiser or to otherwise encourage a targeted value in order to facilitate the making or pricing of a consumer credit transaction;"
- change the results of a completed appraisal service that have been submitted by an appraiser to the AMC by altering or removing the signature or seal of the appraiser or adding, removing information or changing information contained in the results of the completed appraisal service, including any authorized disclosure submitted by an appraiser in or with the appraisal report;

- "[c]ondition a request for the performance of an appraisal service or the payment of an appraisal fee, salary or bonus on the opinion, conclusion or valuation to be reached or on a preliminary estimate or opinion requested from an appraiser;"
- request an appraiser to provide an estimated, predetermined or desired valuation in an appraisal report or provide estimated values or comparable sales at any time before the the appraiser's completion of an appraisal;
- "[p]rovide to an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or target amount to be loaned to a borrower, except that a copy of the sales contract for a purchase transaction may be provided;"
- make any part of a fee paid to the appraiser or a fee paid by the AMC contingent on a favorable outcome, including a loan closing or a specific valuation being achieved in the appraisal report;
- withhold or threaten to withhold timely payment for the completion of an appraisal assignment when the appraisal services that are the subject of the assignment are provided in accordance with an agreement between the parties;
- seek to influence an appraiser by (a) withholding or threatening to withhold future business; (b) demoting or terminating or threatening to demote or terminate an appraiser; or (c) promising future business, promotions or increased compensation;
- provide to an appraiser, or any person related to an appraiser, stock or other benefits;
- allow the removal of an appraiser from an appraiser panel without prior written notice to the appraiser;
- obtain, use or pay for a second or subsequent appraisal or order an automated valuation model (AVM) in connection with a mortgage financing transaction unless: (a) there is a reasonable basis to believe that the initial appraisal was flawed or tainted and that basis is noted in the loan file; (b) the subsequent appraisal or (AVM) is done under a bona fide pre-funding or post-funding appraisal review or quality control process; or (c) the subsequent appraisal or (AVM) is otherwise required or permitted by federal or state law;
- prohibit legal communication between an appraiser and a lender, real estate license holder or any other person from whom the appraiser believes information would be relevant; or
- "refuse to accept the results of a completed appraisal service by more than one appraiser if an appraiser provides substantial assistance to another appraiser in the preparation of the report, unless the appraisal assignment names an individual appraiser or the statement of work requires an unassisted report,"

The above prohibitions do not prohibit:

- an appraiser from reimbursing an AMC for the actual cost of discretionary services provided to the appraiser;
- an appraiser from voluntarily providing the appraiser's digital signature or seal to an AMC;
- an AMC from asking an appraiser, after an appraisal report is delivered, to: (a) consider additional appropriate property information, including additional comparable properties to make or support an appraisal; (b) provide further detail, substantiation or explanation of the appraiser's conclusion regarding values; or (c) correct errors in the appraisal report;
- an AMC from requiring an appraiser to provide advance notice of and an opportunity for the AMC to participate in any legal communications between the appraiser and a lender; or
- an AMC from providing a copy of an executed contract for a purchase transaction to an appraiser.

Re-enacted 2018.

[Me. Rev. Stat. Ann. tit. 32, §§ 14049, 14049-G \(2019\)](#)

AMC-Appraiser Relationships

Prior to placing an appraisal assignment with an appraiser on an appraiser panel, an AMC must verify that the appraiser receiving the assignment is licensed Maine law. An AMC must establish and comply with processes and controls reasonably designed to ensure that when engaging an appraiser, it selects an appraiser who is independent of the transaction and who has the requisite education, expertise and experience necessary to competently complete the appraisal assignment for the particular market and property type. The AMC must direct an appraiser to perform an assignment in accordance with the USPAP.

An AMC must compensate appraisers in accordance with the appraisal independence standards established under the federal Truth in Lending Act, 15 U.S.C. § 1639e and its implementing regulations. Except in cases of breach of contract or substandard performance of an appraisal service, an AMC must pay an appraiser for the completion of an appraisal service within 45 days of the date on which the appraiser transmits or otherwise provides the results of the completed appraisal service to the AMC.

Except within the first 30 days after an appraiser is added to an appraiser panel, an AMC "may not remove an appraiser from its appraiser panel or otherwise refuse to assign requests for real estate appraisal services to an appraiser without notifying the appraiser in writing and identifying the reasons why the appraiser is being removed from the appraiser panel and providing an opportunity for the appraiser to respond to the notification."

An AMC that has a reasonable basis to believe an appraiser is failing to comply with the USPAP in a manner that materially affects the conclusion of value in an appraisal report, is violating applicable laws or is otherwise engaging in unethical or unprofessional conduct must refer the matter to the Board.

An AMC may not require an appraiser to:

- complete an appraisal service if the appraiser determines the appraiser does not have the necessary expertise for the specific geographic area, and the appraiser has notified the company of that determination and declined the assignment;
- prepare an appraisal report under a schedule that the appraiser believes does not afford the him or her the ability to meet all the relevant legal and professional obligations if the appraiser has notified the company of that belief and has declined the assignment;
- provide the AMC with the digital appraiser's signature or seal;
- modify any aspect of an appraisal report without the agreement of the appraiser;
- engage in any act or practice that does not comply with the USPAP;
- "[e]ngage in any act or practice that does not comply with any assignment conditions and certifications required by a client;"

- "[e]ngage in any act or practice that impairs or attempts to impair the independence, objectivity or impartiality of an appraiser;"
- enter into an agreement to not serve on the appraiser panel of another AMC;
- indemnify or hold harmless the AMC against liability except liability for the appraiser's errors and omissions; or
- pay a fee imposed on the AMC by the federal Appraisal Subcommittee.

Re-enacted 2017.

[Me. Rev. Stat. Ann. tit. 32, §§ 14049-B, 14049-D, 14049-E, 14049-G\(Q\), 14049-I, 14049-J \(2019\)](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Maine, Penalties

The Board may discipline an AMC or suspend, terminate or refuse to renew the license of an AMC that violates the licensing law, a rule adopted thereunder or an order issued pursuant the law pursuant to Me. Rev. Stat. Ann. tit.10 § 8003, except that the Board may impose a civil penalty of up to \$5,000 for each violation of applicable laws, rules or conditions of licensure or for each instance of actionable conduct or activity.

Re-enacted 2018.

[Me. Rev. Stat. Ann. tit. 32, § 14049-J \(2019\)](#)

Maryland

Maryland, Fee Disclosures

An AMC may not knowingly fail to separate and disclose any fees charged to a client by the AMC for the completion of an appraisal by an appraiser from the fees charged to a lender, client, or any other person by an AMC for providing appraisal management services.

An AMC may not knowingly prohibit an appraiser from recording the fee that the appraiser was paid by the AMC for the provision of real estate services within the appraisal report that is submitted by the appraiser to the AMC.

Enacted 2011.

[Md. Code Ann., Bus. Occ. & Prof. § 16-5B-10 \(2019\)](#)

Maryland, License Fees

The Maryland Commission of Real Estate Appraisers, Appraisal Management Companies and Home Inspectors has set a fee of \$1,750 for original AMC registration and \$2,000 for annual registration renewals. The application review fee is \$250.

[Dep't of Labor, Licensing & Registration, Div. of Occ. & Prof. Licensing Website \(last visited Mar. 10, 2020\)](#)

Maryland, Restrictions

Licensure Required

Before a person engages or attempts to engage in business as an appraisal management company, provides or attempts to provide appraisal management services or advertises or represents to be an AMC, the person must register with the [Maryland Commission of Real Estate Appraisers, Appraisal Management Companies and Home Inspectors](#).

A registration is valid for one year.

Exceptions: The AMC registration law does not apply to:

- a person that exclusively employs appraisers on an employer-employee basis for the performance of appraisals; and
- an entity that is a subsidiary owned and controlled by a financial institution and regulated by a federal financial institution regulatory agency.

Enacted 2011.

[Md. Code Ann., Bus. Occ. & Prof. §§ 16-5B-02, -03, -04 \(2019\)](#)

Annual Certifications

An AMC must certify at the time of registration application that:

- it will verify that a person being added to the AMC's appraiser panel holds an appropriate license or certification in good standing in Maryland for the purpose of performing real estate appraisals;
- it requires appraisers completing appraisals at its request to comply with the Uniform Standards of Professional Appraisal Practice (USPAP), including the requirements for geographic and product competence;
- it will require appraisals to be conducted independently as required by the appraisal independence standards under the Truth in Lending Act, including the requirements of payment of a reasonable and customary fee to appraisers when the AMC is providing services for a consumer credit transaction secured by the principal dwelling of a consumer;

- it maintains a detailed record of each service request that it receives and the appraiser that performs the residential real estate appraisal services for the AMC; and
- it has reviewed each entity that owns the person and that no other entity that owns the person is directly owned by a person that has had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in any state.

Enacted 2011.

[Md. Code Ann., Bus. Occ. & Prof. §§ 16-5B-03, -06 \(2019\)](#)

Prohibitions

An employee, partner, director, officer, or agent of an appraisal management company may not influence or attempt to influence the development, reporting, result, or review of an appraisal through coercion, extortion, collusion, compensation, inducement, intimidation, bribery, or any other means, including:

- compensating, colluding, or influencing, or attempting to compensate, collude, or influence a person involved in an appraisal for the purpose of causing the appraised value assigned under the appraisal to the property to be based on a factor other than the independent judgment of the appraiser;
- mischaracterizing, or suborning any mischaracterization of, the appraised value of a property in connection with a consumer credit transaction;
- seeking to influence an appraiser or otherwise encouraging a targeted value in order to facilitate the making or pricing of a consumer credit transaction;

- withholding or threatening to withhold timely payment for an appraisal report or for the provision of real estate appraisal services when the appraisal report or services are provided in accordance with a contract between the parties;
- withholding or threatening to withhold future business from an appraiser;
- demoting or terminating or threatening to demote or terminate an appraiser;
- promising future business, promotions, or increased compensation for an appraiser;
- conditioning a request for an appraisal or the payment of an appraisal fee or salary or bonus on an opinion, a conclusion, or a valuation to be reached; or on a preliminary estimate or opinion requested from an appraiser;
- requesting that an appraiser provide an estimated, predetermined, or desired valuation in an appraisal report; or estimated values or comparable sales at any time before the appraiser completes an appraisal;
- except for a copy of the sales contract for purchase transactions, providing to an appraiser an anticipated, estimated, encouraged, or desired value for a subject property or a proposed or target amount to be loaned to the borrower;
- providing to an appraiser, or a person related to the appraiser, stock or other financial or nonfinancial benefits;
- allowing the removal of an appraiser from an appraiser panel without prior written notice to the appraiser;
- obtaining, using, or paying for a second or subsequent appraisal, or ordering an automated valuation model, in connection with a mortgage financing transaction unless: (a) there is a reasonable basis to believe that the initial appraisal was flawed and the basis is clearly and

appropriately noted in the loan file; (b) the subsequent appraisal or automated valuation model is done under a bona fide pre-funding or post-funding appraisal review or quality control process; (c) a second appraisal is required under state or federal law; or (d) the second appraisal or automated valuation model is ordered by an AMC in response to a request by a client in order to satisfy client valuation policies for the property being appraised and the second appraisal or automated valuation model is ordered by the client prior to the completion of the first appraisal; or

- any other act impairing or attempting to impair an appraiser's independence or impartiality.

Note: The above prohibitions do not prevent an AMC from asking an appraiser to consider additional appropriate property information, including the consideration of additional comparable properties to make or support an appraisal, provide further detail, substantiation, or explanation for an appraiser's value conclusion; or correct errors in an appraisal report.

Additionally, an AMC may not:

- knowingly enter into an independent contractor arrangement for real estate appraisal services with a person who has had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in any state, unless the license or certificate was subsequently granted or reinstated;
- knowingly enter into a contractor any other business relationship, for the purpose of obtaining real estate appraisal services, with an entity that employs, has entered into an independent contract arrangement with, or has entered into a contract or any other business relationship with a person who has ever had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in any state, unless the license or certificate was subsequently granted or reinstated;
- require an appraiser to modify an aspect of an appraisal report and the modification requested is not related to substandard performance or noncompliance with the terms of engagement;
- require an appraiser to prepare an appraisal report if the appraiser has notified the AMC that, in the appraiser's own professional judgment, the appraiser believes he or she does not have the necessary expertise for the specific geographic area;

- require an appraiser to prepare an appraisal report under a time frame that the appraiser has notified the AMC that, in the appraiser's own professional judgment, the appraiser believes does not afford the appraiser the ability to meet all the relevant legal and professional obligations;
- prohibit or inhibits communication between an appraiser and a lender, a real estate licensee, or any other person from whom the appraiser, in his or her own professional judgment, believes information would be relevant;
- require the appraiser to do anything that does not comply with the USPAP or any assignment conditions and certifications required by the client;
- make any portion of the appraiser's fee or the AMC's fee contingent on a favorable outcome, including a loan closing or a specific dollar amount being achieved by the appraiser in the appraisal report;
- change a completed appraisal report submitted by an appraiser by permanently removing the appraiser's signature or seal or adding information to, or removing information from, the appraisal report with an intent to change the valuation conclusion; or
- require an appraiser to provide the AMC with the appraiser's digital signature or seal, however, subject to the restrictions in the USPAP, an appraiser may voluntarily provide his or her digital signature to another person.

Enacted 2011.

[Md. Code Ann., Bus. Occ. & Prof. §§ 16-5B-07, -11, -13, -15 \(2019\)](#)

AMC-Appraiser Relationships

An AMC must require that an appraiser confirm in writing or via electronic means that he or she is a competent appraiser for the performance of the appraisal being assigned.

Note: An AMC that has complied with the above requirement in relation to an assignment may not be held liable for a violation in relation to that assignment if the Commission subsequently determines that the appraiser completing the assignment violated the competency rule of the USPAP.

An AMC may not enter into any agreements with an appraiser for the performance of appraisals in conjunction with federally related transactions unless it verifies that the appraiser is licensed or certified to perform the appraisal under Maryland law.

An AMC must pay an appraiser reasonable and customary fees consistent with the presumptions of compliance defined under federal law. Except in cases of contract breach or substandard performance of services, an AMC must pay an appraiser within 45 days after the appraiser provides the completed appraisal or valuation study to the AMC or its assignee.

Effective October 1, 2019, the AMC may not remove an appraiser from its panel, or otherwise refuse to assign requests for real estate appraisal services to an appraiser, without:

- notifying the appraiser in writing of the reasons why the appraiser is being removed from the panel;
- identifying the illegal conduct, violation of the USPAP, or violation of state licensing standards, or substandard performance or violations of contractual terms between the AMC and appraiser that the AMC has a reasonable basis to believe that the appraiser has engaged in; and
- providing the appraiser an opportunity to respond.

An appraiser that is removed from an appraiser panel for alleged illegal conduct, a violation of the Uniform Standards of Professional Appraisal Practice, or a violation of state licensing standards may file a complaint with the Commission for a review of the AMC's decision.

An AMC may not require an appraiser to indemnify the AMC or hold the AMC harmless for any liability, damage, losses, or claims arising out of the services provided by the AMC, and not the services performed by the appraiser.

Enacted 2011; § 16-5B-14 amended 2018; § 16-5B-17 amended 2019.

[Md. Code Ann., Bus. Occ. & Prof. §§ 16-5B-08, -11, -14, -17 \(2019\)](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Maryland, Penalties

Subject to hearing provisions, the Commission of Real Estate Appraisers, Appraisal Management Companies and Home Inspectors may deny registration to any applicant for registration as an AMC, reprimand any registered AMC, or suspend or revoke the registration of an AMC if the applicant or registrant:

- fraudulently or deceptively obtains or attempts to obtain registration for the applicant or registrant or for another;
- fraudulently or deceptively uses a registration;
- under federal law or any state's law is convicted of a felony or a misdemeanor that is directly related to the fitness and qualifications of the registrant to provide appraisal management services;
- violates or attempts to violate any provision of the AMC law;
- violates or attempts to violate any regulation adopted under the AMC law; or

- violates § 14–127 of the Real Property article.

Instead of or in addition to reprimanding a registrant or suspending or revoking a registration, the Commission may impose a penalty not exceeding \$25,000 for each violation.

Enacted 2011.

[Md. Code Ann., Bus. Occ. & Prof. § 16-701.2 \(2019\)](#)

Massachusetts

Massachusetts, Fee Disclosures

An AMC may not prohibit an appraiser from recording the fee the appraiser received for the performance of an appraisal assignment within the body of the appraisal report.

Statute enacted 2019.

Mass. Gen. Laws ch. 112, § 285 (2019), enacted by [2019 Mass. Acts Ch. 43](#).

Massachusetts, License Fees

The Secretary of Administration and Finance is directed to determine the following fees for AMCs:

- an application fee;
- an initial registration fee;
- an annual renewal fee;

- a change in controlling person or employee in charge fee; and
- a late renewal fee.

The Board of Real Estate Appraisers is directed to collect those fees.

Each applicant for registration must post with the board and maintain a surety bond in an amount to be determined by the Board.

As of March 10, 2020, no regulations have been adopted, and no information regarding the fees or bond appears on the Board's website.

Statute enacted 2019.

Mass. Gen. Laws ch. 112, §§ 283, 284 (2019), enacted by [2019 Mass. Acts Ch. 43](#); [Mass. Bd. of Registration of Real Estate Appraisers website \(last visited Mar. 10, 2020\)](#).

Massachusetts, Restrictions

Licensure Required

A person may not directly or indirectly engage or attempt to engage in business as an appraisal management company, or engage in or attempt to perform appraisal management services, or advertise or hold the individual or entity out as engaging in business as an appraisal management company without first being registered by the [Board of Registration of Real Estate Appraisers](#). Registration is required, regardless of the person's use of the term "appraisal management company," "mortgage technology company," or any other name.

A registration is valid for one year.

Exceptions: The AMC registration law does not apply to:

- an agency of the federal government or any state or municipal government;
- an appraisal management company that is owned and controlled by an insured depository institution; or
- a licensed real estate broker or salesperson who, in the ordinary course of business, gives an opinion of the price of real estate for the purpose of a prospective listing, purchase, sale, or business valuation, provided, however, that such opinion of the price shall not be referred to as an appraisal. This exemption shall not apply to a real estate broker who receives compensation of any kind in connection with the referral or placement of an appraisal assignment.

Statute enacted 2019.

Mass. Gen. Laws ch. 112, §§ 277, 283 (2019), enacted by [2019 Mass. Acts Ch. 43](#).

Annual Certifications

An AMC must certify at the time of registration application that:

- the applicant has a system and process in place to verify that a person being added to the appraiser panel for appraisal assignments on real property located in Massachusetts holds an appraiser license or certification in good standing;
- a system in place to review the work of all real estate appraisers that are performing services for the AMC on a periodic basis to confirm that the appraisal services are being conducted in accordance with the Uniform Standards of Professional Appraisal Practice; and

- the applicant maintains a detailed record of each request for appraisal services that it receives, the name of the appraiser that performs the appraisal services for the AMC and a complete digital copy of every version of each appraisal report completed by the appraiser.

Statute enacted 2019.

Mass. Gen. Laws ch. 112, § 279 (2019), enacted by [2019 Mass. Acts Ch. 43](#).

Prohibitions

An employee, partner, director, officer, or agent of an appraisal management company or a third party acting as a joint venture partner or an independent contractor of an AMC may not influence or attempt to influence the development, reporting, result, or review of an appraisal through coercion, extortion, collusion, compensation, inducement, intimidation, bribery, or any other means, including:

- withholding or threatening to withhold timely payment for a real estate appraisal report except in cases of breach of contract or substandard performance of services;
- withholding or threatening to withhold future business from a real estate appraiser or demoting or terminating or threatening to demote or terminate a real estate appraiser;
- expressly or impliedly promising future business, appraisal services, promotions or increased compensation for an appraiser;
- conditioning the ordering of a real estate appraisal report or the payment of a real estate appraisal fee, salary or bonus on the opinion, conclusion or valuation to be reached or on a preliminary estimate requested from a real estate appraiser;
- requesting that an appraiser provide an estimated, predetermined or desired valuation in a real estate appraisal report or provide estimated values or comparable sales at any time before the appraiser's completion of the appraisal report;

- providing to an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or targeted amount to be loaned to the borrower; provided, however, that a real estate appraiser should be provided with a copy of the sales contract for purchase transactions, if available;
- providing to an appraiser, or to a person or entity related to the appraiser, stock or other financial or nonfinancial benefits;
- allowing the removal of an appraiser from a list of qualified appraisers used by the registrant without prior written notice stating the reason for such removal to the appraiser; provided, however, that if the appraiser is removed from the list for illegal conduct, substandard performance or otherwise improper or unprofessional behavior or for a violation of the Uniform Standards of Professional Appraisal Practice or the licensing standards of the Commonwealth, the notice shall include written evidence thereof;
- requesting or requiring an appraiser to collect a fee from, or be compensated by, the borrower, homeowner, real estate agent, mortgage broker or any other third party in the provision of real estate appraisal services; or
- the performance of any other act or practice that impairs or attempts to impair an appraiser's independence, objectivity or impartiality.

Additionally, an AMC may not:

- alter, modify or otherwise change a completed appraisal report submitted by an appraiser without the appraiser's written acknowledgment and consent;
- alter, modify or otherwise change a completed appraisal report submitted by an appraiser; provided, however, that an appraiser shall transmit a true and exact copy to the client and any intended users;

- use an appraisal report submitted by an appraiser for any other transaction;
- require an appraiser to sign an indemnification agreement that would require the appraiser to defend and hold harmless the appraisal management company or any of its agents, employees or independent contractors for any liability, damages, losses or claims arising out of the services performed by the appraisal management company or its agents, employees or independent contractors and not the services performed by the appraiser;
- require an appraiser to provide the company with the appraiser's digital signature or seal;
- prohibit an appraiser from recording the fee the appraiser received for the performance of an appraisal assignment within the body of the appraisal report;
- require an appraiser to accept an appraisal assignment if the appraiser, in the appraiser's independent professional judgment believes: (A) the appraiser does not have the necessary expertise for the assignment or knowledge of the geographic area; or (B) that the time frame does not allow the appraiser the ability to meet all of the appraiser's relevant legal or professional obligations and the appraiser has communicated such belief to the appraisal management company; or
- knowingly fail to compensate an appraiser at a rate that is reasonable and customary for appraisal services in the market area of the property being appraised.

An AMC is not prohibited from requesting that an appraiser:

- consider additional appropriate material property information;
- provide further detail, substantiation or explanation for the appraiser's value conclusion; or
- correct errors in the real estate appraisal report.

Statute enacted 2019.

Mass. Gen. Laws ch. 112, § 285 (2019), enacted by [2019 Mass. Acts Ch. 43](#).

AMC-Appraiser Relationships

An AMC shall not refuse to assign requests or orders for appraisals or reduce the number of assignments or otherwise penalize an appraiser who does not accept an assignment or order because the appraiser does not have the necessary expertise for the assignment or knowledge of the geographic area; or because the time frame does not allow the appraiser the ability to meet all of the appraiser's relevant legal or professional obligations. An AMC is not required to offer future appraisal assignments of a particular nature or type to an appraiser who previously indicated a lack of the necessary expertise or geographic knowledge for such assignments except where the appraiser subsequently demonstrates to the satisfaction of the AMC that the appraiser has gained the required experience or geographic knowledge to competently complete the assignments.

Statute enacted 2019.

Mass. Gen. Laws ch. 112, § 285 (2019), enacted by [2019 Mass. Acts Ch. 43](#).

Parties Authorized to Give Broker Price Opinions

The AMC law does not apply to a licensed real estate broker or salesperson who, in the ordinary course of business, gives an opinion of the price of real estate for the purpose of a prospective listing, purchase, sale, or business valuation, provided, that such opinion is not referred to as an appraisal. This exemption shall not apply to a real estate broker who receives compensation of any kind in connection with the referral or placement of an appraisal assignment.

Statute enacted 2019.

Mass. Gen. Laws ch. 112, § 277 (2019), enacted by [2019 Mass. Acts Ch. 43](#).

Massachusetts, Penalties

The Board may impose a civil penalty upon a registrant, or upon a partner, officer, director, managing principal, controlling person, employee in charge or other person occupying a similar status or performing similar functions on behalf of an AMC, for a violation of the AMC laws. The civil penalty shall not exceed \$10,000 for each violation.

Statute enacted 2019.

Mass. Gen. Laws ch. 112, § 286 (2019), enacted by [2019 Mass. Acts Ch. 43](#).

Michigan

Michigan, Fee Disclosures

No applicable provisions located.

Michigan, License Fees

Effective April 1, 2014, appraisal management companies must be licensed by the Michigan Department of Licensing and Regulatory Affairs. The application processing fee is \$500. The license fee is \$500 per year, with licenses renewable every three years.

Enacted 2012.

[Mich. Comp. Laws § 338.2238a \(2018\)](#)

Michigan, Restrictions

Licensure Required

Effective April 1, 2014, a person who directly or indirectly engages or attempts to engage in business as an AMC, directly or indirectly performs or attempts to perform appraisal management services, advertises or holds itself out as engaging in business as an AMC, or uses the term "appraisal management company," "mortgage technology company," or a similar term indicating

licensing as an AMC, must be licensed by the [Michigan Department of Licensing and Regulatory Affairs](#).

Exceptions: The licensing requirement does not apply to:

- an AMC which is a subsidiary owned and controlled by a financial institution regulated by a federal financial institution regulatory agency;
- a person that exclusively engages individuals on an employer-employee basis to perform appraisal services in the normal course of its business and which is responsible for ensuring its employees' appraisal services comply with the Uniform Standards of Professional Appraisal Practice (USPAP);
- a person that in the normal course of business contracts with an independent contractor appraiser to perform real estate appraisal services and who upon completion of the appraisal cosigns the report with the contractor appraiser.

Enacted 2012.

[Mich. Comp. Laws § 339.2663 \(2019\)](#)

Annual Certifications

Upon applying for a license and annually thereafter, an AMC must certify to the Department that it:

- has a system in place to verify that an individual it is adding to its appraiser panel is licensed as an appraiser under Michigan law;
- has a system in place to periodically review the work of appraisers performing services for it to verify that the services are conducted pursuant to the USPAP; and

- maintains a detailed record of each request for service it receives and the identity of the independent appraiser performing the services for the AMC.

On a biannual basis, an AMC must certify to the Department that it has a system in place to verify that a panel appraiser has not had his or her license refused, denied, canceled, revoked or surrendered in lieu of a pending revocation in the previous 24 months.

Enacted 2012.

[Mich. Laws Comp. §§ 339.2665, .2673 \(2019\)](#)

Prohibitions

An AMC is subject to discipline if it:

- procures a license through fraud, misrepresentation or deceit; or
- alters, modifies or changes a completed appraisal report.

An AMC employee, officer, director or agent that influences or attempts to influence the development, reporting or review of an appraisal through coercion, extortion, collusion, compensation, inducement, intimidation or bribery, or in any other manner, including the following, is subject to discipline:

- withholding or threatening to withhold timely appraisal payment or future business for an independent appraiser;
- demoting, terminating or threatening to demote or terminate an independent appraiser;

- expressly or impliedly promising an independent appraiser future business promotion or increased compensation;
- conditioning a service request or payment of appraisal fees or salary or bonus on reaching a particular opinion, conclusion or valuation or on a preliminary estimate or opinion requested from an independent appraiser;
- requesting that an independent appraiser provide an estimated, predetermined or desired valuation in his or her report, or provide estimated values or compensable values or comparable sales before completion of an appraisal service;
- providing an independent appraiser an anticipated, estimated, encouraged or desired value for a subject property or target loan amount, but a copy of the sales contract for a purchase transaction may be provided to the appraiser;
- providing an independent appraiser or a person related to the appraiser stock or other financial or nonfinancial benefit;
- removing an independent appraiser from a panel without prior written notice to the appraiser;
- doing any other act or practice that impairs or attempts to impair an appraiser's independence, objectivity or impartiality.

Enacted 2012.

[Mich. Comp. Laws §§ 339.2671, .2675 \(2019\)](#)

AMC-Appraiser Relationships

An AMC may contract with an independent appraiser for real estate appraisal services only if the appraiser is licensed under Michigan law.

An AMC must pay an independent appraiser within 60 days after the appraiser transmits or otherwise provides the completed appraisal or valuation to the AMC or its assignee, unless the appraiser breached his or her agreement with the AMC or his or her performance of appraisal services was substandard.

An AMC may not require an appraiser to indemnify or hold harmless the AMC for liability, damages, losses or claims arising out of services provided by the AMC, if the appraiser did not perform the services.

Except within the first 90 days after an AMC adds an independent contractor appraiser to its panel, an AMC may not remove an appraiser from the panel or refuse to assign requests for appraisal services to an appraiser, without within 10 business days after the removal, notifying the appraiser in writing of the reasons for the removal and, if the removal was for illegal conduct or violation of the USPAP or state licensing standards, the nature of the alleged conduct or violation. The appraiser must be given the opportunity to respond to the notification.

Enacted 2012.

[Mich. Comp. Laws §§ 339.2671, .2677 \(2019\)](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provision relating to persons authorized to give broker price opinions.

Michigan, Penalties

The Department of Licensing and Regulatory Affairs may impose one or more of the following penalties for violations of the appraisal management companies licensing laws or rules:

- suspension, revocation or denial of a license;

- an administrative fine of not more than \$10,000;
- censure;
- probation;
- requiring restitution be made.

Amended 2012.

[Mich. Comp. Laws § 339.602 \(2018\)](#)

Minnesota

Minnesota, Fee Disclosures

No applicable provisions located.

Minnesota, License Fees

The AMC application fee is \$5,000. The renewal fee is \$2,500.

Amended 2011.

[Minn. Stat. § 82C.08 \(2019\)](#)

Minnesota, Restrictions

Registration Required

Effective August 1, 2010, an appraisal management company may not engage in business as an AMC in Minnesota, attempt to perform or perform appraisal management services in Minnesota or

advertise or hold itself out as doing business as an AMC in Minnesota, without first obtaining a license from the Commissioner of the [Minnesota Department of Commerce](#). An "appraisal management company" means a business entity that directly or indirectly performs the following appraisal management services:

- within a given 12-month period, administers a network or networks of more than 15 Minnesota state-licensed or state-certified real estate appraisers or 25 or more state-licensed or state-certified real estate appraisers in two or more states, who are independent contractors to the AMC, to perform residential real estate appraisal assignments for clients;
- receives requests for residential real estate appraisal services from clients and, for a fee paid by the client, enters into an agreement with one or more independent contractor appraisers to perform the real estate appraisal services contained in the request; or
- serves as a third-party broker of appraisal management services between clients and appraisers.

Exceptions: The licensing law does not apply to:

- an appraiser that has an agreement with another appraiser for the performance of an appraisal, which is signed by both appraisers upon completion, except that an AMC may not avoid the requirements of the licensing law by requiring an AMC employee that is an appraiser to sign an appraisal that is completed by an appraisal panel member;
- a department or unit within a financial institution subject to direct regulation by an agency of the federal government or by any Minnesota state agency that only receives appraisal requests from an employee of the financial institution and a co-employee assigns the requests to an appraiser who is an independent contractor to the institution, except that an AMC that is a wholly owned subsidiary of a financial institution is not considered a department or unit to which the licensing provisions do not apply;

- any governmental agency performing appraisals on behalf of that level of government or any agency performing ad valorem tax appraisals for county auditors; or
- a person that exclusively employs appraisers on an employer-employee basis, provided:
 - the employer is responsible for ensuring appraisals are performed by employees in conformity with the Uniform Standards of Professional Appraisal Practice (USPAP); and
 - the employer accepts all liability associated with the performance of the appraisal by the employee.

Licenses are subject to renewal every 12 months.

All sections enacted 2010; § 82C.02 amended 2016.

[Minn. Stat. §§ 82C.02, .03, .05, .06 \(2019\)](#)

Certifications

An AMC must certify to the Commissioner at the time of application that it has:

- a system and process in place to verify that a person being employed or added to the AMC's appraiser panel holds an active appraiser's license in Minnesota;
- a system in place to verify that an individual being added to the appraiser panel holds an appraiser's license in good standing in Minnesota;
- employees who will be appropriately trained and familiar with the appraisal process;

- detailed records of each request for appraisal services and the independent appraiser who performs each appraisal; and
- a system in place to review on a periodic basis the work of all appraisers performing appraisals for the AMC in Minnesota, to ensure that the appraisal assignments are conducted in accordance with the USPAP.

Enacted 2010.

[Minn. Stat. § 82C.03, subd. 5 \(2019\)](#)

Prohibitions

It is violation of the AMC law if an employee, director, officer or agent of an AMC influences or attempts to influence the development, reporting or review of an appraisal through coercion, extortion, collusion, inducement, intimidation, bribery or in any other manner, including:

- withholding or threatening to withhold timely payment for an appraisal;
- withholding or threatening to withhold future business, or demoting, terminating or threatening to demote or terminate an employed or independent appraiser;
- promising future business, assignments, promotion or increased compensation to an employed or independent appraiser;
- conditioning an appraisal request or payment of a fee, salary or bonus on the opinion, conclusion or valuation to be reached, or on a preliminary estimate or opinion requested from an employed or independent appraiser;

- requesting that an employed or independent appraiser provide an estimated, predetermined or desired valuation in a report or estimated values or comparable sales at any time prior to the completion of an appraisal;
- providing an employed or independent appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or target amount to be loaned to the borrower (except that a copy of the sales contract for purchase transactions may be provided);
- providing an appraiser, or any person or entity related to the appraiser, stock or other financial or nonfinancial benefits;
- removing an appraiser from the panel without prior written notice;
- requiring an appraiser to collect an appraisal fee from the borrower, homeowner or other person;
- requiring an appraiser to modify an appraisal report, to include removing or applying a signature, adding or deleting information from the report;
- requiring an employed or independent appraiser to provide the AMC or any client with the appraiser's digital signature;
- using an appraiser directly selected or referred by any member of a loan production staff for an individual assignment; or
- using any other act or practice that knowingly impairs or attempts to impair an appraiser's independence, impartiality or objectivity.

Note: The above limitations do not prohibit an AMC from requesting that an independent appraiser consider additional appropriate property information, provide further detail,

substantiation or explanation for his or her value conclusion, or correct objective factual errors in an appraisal report.

Enacted 2010.

[Minn. Stat. § 82C.14 \(2019\)](#)

An AMC may not improperly influence or attempt to improperly influence the development, reporting, result or review of a real estate appraisal. Prohibited acts include blacklisting, boycotting, intimidation, coercion and any other means that impairs or may impair the appraiser's judgment, including but not limited to:

- withholding or threatening to withhold payment of an appraisal fee;
- conditioning payment of an appraisal fee upon the opinion, conclusion or valuation to be reached;
- a request that the appraiser report a predetermined opinion, conclusion or valuation, or the desired valuation of any person; or
- withholding or threatening to withhold future work in order to obtain a desired value on a current or proposed appraisal assignment.

Amended 2017.

[Minn. Stat. § 82B.20 \(2019\)](#)

AMC-Appraiser Relationships

A licensed AMC may contract for appraisal assignments in Minnesota only with an employee or independent appraiser holding an active Minnesota real estate appraiser license.

Except within the first 30 days after an appraiser is first added to an appraiser panel, an AMC may not remove the appraiser from the panel, or otherwise refuse to assign appraisal requests, without:

- notifying the appraiser in writing of the reasons why he or she is being removed from the panel or receiving appraisal requests, and if the appraiser is being removed from the panel for illegal conduct or violation of the applicable appraisal practice standards, the nature to the alleged conduct or violation must be identified; and
- providing the appraiser an opportunity to respond to the notification.

An AMC must make referrals directly to the state appraiser regulatory authorities when a state-licensed appraiser violates the USPAP, applicable state law or engages in other unethical or unprofessional conduct.

An AMC may not require an appraiser to indemnify or hold harmless the AMC for any liability, damage, losses, or claims arising out of services performed by the AMC, and not the appraiser's services.

Enacted 2010.

[Minn. Stat. §§ 82C.11, .12, .14, .15 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

[Minnesota, Penalties](#)

Administrative Penalties

The Commissioner of Commerce may deny suspend or revoke an AMC license, censure an AMC, impose a civil penalty of up to \$10,000 per violation or bar a person from serving a management or similar role in an AMC if the Commissioner finds that it is in the public interest and that an officer, director, partner, agent, controlling person or any person occupying a similar status or performing similar functions, has:

- violated any provision of the Minnesota Appraisal Management Company Licensing and Regulation Act;
- filed a license application that is incomplete or contains a false or misleading statement;
- failed to maintain compliance with submitted certifications;
- violated a standard of conduct or engaged in fraudulent, coercive, deceptive or dishonest act or practice, whether or not it involves the AMC;
- engaged in an act or practice, that demonstrates untrustworthiness, financial irresponsibility or incompetence, whether or not it involves the appraisal management business;
- pled guilty, pled nolo contendere or been convicted of a felony, gross misdemeanor or misdemeanor involving moral turpitude;
- paid a civil penalty or been subject to disciplinary action by the Commissioner or a suspension or revocation order, cease and desist order, injunctive order or order barring involvement in an industry or profession issued by Minnesota or any other state or federal regulatory agency or government-sponsored enterprise, or by HUD;
- been found by a court to have engaged in conduct evidencing gross negligence, fraud, misrepresentation or deceit;

- refused to cooperate with an investigation or examination by the Commissioner;
- failed to pay any fee or assessment imposed by the Commissioner; or
- failed to timely comply with state and federal tax obligations.

Section 82C.09 enacted 2010; § 82C.16 amended 2013.

[Minn. Stat. §§ 82C.09, .16 \(2019\)](#)

Civil Action

Any person injured by an AMC's commission of an act prohibited under [Minn. Stat. § 82B.20](#) (see Restrictions), has a private cause of action, in which the court must award:

- actual, incidental and consequential damages;
- statutory damages of not less than \$1,000 nor more than \$2,000;
- punitive damages if appropriate; and
- court costs and reasonable attorney fees.

Amended 2017.

[Minn. Stat. § 82B.24, subd. 1 \(2019\)](#)

Mississippi

Mississippi, Fee Disclosures

An AMC may not prohibit an appraiser from reporting the fee paid to the appraiser in the body of the appraisal report. It may, however require an appraiser to present any such disclosure in a specified format and location in the report.

Section amended 2019.

Miss. Code Ann. § 73-34-117(4) (LexisNexis 2019)

Mississippi, License Fees

The Mississippi Appraisal Board has set both the initial registration and the annual renewal fees as \$1,500. The Board has been directed to establish and collect from each AMC the national registry fee required by the Appraisal Subcommittee for each person on the appraisal panel of the company and licensed or certified as an appraiser in Mississippi. As of March 12, 2019, the Board has not established that fee.

A surety bond in the amount of \$20,000 must accompany an AMC registration application.

Sections amended 2019.

Miss. Code Ann. §§ 73-34-45, -103 (LexisNexis 2019)

Mississippi, Restrictions

Licensure Required

Effective December 1, 2013, an appraisal management company that oversees a network or panel of more than 15 certified or licensed appraisers in Mississippi or 25 or more nationally within a given year before acting or offering to act as an AMC in Mississippi must be registered with the [Mississippi Appraisal Board](#) before it may engage in business as an AMC.

Exceptions: The registration requirement does not apply to:

- an AMC that is a subsidiary owned and controlled by a financial institution regulated by a federal financial institutions regulatory agency; or
- a business entity that exclusively engages real estate appraisers on an employer-and-employee basis for the performance of property appraisal services in the normal course of business, except to the extent that federal law or regulation requires such entities with and be subject to supervision by a state appraiser certifying and licensing agency.

A registration may be renewed for a one-year period.

As of March 2020, the registration statute, § 73-34-103, is set to expire on July 1, 2022.

Section 73-34-105 enacted 2011; §§ 73-34-3 and -103 amended 2019.

Miss. Code Ann. §§ 73-34-3(m), -103, -105 (LexisNexis 2019)

Annual Certifications

An AMC must certify to the Board at the time of registration application and renewal that:

- it has a system and process in place to verify that a person being added to the company's appraiser panel holds a license in good standing in Mississippi pursuant to the Mississippi Real Estate Appraiser Licensing and Certification Act if a license or certification is required to perform appraisals;
- it requires appraisers completing appraisals to comply with the Uniform Standards of Professional Appraisal Practice, including the requirements for geographic and product competence;
- it has a system in place to require appraisals are conducted independently and free from inappropriate influence and coercion as required by the appraisal independence standards established under the Truth in Lending Act, including requirements for payment of a reasonable and customary fee to

appraisers when the AMC is providing services for a consumer credit transaction secured by the consumer's principal dwelling;

- it maintains a detailed record of each real estate appraisal service request it receives, including the name of the appraiser that performs appraisal services, for a period of five years after an appraisal is completed; and
- it has a system in place to verify that a panel appraiser has not had a license or certification as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation in the previous 12 months and that only licensed or certified appraisers are used for federally related transactions.

Sections enacted 2011; §§ 73-34-103 and -117 amended 2019.

Miss. Code Ann. §§ 73-34-103, -105, -113, -117, -119 (LexisNexis 2019)

Prohibitions

It is unlawful for any employee, director, officer or agent of an AMC to improperly influence or attempt to improperly influence the development, reporting, result or review of an appraisal through, without limitation, coercion, extortion, collusion, intimidation, bribery, compensation, inducement or in any other manner, including:

- withholding or threatening to withhold timely payment or partial payment for an appraisal, except for a substandard or noncompliant appraisal;
- withholding or threatening to withhold future business from an appraiser, or demoting, terminating or threatening to demote or terminate an appraiser;
- promising or implying that an appraiser may be given future business opportunities, promotions or increased compensation;

- conditioning an appraisal assignment or payment of an appraisal fee or salary or bonus on the opinion, conclusion or valuation to be reached, or on a preliminary estimate or opinion required from an appraiser;
- requesting that an appraiser provide an estimated, predetermined or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the appraiser's completion of the appraisal report;
- providing an independent appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or targeted amount to be loaned to the borrower (except that a copy of the sales contract for purchase transactions may be provided); or
- requiring an appraiser to prepare an appraisal report if the appraiser has indicated to the AMC that he or she does not have the necessary expertise for the specific geographic area.

Additionally, an AMC may not:

- alter, modify or otherwise change a completed appraisal report submitted by an appraiser without the appraiser's written consent, except as necessary to comply with regulatory mandates or legal requirements; or
- use an appraisal report submitted by an independent appraiser, or any of the data or information contained therein, for any purpose other than its intended use without the appraiser's or the intended end-user's written consent, except as necessary to comply with regulatory mandates or legal requirements.

Enacted 2011.

Miss. Code Ann. §§ 73-34-121, -125 (LexisNexis 2019)

AMC-Appraiser Relationships

An AMC doing business in Mississippi may not knowingly employ any individual to perform appraisal services who has had a license or certificate to act as an appraiser in Mississippi or any other state refused, denied, cancelled, surrendered in lieu of revocation or revoked.

An AMC may not require an appraiser to indemnify the AMC against liability, damages, losses or claims other than those arising out of the services performed by the appraiser, including performance or nonperformance of the appraiser's duties, whether as a result of negligence or willful misconduct.

An AMC must have a system in place requiring payment to an independent contract appraiser within 30 days after the appraiser supplies the completed appraisal report to the AMC, except in those cases involving a bona fide breach of contract, substandard performance services, or alternate payment terms agreed upon by the appraiser and AMC.

Except within the first 90 days after an independent appraiser is first added to the AMC's appraiser panel, an AMC may not remove an independent appraiser from its panel, or otherwise refuse to assign service requests to the appraiser without written notice of reasons for the removal and, if the appraiser is being removed for illegal conduct, violation of professional standards or state licensing standards, of the nature of the alleged misconduct or violation. The appraiser must be given an opportunity to respond to the notice and file a complaint with the Board for review of any decision of the AMC.

Enacted 2011; § 73-34-113 amended 2019.

Miss. Code Ann. §§ 73-34-113, -117, -125 (LexisNexis 2019)

Parties Authorized to Give Broker Price Opinion

The AMC law does not apply to real estate licensees who are on active status and who perform a broker price opinion pursuant to Miss. Stat. § 73-35-4.

Amended 2019.

Miss. Code Ann. § 73-34-5 (LexisNexis 2019)

Mississippi, Penalties

In accordance with Mississippi law, and to the extent permitted by any applicable federal legislation or regulation, the Mississippi Real Estate Appraiser Licensing and Certification Board may censure an AMC, conditionally or unconditionally suspend or revoke any registration, or deny renewal of any registration, or levy fines or impose civil penalties not to exceed \$5,000, if after appropriate investigation the Board concludes that an AMC is attempting to perform, has performed, or has attempted to perform any of the following acts:

- committed any act in violation of the AMC law;
- violated any rule or regulation adopted by the Board in the interest of the public and consistent with the AMC law; or
- procured a registration for itself or any other person by fraud, misrepresentation or deceit.

In order to promote voluntary compliance, encourage AMCs to correct errors promptly, and ensure a fair and consistent approach to enforcement, the Board may impose fines or civil penalties that are reasonable in light of the nature, extent and severity of the violation. The Board is also authorized to take action against an AMC's registration, if at all, only after less severe sanctions have proven insufficient to ensure behavior consistent with the law. When deciding whether to impose a permitted sanction, determining the sanction that is most appropriate in a specific instance, or making any other discretionary decision regarding the enforcement of Mississippi Appraisal Management Company Registration Act, the Board must consider whether an AMC:

- has an effective program reasonably designed to ensure compliance with the Act;

- has taken prompt and appropriate steps to correct and prevent the recurrence of any detected violations; and
- has independently reported to the Board any significant violations or potential violations of the Act, before an imminent threat of disclosure or investigation and within a reasonably prompt time after becoming aware of their occurrence.

Amended 2011.

Miss. Code Ann. § 73-34-35 (LexisNexis 2019)

Missouri

Missouri, Fee Disclosures

Disclosures to Clients

An AMC must separately state to a client:

- the fees paid by the AMC to the appraiser who performed the appraisal; and
- the fees charged by the AMC for services associated with management of the appraisal, including procurement of the appraiser's services.

Disclosure in Appraisal Report

An AMC may not prohibit a panel appraiser from including in an appraisal report the appraisal fee paid to the appraiser by the AMC.

Amended 2017.

[Mo. Code Regs. tit. 20, § 2245-10.020\(1\)\(C\), \(M\) \(2019\)](#)

Missouri, License Fees

The Missouri Real Estate Appraisers Commission has set the application and renewal fees for AMC registration at \$350. The Missouri Appraisal Management Company Registration and Regulation Act went into effect August 28, 2012.

In addition to paying the required fee, each applicant for registration must post with the Commission, and maintain on renewal, a \$20,000 surety bond.

Licenses expire June 30 every even-numbered year after the issuance date.

Rule 2245-10.030 amended 2017, § 2245-10.040 promulgated 2012; rule 2245-5.020 amended 2019.

[Mo. Code Regs. tit. 20, §§ 2245-5.020, -10.030, -10.040 \(2019\)](#)

Missouri, Restrictions

Registration Required

Effective August 28, 2012, an appraisal management company may not engage in business as an AMC in Missouri, attempt to perform or perform appraisal management services in Missouri or advertise or hold itself out as doing business as an AMC in Missouri, without first registering with the [Missouri Real Estate Appraisers Commission](#).

Exceptions: The registration law does not apply to:

- an appraiser that has an agreement with another appraiser for the performance of an appraisal, which is signed by both appraisers upon completion;

- the performance of appraisal services as an appraisal firm;
- an AMC that is a subsidiary owned and controlled by a financial institution and regulated by a federal institution regulatory agency;
- a national or state bank or federal or state savings institution, or credit union subject to direct regulation by an agency of the federal government or by the Missouri Department of Insurance, Financial Institutions or Professional Regulation, that only receives appraisal requests from an employee of the financial institution and a co-employee assigns the requests to an appraiser who is an independent contractor to the institution;
- any local municipality or state agency that orders appraisals for ad valorem tax purposes or any other business on behalf of the state of Missouri; and
- a Missouri-licensed attorney, a court-appointed personal representative or a trustee who orders an appraisal in connection with a bone fide client relationship when such person directly contracts with an independent appraiser.

Registrations are subject to renewal every two years.

Amended 2012.

[Mo. Rev. Stat. § 339.505 \(2018\)](#)

Certifications

An AMC must certify to the Commission at the time of registration and renewal that it:

- has a system and process in place to verify that each appraiser on the AMC's appraiser panel holds a valid, current unencumbered appraiser's license under Missouri law;

- has a system in place to verify on a regular basis that an individual to whom it is making appraisal assignments has not had an appraiser license or certification refused, denied, cancelled, revoked or surrendered in lieu of revocation on a regular basis;
- maintains detailed records of each request for appraisal services in Missouri and the appraiser who performs each appraisal; and
- has a system in place to review the work of all appraisers performing appraisals for the AMC in Missouri, to ensure that the appraisals are conducted in accordance with the Uniform Standards of Professional Appraisal Practice.

Each AMC applying for registration must certify to the Commission that it has reviewed each entity or person that owns more than 10% of the AMC and that no such entity or person has a license or certificate that is currently on discipline.

Amended 2017.

[Mo. Code Regs. tit. 20, §§ 2245-10.010, -10.030 \(2019\)](#)

Prohibitions

It is a violation of the AMC law if an employee, director, officer or agent of an AMC influences or attempts to influence the development, reporting or review of an appraisal through coercion, extortion, collusion, inducement, intimidation, bribery or in any other manner, including:

- withholding or threatening to withhold timely payment for an appraisal except in instances of substandard performance or noncompliance with conditions of engagement;

- withholding or threatening to withhold future business, or demoting, terminating or threatening to demote or terminate an appraiser;
- promising future business, promotion or increased compensation to an appraiser;
- conditioning an appraisal request or payment of a fee, salary or bonus on the opinion, conclusion or valuation to be reached by the appraiser, or on a preliminary estimate or opinion requested from an appraiser;
- requesting that an appraiser provide an estimated, predetermined or desired valuation in a report or estimated values or comparable sales at any time prior to the completion of an appraisal;
- providing an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or target amount to be loaned to the borrower (except that a copy of the purchase contract may be provided);
- providing an appraiser, or any person or entity related to the appraiser, stock or other financial or nonfinancial benefits;
- removing an appraiser from the panel without prior written notice of the reasons for the removal and allowing the appraiser a reasonable period of time to respond;
- requiring an appraiser to collect an appraisal fee on behalf of the AMC from the borrower, homeowner or other third party;
- requiring an appraiser to modify an aspect of an appraisal report unless the modification complies with the USPAP;

- requiring an appraiser to prepare an appraisal if the appraiser believes he or she does not have the necessary expertise for the assignment or the specific geographic area and has notified the AMC and declined the assignment;
- require an appraiser to prepare an appraisal under a timeframe that he or she believes does not afford the appraiser the ability to meet all the relevant legal and professional obligations, if the appraiser has notified the AMC and declined the assignment;
- prohibiting or inhibiting legal or other allowable communication between the appraiser and the lender, a real estate licensee or any other person from whom the appraiser believes information would be relevant;
- knowingly requiring the appraiser to do anything that does not comply with the Uniform Standards of Professional Appraisal Practice or the Missouri Certified and Licensed Real Estate Appraisers Act, or any assignment conditions or certifications required by the client;
- making any portion of the appraiser's fee or AMC fee contingent on a predetermined or favorable outcome, including a loan closing or specific dollar amount being achieved in the appraisal;
- requiring an appraiser to provide the AMC with the appraiser's digital signature or seal;
- altering or otherwise changing a completed appraisal report by permanently removing the appraiser's signature or seal or adding information to, or removing information from, the appraisal report with an intent to change the valuation conclusion; or
- using any other act or practice that knowingly impairs or attempts to impair an appraiser's independence, impartiality or objectivity.

Note: The above limitations do not prohibit an AMC from requesting that an appraiser provide additional information about the basis for a valuation, provide additional information with the appraisal regarding additional sales provided through an established dispute process, or correct objective factual errors in an appraisal report.

[Mo. Code Regs. tit. 20, § 2245-10.020 \(2019\)](#)

AMC-Appraiser Relationships

An AMC may not knowingly enter into any independent contractor arrangement in any form with any person who has had a license or certificate to act as an appraiser in Missouri or any other state refused, denied, revoked or surrendered in lieu of revocation.

An AMC may not require an appraiser to indemnify or hold harmless the AMC for any liability, damage, losses, or claims arising out of services performed by the AMC, and not the appraiser's services.

Amended 2017.

[Mo. Code Regs. tit. 20, § 2245-10.020 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Missouri, Penalties

Administrative Penalties

The Missouri Real Estate Appraisers Commission may apply to a court for an injunction, restraining order or other appropriate order to enjoin a person from acting as an AMC without obtaining a registration from the Commission. The Commission may also suspend or revoke any registration issued to an AMC.

Amended 2012.

[Mo. Rev. Stat. §§ 339.532, .549 \(2019\)](#)

Criminal Penalties

A person or corporation who knowingly violates any provision of the AMC registration law is guilty of a class B misdemeanor.

Enacted 1998.

[Mo. Rev. Stat. § 339.546 \(2019\)](#)

Montana

Montana, Fee Disclosures

No applicable provisions located.

Montana, License Fees

The Montana Board of Real Estate Appraisers has set the following fees:

- \$2,000 original application and license fee;
- \$1,000 renewal fee for AMC with 200 or fewer engagements during the previous renewal cycle; and
- \$3,000 renewal fee for AMC with more than 200 engagements during previous renewal cycle.

Registrations are renewable annually.

Rule amended 2019.

[Mont. Admin. R. 24.207.401\(2\) \(2019\)](#)

Montana, Restrictions

Licensure Required

A person that oversees a network or panel of more than 15 certified or licensed appraisers in Montana or 25 or more nationally within a given year may not directly or indirectly engage in or attempt to engage in business as an appraisal management company or to advertise or hold itself out as engaging in or conducting business as an AMC in Montana without first obtaining a registration issued by the [Montana Board of Real Estate Appraisers](#).

Exceptions:

- The registration law does not apply to a person who exclusively employs appraisers on an employer-employee basis for the performance of an appraisal assignment.
- An AMC that is a subsidiary owned and controlled by a financial institution that is regulated by a federal financial institution regulatory agency is not required to register with the Board but must comply with all other provisions of the law, as long as the provisions do not conflict with federal law related to the operation of an AMC in Montana.

Enacted 2011.

[Mont. Stat. Ann. §§ 37-54-501, -502 \(2019\)](#)

Annual Certifications

An AMC must certify at the time of application and renewal that:

- it has a system and process in place to verify that an individual holds an appraiser license in good standing in Montana if a license or certification is required to perform appraisal assignments;
- it requires appraisers completing appraisal assignments at its request to comply with the Uniform Standards of Professional Appraisal Practice, including the requirements for geographic and product competence;
- it has a system in place to verify that only licensed or certified appraisers are used for federally related transactions;
- it has reviewed each person or entity that directly or indirectly owns the AMC, in whole or in part, and that no person or entity that directly or indirectly owns the AMC, in whole or in part, has had a license, a certificate, or registration to act as an appraiser or AMC refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state.;
- it has a system in place to require that appraisals are conducted independently and free from inappropriate influence and coercion as required by the appraisal independence standards established under the Truth in Lending Act, including the requirement that the appraisers be compensated at a customary and reasonable rate when the AMC is providing services for a consumer credit transaction secured by the principal dwelling of a consumer; and
- it maintains a detailed record of each service request that it receives and the appraiser that performs the appraisal service for the AMC.

Additionally, an AMC must annually certify that:

- it has a system in place to verify that an appraiser to whom the AMC is making an assignment for an appraisal has not had a license or certification as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation since the last time

that the AMC made an assignment for an appraisal to the appraiser. (Verification by reference to information published on the website of the appraisal subcommittee of the federal financial institutions examination council must be considered acceptable for purposes of compliance with this requirement.);

- it has a system in place to perform on an annual basis an appraisal review of the work of all appraisers who are performing appraisals for the AMC to validate that the appraisals are being conducted in accordance with the Uniform Standards of Professional Appraisal Practice; and
- it has retained the following documentation in accordance with the recordkeeping provisions of the Uniform Standards of Professional Appraisal Practice and applicable state law: (1) a full record as prescribed by the Board that includes the names of the entities requesting service from the AMC and the corresponding names of the appraisers that performed the appraisal services; and (2) all certifications and supporting documentation for Board registration and renewals, including required audit reports.

Enacted 2011; §§ 37-54-503, -511 amended 2017.

[Mont. Stat. Ann. §§ 37-54-501, -503, -509, -510, -511, -513 \(2019\)](#)

Prohibitions

An employee, director, officer, or agent of an AMC registered in Montana may not influence or attempt to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, inducement, intimidation, or bribery or in any other manner, including but not limited to:

- withholding or threatening to withhold timely payment for an appraisal;
- withholding or threatening to withhold future business for an appraisal assignment or demoting or terminating or threatening to demote or terminate an appraiser;

- promising future business, promotions, or increased compensation for an appraiser;
- conditioning the request for an appraisal or the payment of an appraisal fee, salary, or bonus on the opinion, conclusion, or valuation to be reached or on a preliminary estimate or opinion requested from an appraiser;
- requesting that an appraiser provide an estimated, predetermined, or desired valuation in an appraisal report or provide estimated values or comparable sales at any time prior to the appraiser's completion of an appraisal;
- providing to an appraiser an anticipated, estimated, encouraged, or desired value for a subject property or a proposed or target amount to be loaned to the borrower, except that a copy of the sales contract for a purchase transaction may be provided;
- providing stock or other financial or nonfinancial benefits to an appraiser or a person related to the appraiser;
- allowing the removal of an appraiser from an appraiser panel without prior written notice to the appraiser; or
- performing any other act or practice that impairs or attempts to impair an appraiser's independence, objectivity, or impartiality.

Note: The above prohibitions do not prohibit an AMC from requesting that an appraiser consider additional appropriate property information that falls within the original scope of that appraisal service, provide additional information about the basis for a valuation, or correct objective factual errors in an appraisal report.

An AMC may not alter, modify, or otherwise change a completed appraisal report submitted by an appraiser unless the alteration is required by federal laws, guidelines, or provisions, however, this prohibition does not apply to the conversion of appraisal reports to data streams required by federal lending agencies.

Enacted 2011.

[Mont. Stat. Ann. §§ 37-54-514, -516 \(2019\)](#)

AMC-Appraiser Relationships

An AMC in Montana may not enter into contracts or agreements with an individual for the performance of appraisals unless the company obtains verification that the individual is licensed or certified to perform appraisals under Montana law. Verification by reference to information published on the website of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council must be considered acceptable for purposes of compliance with requirement.

A Montana-registered AMC must, except in cases of breach of contract, pay an appraiser for the completion of an appraisal or valuation assignment within 60 days of the date on which the appraiser transmits or otherwise provides the completed appraisal or valuation study to the AMC or its assignee.

Unless prohibited by the policies of a client or an end-user of an appraisal report, an AMC may not prevent or otherwise restrict a licensed real estate appraisal trainee from performing work in accordance with the USPAP, pursuant to Board requirements, and under the supervision of a real estate appraiser mentor who is on the AMC's appraisal panel.

Unless prohibited by the policies of a client or an end-user of an appraisal report or by other state or federal law, an AMC may not prevent or otherwise restrict a licensed or certified real estate appraiser from transferring an appraisal assignment to another licensed or certified real estate appraiser who is on the AMC's appraisal panel if:

- the transferee is an employee of the transferor; and
- the transferee can complete the appraisal assignment in accordance with the USPAP and pursuant to Board requirements.

Enacted 2011; § 37-54-508 amended 2015.

[Mont. Stat. Ann. §§ 37-54-508, -515 \(2019\)](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Montana, Penalties

The Montana Board of Real Estate Appraisers may reprimand, suspend, revoke, or refuse to renew the license or certificate of a person who has violated the standards established for registered AMCs.

Enacted 1991, amended 2017.

[Mont. Stat. Ann. § 37-54-105\(9\) \(2019\)](#)

Nebraska

Nebraska, Fee Disclosures

An AMC may not prohibit an appraiser from including within the body of a report that is submitted by the appraiser to the AMC or its assignee the fee agreed upon between the company and the appraiser at the time of engagement for the performance of the appraisal.

Amended 2018.

[Neb. Rev. Stat. § 76-3208\(1\) \(2019\)](#)

Nebraska, License Fees

The Real Property Appraiser Board has set the following fees:

- an application fee of \$350;
- an initial registration fee of \$2,000;
- a registration renewal fee of \$1,500; and
- a late fee of \$25.00 for each month or portion of a month that a renewal fee is late.

A registration is valid for a period of 12 months beginning on the date which the registration was issued or renewed unless canceled, revoked, or surrendered.

In addition, an applicant for registration must furnish the Board at the time of application a surety bond in the amount of \$25,000, which must be maintained until one year after the AMC ceases operations in Nebraska.

Statutes amended 2018; rules effective 2017.

[Neb. Rev. Stat. §§ 76-3203\(2\), \(4\); -3206 \(2019\); 298 Neb. Admin. Code §§ 7-001.01B, .04; -002.01B \(2019\)](#)

Nebraska, Restrictions

Licensure Required

Effective January 1, 2012, an appraisal management company that oversees an appraiser panel of more than 15 AMC appraisers each of whom holds a credential in Nebraska, or 25 or more AMC appraisers who each hold a credential or equivalent in two or more jurisdictions, within a 12-month period, before acting or offering to act in Nebraska must be registered by the [Nebraska Real Property Appraiser Board](#).

"AMC appraiser" is a person who holds a valid credential or equivalent to appraise real estate and real property under the laws of Nebraska or another jurisdiction, and holds the status of active on the National Registry of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council in one or more jurisdictions.

Exceptions: The registration requirement does not apply to:

- a department or division of an entity that provides appraisal management services only to itself;
- a person that provides appraisal management services but does not meet the minimum-panel-size requirement described above; or
- except for a federally regulated AMC that holds a registration issued by the Board, a federally regulated AMC.

An AMC may not engage in or attempt to engage in business as an AMC or advertise or hold itself out as engaging in or conducting business as an AMC in Nebraska under any legal name or trade name not included in the application for issuance of a registration, or renewal of a registration, as approved by the Board.

Sections 76-3203.02 and 76-3208 amended 2018; §§ 76-3202, 76-3203, 76-3204 amended 2019.

[Neb. Rev. Stat. §§ 76-3202\(2\), \(6\); -3203; -3203.02, -3204; -3208 \(2019\)](#)

Annual Certifications

An AMC must certify to the Board on a biennial basis that it has a system in place to verify that an appraiser on its panel has not had a license or certification as an appraiser refused, denied, canceled, revoked or surrendered in lieu of a pending revocation in any state in the previous 24 months.

Enacted 2011.

[Neb. Rev. Stat. § 76-3211 \(2019\)](#)

Prohibitions

An AMC may not alter, modify or otherwise change a completed report submitted by an appraiser without the appraiser's written consent.

Amended 2018.

[Neb. Rev. Stat. § 76-3213 \(2019\)](#)

AMC-Appraiser Relationships

Prior to assigning appraisal orders, an AMC must have a system in place to verify that an appraiser being added to the appraiser panel holds the appropriate appraiser license or certification in good standing. An AMC may enter into contracts or agreements with an appraiser for the performance of real estate appraisal services only if the person is licensed or certified and in good standing.

Any employee of or independent contractor to an AMC that holds a registration, including any AMC appraiser included on an AMC's appraiser panel must comply with the Real Property Appraiser Act, including the USPAP.

Except in cases of noncompliance with the conditions of the engagement, an AMC must pay an appraiser's fees for the completion of an appraisal or valuation assignment within 60 days after the date on which the appraiser transmitted or otherwise provided the completed report to the AMC or its assignee.

Only AMC appraisers considered to be in good standing in all jurisdictions in which an active credential is held may be included on an AMC's appraiser panel. An AMC may remove any AMC appraiser from its appraiser panel within 30 days after receiving notice that the AMC appraiser:

- is no longer considered to be in good standing in one or more jurisdictions in which he or she holds an active credential or equivalent;
- has had his or her credential or equivalent refused, denied, canceled, or revoked; or
- has surrendered his or her credential or equivalent in lieu of revocation.

Any AMC appraiser included on an AMC's appraiser panel shall remain on the panel until the date on which the AMC:

- sends written notice to the appraiser removing him or her from the appraiser panel, such notice to include an explanation of the AMC's action;
- receives written notice from the appraiser requesting that he or she be removed from the appraiser panel, such to include an explanation of the action requested by the appraiser; or
- receives written notice on behalf of the appraiser of the death or incapacity of the appraiser.

Upon receipt of notice that he or she has been removed from the AMC's appraiser panel, the appraiser has 30 days to provide a response to the AMC, and upon receipt of the appraiser's response, the AMC has 30 days to reconsider the removal and provide a written response to the appraiser.

An AMC appraiser included on an AMC's appraiser panel must be free from inappropriate influence and coercion as required by the appraisal independence standards established under section 129E of the federal Truth in Lending Act, as such section existed on January 1, 2018, including the requirements for payment of a reasonable and customary fee to AMC appraisers when the AMC is engaged in providing appraisal management services.

An AMC shall select an AMC appraiser from its panel for an assignment "who is independent of the transaction and who has the requisite education, expertise, and experience necessary to competently complete the assignment for the particular market and property type."

An AMC may not require an appraiser to indemnify the AMC or hold it harmless for any liability, damage, losses, or claims arising out of the appraisal management services provided by the AMC.

Sections 76-3208, 76-3210, 76-3215 amended 2018; § 76-3203.01 amended 2019; § 76-3209 enacted 2011.

[Neb. Rev. Stat. §§ 76-3203.01, -3208, -3209, -3210, -3215 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Nebraska, Penalties

To the extent permitted by any applicable federal legislation or regulation, the Nebraska Real Property Appraiser Board may censure an AMC, conditionally or unconditionally suspend or revoke any registration, or levy fines or impose civil penalties not to exceed \$5,000 for a first offense and not to exceed \$10,000 for subsequent offenses, if the Board concludes that an AMC is attempting to perform, has performed, or has attempted to perform any of the following acts:

- committed any act in violation of the Nebraska Appraisal Management Company Registration Act;
- violated any rule or regulation adopted by the Board; or
- procured a registration for itself or any other person by fraud, misrepresentation or deceit.

In order to promote voluntary compliance, encourage AMCs to correct errors promptly, and ensure a fair and consistent approach to enforcement, the Board must endeavor to impose fines or civil penalties that are reasonable in light of the nature, extent and severity of the violation. The Board must also take action against an AMC's registration, if at all, only after less severe sanctions have proven insufficient to ensure behavior consistent with the law. When deciding whether to impose a permitted sanction, determining the sanction that is most appropriate in a specific instance, or making any other discretionary decision regarding the enforcement of the Act, the Board must consider whether an AMC:

- has an effective program reasonably designed to ensure compliance with the Act;
- has taken prompt and appropriate steps to correct and prevent the recurrence of any detected violations; and
- has independently reported to the Board any significant violations or potential violations of the Act, before an imminent threat of disclosure or investigation and within a reasonably prompt time after becoming aware of their occurrence.

Amended 2019.

[Neb. Rev. Stat. § 76-3216 \(2019\)](#)

Nevada

Nevada, Fee Disclosures

Disclosure to Division

An applicant for registration as an AMC must disclose to the Real Estate Division of the Department of Business and Industry whether or not the company uses an "appraiser fee schedule," meaning a list of various real estate appraisal services requested by the AMC from independent contractors and the amount the company will pay for each listed service.

Disclosure to Appraiser

An AMC must disclose to an appraiser who has performed an appraisal as an independent contractor the total money, as a dollar amount, paid to the appraiser and retained by the AMC in connection with the appraisal.

Disclosure in Appraisal Report

An appraiser who has performed an appraisal for an AMC must disclose in the body of the appraisal report the total money, as a dollar amount, paid to the appraiser and retained by the AMC in connection with the appraisal.

Section 645C.650 amended 2019; rule promulgated 2010.

[Nev. Rev. Stat. § 645C.650 \(2019\)](#); [Nev. Admin. Code § 645C.389 \(2019\)](#)

Nevada, License Fees

An AMC must pay the following fees:

- an application fee of \$2,500 for its principal office and \$100 for each branch office; and
- a registration renewal fee of \$500 for its principal office and \$100 for each branch office.

The Division is also required to collect and remit the annual registry fee to the Federal Financial Institutions Examination Council or to the Appraisal Subcommittee. The fee is to be collected from an AMC only if, during the applicable year, the appraisal management company oversees a network or panel of more than 15 certified or licensed appraisers in Nevada or 25 or more certified or licensed appraisers nationally.

Section 645C.680 amended 2019; regulation promulgated 2010.

[Nev. Rev. Stat. § 645C.680 \(2019\)](#); [Nev. Admin. Code § 645C.381 \(2019\)](#)

Nevada, Restrictions

Licensure Required

Effective January 1, 2010, a person, company, corporation, partnership, limited liability company, or association must first be registered as an appraisal management company by the [Nevada Real Estate Division](#) of the Department of Business and Industry before it may act in the capacity of, advertise or assume to act as an AMC.

Exception: The AMC registration laws do not apply to:

A person, limited-liability company, partnership, association or corporation other than an AMC which, in the normal course of its business, employs persons for the performance of real estate appraisal services; or

An AMC that is a subsidiary owned and controlled by an insured depository institution or an insured credit union and is regulated by a federal financial institutions regulatory agency.

Such an AMC is not required to register with the state but must pay an annual registry fee to the Real Estate Division in an amount determined by the Appraisal Subcommittee in accordance with federal law..

Sections amended 2019.

[Nev. Rev. Stat. §§ 645C.600, .720 \(2019\)](#)

Certifications

An AMC must certify to the Real Estate Division at the time of application for registration that:

- it has a process in place to verify that each independent contractor that provides services to the AMC holds a license in good standing to practice appraisal in Nevada;
- it has a process in place to review the work of all independent contractors that provide services to the AMC to ensure that the services are being conducted in accordance with the Uniform Standards of Professional Appraisal Practice;
- it will maintain a detailed record of each service request it receives and the independent contractor who fulfilled the request;
- it has a system in place to ensure that all appraisals are conducted independently, as required by the appraisal independence requirements of federal law; and
- it has a system in place to ensure that the AMC is selecting a certified or licensed appraiser who has the requisite education, expertise and experience necessary to competently complete the appraisal assignment for the particular market and property type.

Amended 2019.

Prohibitions

It is unlawful for any employee, director, officer or agent of an AMC to influence or attempt to influence the development, reporting or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery, or in any other manner, including, without limitation, the following:

- withholding or threatening to withhold timely payment for an appraisal or future business for an independent appraiser;
- directly or indirectly promising future business or increased compensation to an independent contractor;
- conditioning a request for an appraisal service or payment of any compensation on the opinion, conclusion or valuation to be reached, or on a preliminary estimate or opinion from an independent contractor;
- requesting that an independent contractor provide an estimated, predetermined or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the contractor's completion of a real estate appraisal service;
- providing an independent contractor an anticipated, estimated, encouraged or desired value for a subject property or a proposed or targeted amount to be loaned to the borrower (except that a copy of the sales contract for purchase transactions may be provided);
- providing an independent contractor, or any person or entity associated with the contractor, stock or other financial or nonfinancial benefits;

- terminating an agreement with an independent contractor without prior written notice;

- obtaining, using or paying for a second or subsequent appraisal or ordering an automated valuation model in conjunction with a loan secured by a lien on real property unless there is a reasonable basis to believe that the initial appraisal was incorrect and such basis is disclosed in writing to the borrower, or unless such appraisal or automated valuation model is done pursuant to a bona fide appraisal review or quality control process; and

- accepting a fee for appraisal management services if the fee is contingent on:
 - an appraisal report having a predetermined analysis, opinion or conclusion;

 - the analysis, opinion or conclusion reached in an appraisal report; or

 - the consequences resulting from an appraisal assignment; or

- any other act or practice that impairs or attempts to impair an appraiser's independence, objectivity or impartiality.

Note: The above limitations do not prohibit an AMC from requesting that an independent contractor provide additional information about the basis for a valuation or correct objective factual errors in an appraisal report.

An AMC may not alter, modify or otherwise change a completed appraisal service report by an appraiser.

Enacted 2009.

[Nev. Rev. Stat. §§ 645C.730, .740 \(2019\)](#)

AMC-Appraiser Relationships

A Nevada-licensed AMC may enter into contracts or agreements with an independent appraiser for the performance of real estate appraisal services only if the person is licensed and in good standing pursuant to the Nevada Real Estate Appraisers Law.

If an AMC terminates its association with an independent contractor, the AMC must, not later than the third business day following the termination date, deliver to the contractor or send by certified mail a written statement advising the contractor of his or her termination.

An independent contractor who is aggrieved by a termination may file a complaint with the Commission on Appraisers of Real Estate.

Sections amended 2019.

[Nev. Rev. Stat. §§ 645C.650, .675 \(2019\)](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to parties who may give broker price opinions.

Nevada, Penalties

Administrative Penalties-Applicants

The Commission on Appraisers of Real Estate may impose a fine of not more than \$10,000 per violation on an applicant for registration as an AMC, whether or not a registration is issued, if the applicant:

- has knowingly made or caused to be made to the Commission any false representation of material fact;

- has suppressed or withheld from the Commission any information which the applicant possesses and which if submitted would have rendered the applicant ineligible for registration; or
- has violated any provision of the AMC registration law, a regulation adopted pursuant to that law, or an order of the Commission, in completing or filing an application for registration or during the course of the investigation of the application.

Administrative Penalties-Registrants

The Commission may impose upon an AMC an administrative fine of not more than \$10,000 per violation and/or suspend, revoke or place conditions on the registration, if the AMC, whether or not acting as such:

- is grossly negligent or incompetent in performing any act for which the AMC is required to be registered;
- does not conduct business in accordance with the AMC registration law or has violated any provision of that law, a regulation adopted pursuant to the law, or an order of the Commission;
- has made a material misrepresentation in connection with any transaction governed by the AMC registration law;
- has suppressed or withheld from a client any material facts, data or other information which the AMC knew or, by the exercise of reasonable diligence, should have known;
- has knowingly made or caused to be made to the Commission a false representation of material fact or has suppressed or withheld from the Commission any information which the applicant possesses and which if submitted would have rendered the AMC ineligible for registration;

- has been convicted of, or entered a plea of nolo contendere to, a felony relating to the practice of appraisal or any crime involving fraud, misrepresentation or moral turpitude; or
- has engaged in any other conduct constituting fraudulent or dishonest business practice.

The Commission shall revoke the registration of an AMC if the appraiser license or certificate of one of its owners is refused, denied, cancelled, surrendered or revoked in any state.

Amended 2019.

[Nev. Rev. Stat. § 645C.710 \(2019\)](#)

New Hampshire

New Hampshire, Fee Disclosures

An AMC may not prohibit an appraiser from stating the fee paid to the appraiser by the AMC in the body of the appraisal report, although it may require an appraiser to make the disclosure in a specified format and location.

Enacted 2012.

[N.H. Rev. Stat. Ann. § 310-B:12-j\(III\) \(2019\)](#)

New Hampshire, License Fees

The New Hampshire Real Estate Appraiser Board has set a \$900 AMC registration fee and an annual \$800 renewal fee. Registrations expire December 31.

Section 310-B:12-b enacted 2012; § 310-B:20 amended 2014; rule promulgated 2013.

[N.H. Rev. Stat. Ann. §§ 310-B:12-b, :20 \(2019\)](#); [N.H. Code R. Rab 306.01 \(2019\)](#)

New Hampshire, Restrictions

Registration Required

Any person engaging in or attempting to engage in business as an AMC or advertising or holding itself out as conducting business as an AMC must be registered with the [New Hampshire Real Estate Appraiser Board](#).

Exceptions: The registration requirement does not apply to:

- an AMC that is a subsidiary owned and controlled by a financial institution regulated by a federal financial institutions regulatory agency; and
- a business entity that exclusively engages appraisers on an employer-employee basis or on a subcontractor basis to perform all real property appraisal services in its normal course of business, except to the extent federal law or regulation requires such entities to register with a state appraiser certification and licensure agency.

Enacted 2012.

[N.H. Rev. Stat. Ann. §§ 310-B:12-b, :12-c \(2019\)](#)

Annual Certifications

An AMC must at the time of application and annually thereafter certify to the Board that it:

- has a system in place to verify that an individual appraiser panel member has not had a license or certification refused, denied, cancelled, revoked or surrendered in the previous 12 months, unless the license was subsequently granted or reinstated;
- has a system in place to verify that only licensed or certified appraisers are utilized to complete appraisals in connection with federally related transactions;

- has a system in place to require that appraisals are conducted independently and free from inappropriate influence and coercion as required by the federal Truth in Lending Act;
- requires appraisers to comply with the Uniform Standards of Professional Appraisal Practice, including the geographic and product competence requirements; and
- has a detailed record of each service request received and the appraiser that performs the appraisal for the AMC.

Enacted 2012.

[N.H. Rev. Stat. Ann. §§ 310-B:12-b, :12-c, :12-h, :12-j, :12-k \(2019\)](#)

Prohibitions

An AMC, or anyone acting on behalf of an AMC, may not influence or attempt to influence an appraisal through coercion, extortion, collusion, compensation, inducement, intimidation, bribery or in any other manner, including but not limited to:

- withholding or threatening to withhold payment or partial payment for an appraisal, except in the case of a substandard appraisal;
- withholding or threatening to withhold future business from an appraiser;
- demoting, terminating or threatening to demote or terminate an appraiser;
- promising or implying that an appraiser may be given opportunities for future business;

- promotions, or increased compensation;
- conditioning an appraisal assignment or the payment of a fee or salary or bonus on the opinion, conclusion, or valuation to be reached, or on a preliminary estimate or opinion requested from an appraiser;
- requesting that an appraiser provide, or providing to an appraiser, an estimated, predetermined, or desired valuation in an appraisal, or provide estimated values or comparable sales at any time prior to the appraiser's completion of an appraisal;
- providing an appraiser an anticipated, estimated or desired value for a property or a proposed or targeted loan amount, except that a copy of the sales contract may be provided; or
- requiring an appraiser to prepare an appraisal report if the appraiser has indicated to the AMC that he or she does not have the necessary expertise for the specific geographic area.

Note: The above restrictions do not prohibit an AMC from requesting that an appraiser consider additional property information, provide additional information regarding the basis for an evaluation or correct objective factual errors in a report.

Additionally, an AMC may not:

- alter or otherwise change a completed appraisal report without the appraiser's written consent, except for regulatory or legal compliance requirements; or
- use an appraisal report, or any data or information contained therein, for a purpose other than its intended use without the written consent of the appraiser or intended end user.

Enacted 2012.

[N.H. Rev. Stat. Ann. §§ 310-B:12-l, :12-n \(2019\)](#)

AMC-Appraiser Relationships

An AMC may only add an individual to its appraiser panel if the person holds a license in good standing in New Hampshire if a license or certification is required to perform appraisals.

An AMC may not require an appraiser to indemnify it against liability, damages, losses, or claims other than those that arise out of the services performed by the appraiser.

An AMC must compensate fee appraisers at a customary and reasonable rate when the AMC is providing services for a consumer credit transaction secured by the consumer's principal dwelling.

Enacted 2012.

[N.H. Rev. Stat. Ann. §§ 310-B:12-b\(l\)\(g\), \(j\); :12-n\(l\)\(b\) \(2019\)](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

New Hampshire, Penalties

Upon a finding of a violation of any law or regulation governing AMCs, the Real Estate Appraiser Board may:

- issue a written reprimand;
- suspend, refuse to renew, limit or restrict a license or certification, or place a registrant on probation for a period of time determined to be reasonable by the Board;

- revoke a license or certificate; and/or
- assess a fine of not more than \$2,000 per violation or, in the case of a continuing violation, \$100 for each day the violation continues, whichever is greater.

Amended 2012.

[N.H. Rev. Stat. Ann. § 310-B:18\(III\) \(2019\)](#)

New Jersey

New Jersey, Fee Disclosures

No relevant provisions were located.

New Jersey, License Fees

The Real Estate Appraiser Board must establish by regulation an AMC application fee and renewal fee that is sufficient for the administration of the registration process. Until August 31, 2020, the registration fee is \$2,500. As of September 1, 2020, the registration fee will be \$1,250.

A registration is effective for a two-year period and may be renewed biennially.

The Board must require of each AMC seeking registration a surety bond of \$25,000.

Enacted 2017.

[2017 N.J. Pub. L. ch. 2017-72](#) (codified as N.J. Stat. Ann. § 45:14F-35); [N.J. State Real Estate Appraiser Board Application for Registration as an Appraisal Management Company \(accessed Mar. 12, 2020\)](#).

New Jersey, Restrictions

Licensure Required

In 2017, the legislature enacted the Appraisal Management Company Registration and Regulation Act. Pursuant to the Act, a person may not, directly or indirectly, engage or attempt to engage in business as an AMC, or advertise or hold itself out as engaging in business as an AMC without first obtaining a registration issued by the [State Real Estate Appraiser Board](#).

The law provided that the registration requirement would take effect 60 days after the adoption by the Board of regulations to effectuate the Act's purposes. Board regulations were adopted, and were effective as of July 1, 2019.

"Appraisal management company" means a person that:

- "provides appraisal management services to creditors or to secondary mortgage market participants, including affiliates;"
- "provides such services in connection with valuing a consumer's principal dwelling as security for a consumer credit transaction or incorporating such transactions into securitizations;" and
- "within a 12-month calendar year, oversees an appraiser panel of more than 15 state-certified or state-licensed appraisers in New Jersey or 25 or more state-certified or state-licensed appraisers in two or more states" as determined pursuant to N.J. Stat. Ann. § 45:14-31.

Exceptions: The Act does not apply to:

- a department or division of an entity that provides appraisal management services only to that entity;
- an employee relocation management company in the course of employee relocation; or

- "a person or entity that exclusively employs appraisers on an employer and employee basis for the performance of appraisals for a variety of clients or intended uses of the appraisal other than mortgage lending consumer credit transactions secured by a consumer's principal dwelling."

Enacted 2017.

[2017 N.J. Pub. L. ch. 2017-72](#) (codified as N.J. Stat. Ann. §§ 45:14F-29, -31, -32, -33); N.J. Admin. Code § 13:40A-9.4 (LexisNexis 2019)

Certifications

Upon original registration and biennial renewal, an AMC must submit a certification:

- that the AMC has a system and process in place to verify that a person being added to the AMC's appraiser panel holds a license or certification in good standing in New Jersey pursuant to the New Jersey Real Estate Appraisers Act;
- that the AMC requires appraisers completing appraisals, including but not limited to appraisals and appraisal reviews, at its request to comply with the Uniform Standards of Professional Appraisal Practice (USPAP), including the requirements for geographic and product competence;
- that the AMC has a system in place to verify that only licensed or certified appraisers are used for federally related transactions;
- that the AMC has a system in place to require that appraisals are conducted independently and free from inappropriate influence and coercion as required by the appraisal independence standards established under 15 U.S.C. s.1639e, including the requirements for payment of customary and reasonable compensation to fee appraisers when the AMC is providing services for a consumer credit transaction secured by the principal dwelling of a consumer; and

- by the Board that the entity maintains a detailed record of each service request that it receives and the name of the appraiser that performs the residential real estate appraisal services for the AMC.

An AMC seeking to be registered in New Jersey must certify to the Board, *annually*, that it:

- requires appraisers completing appraisals, including appraisal reviews, at its request to comply with the USPAP, including the requirements for geographic and product competence;
- has a system in place to verify that only licensed or certified appraisers are used for appraisals covered under the AMC law, including, but not limited to, those performed for federally related transactions, and appraisals pursuant to the provisions of the New Jersey "Real Estate Appraisers Act";
- "has a system in place to verify that an individual on the appraiser panel has not had a license or certification as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation;"
- has a system in place to require that appraisals are conducted independently and free from inappropriate influence and coercion as required by the appraisal independence standards established under 15 U.S.C. s.1639e, including the requirements for payment of customary and reasonable compensation to fee appraisers when the AMC is providing services for a consumer credit transaction secured by the principal dwelling of a consumer;
- is in compliance with New Jersey laws and regulations; and
- maintains a detailed record of each service request that it receives and the name of the appraiser that performs the appraisal for the AMC, which records must be "retained for a period of at least five years after an appraisal is completed or two years after final

disposition of a judicial proceeding related to the assignment, whichever period expires later."

Enacted 2017.

[2017 N.J. Pub. L. ch. 2017-72](#) (codified as N.J. Stat. Ann. §§ 45:14F-32, -41, -43)

Prohibitions

An AMC may not improperly influence or attempt to improperly influence the development, reporting, result, or a review of an appraisal through intimidation, coercion, extortion, bribery, or any other manner, including:

- withholding payment for appraisal services;
- threatening to exclude an appraiser from future work or threatening to demote or terminate in order to improperly obtain a desired result;
- conditioning payment of an appraisal fee upon the opinion, conclusion, or valuation to be reached; or
- requesting that an appraiser report a predetermined opinion, conclusion, or valuation or the desired valuation of any person or entity.

Additionally, an AMC may not:

- alter, amend, or change an appraisal report submitted by an appraiser without the appraiser's knowledge and written consent;

- fail to timely respond to any subpoena or any other request for information;
- fail to timely obey a Board administrative order; or
- fail to fully cooperate in any investigation.

Note: The above prohibitions do not prevent an AMC from requesting that an appraiser provide additional information about the basis for a valuation, correct objective factual errors in an appraisal report, or consider additional appropriate property information.

If an appraisal is performed by a third-party appraiser and delivered by an AMC, the fee charged by the lender may not exceed the amount charged by the AMC and must approximate the usual, customary and reasonable fee for comparable appraisals by third-party appraisers based on a survey of such fees charged by lenders to be conducted annually by the Department of Banking and Insurance. The initial charge to the borrower may be based on a reasonable estimate, provided any amount in excess of the amount authorized by the Department is refunded to the borrower at or prior to closing.

Enacted 2017; regulation amended 2002.

[2017 N.J. Pub. L. ch. 2017-72](#) (codified as N.J. Stat. Ann. § 45:14F-38); N.J. Admin. Code § 3:1-16.2(a)(3) (LexisNexis 2019)

AMC-Appraiser Relationships

An AMC must comply with the appraiser independence standards established under § 1639e of the Federal Truth in Lending Act (15 U.S.C. s.1639e), including the requirements for payment of customary and reasonable compensation to fee appraisers when the AMC is providing services for a consumer credit transaction secured by the principal dwelling of a consumer. The AMC must except in bona fide cases of breach of contract or substandard performance of services, pay an appraiser for the completion of an appraisal or valuation assignment within 60 days of the date on which the appraiser transmits or otherwise provides the completed appraisal or valuation study to the AMC or its assignee unless a mutually agreed upon alternate arrangement has been previously

established, which agreement shall be considered to be under the appraiser independence requirements of 15 U.S.C. s.1639e.

Except within the first 90 days after an appraiser is first added to the appraiser panel, an AMC may not remove an appraiser from its panel, or otherwise refuse to assign requests for real estate appraisal services to an appraiser without:

- notifying the appraiser in writing of the reasons why the appraiser is being removed from the panel;
- notifying the appraiser of the nature of any alleged conduct or violation, if the appraiser is being removed from the panel for illegal conduct, violation of the USPAP, or a violation of New Jersey licensing standards;
- providing the appraiser with any evidence, upon which removal is based, including, but not limited to, any appraisal, appraisal review or appraisal consulting report; and
- providing an opportunity for the appraiser to respond to the notification.

Note: Any act of a New Jersey certified or licensed real estate appraiser, which constitutes a material violation of the USPAP in the process described above, is deemed prima facie evidence of a violation of the ethics requirements under the USPAP.

An AMC may not:

- require an appraiser to sign any indemnification agreement that would require the appraiser to defend and hold harmless the AMC or any of its agents or employees for any liability, damage, losses, or claims arising out of their services performed and not the services performed by the appraiser;

- "prohibit lawful communications between the appraiser and any other person who the appraiser, in the appraiser's professional judgment, believes possesses information that would be relevant;"
- engage in any other act or practice that impairs or attempts to impair an appraiser's independence, objectivity, and impartiality.

Enacted 2017.

[2017 N.J. Pub. L. ch. 2017-72](#) (codified as N.J. Stat. Ann. §§ 45:14F-38, -42, -46, -48)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

[New Jersey, Penalties](#)

The Board may suspend or revoke any registration, levy fines, or impose civil penalties if it concludes that an appraisal management company AMC is attempting to perform, has performed, or has attempted to perform any of the following:

- any action in violation of the Appraisal Management Company Registration and Regulation Act or regulations adopted thereunder;
- any action in violation of the Real Estate Appraisers Act or regulations adopted thereunder;
or
- procuring a registration for itself or any other person by fraud, misrepresentation, or deceit.

Enacted 2017.

[2017 N.J. Pub. L. ch. 2017-72](#) (codified as N.J. Stat. Ann. § 45:14F-49)

New Mexico

New Mexico, Fee Disclosures

The letter of engagement between an AMC and an appraiser must direct the appraiser who performs the real estate appraisal activity to disclose in the appraisal report:

- the total dollar amount of compensation paid to the appraiser or, if the appraiser is employed by an appraisal company, to the appraiser's employer; and
- the total dollar amount of compensation retained by the AMC in connection with the real estate appraisal activity.

An AMC, client or other third party may not prohibit an appraiser from disclosing the fee paid to the appraiser for performance of the appraisal in the appraisal report.

An AMC must separately state to the client, borrower or other payor the fees paid to an appraiser and the fees charged by the AMC for management of the appraisal process.

Rule amended 2015; statute amended 2010.

[N.M. Stat. § 47-14-18 \(2019\)](#) [N.M. Code R. § 16.65.2.12 \(2019\)](#)

New Mexico, License Fees

The New Mexico Real Estate Appraisers Board has set the application fee at \$1,000, with a renewal fee of \$550. The late renewal penalty fee is \$250. Registrations expire on September 30 of each year.

An AMC applicant must maintain a \$25,000 bond underwritten by a corporate surety authorized to transact business in New Mexico, or other equivalent means of surety

Section 16.65.2.8 amended 2019; § 16.65.5.8 amended 2017.

[N.M. Code Regs. §§ 16.65.2.8\(G\), 16.65.5.8 \(2019\)](#)

New Mexico, Restrictions

Licensure Required

Effective January 1, 2010, a person, corporation, partnership, sole proprietorship, subsidiary, limited liability company or other business entity must first be registered as an appraisal management company by the [New Mexico Real Estate Appraisers Board](#) before it may engage in business as an AMC, directly or indirectly engage or attempt to perform appraisal management services or advertise or hold itself out as engaging in or conducting business as an appraisal management company.

Note: Licensure is required regardless of the entity's use of the term "appraisal management company," "mortgage technology company," or any other name.

Exceptions: The registration law does not apply to:

- a business entity that employs persons on an employer-employee basis exclusively for the performance of real estate appraisal services in the normal course of its business and that is responsible for ensuring that those services are performed in accordance with the USPAP;
- an individual who in the normal course of his or her business enters into an agreement with another independent contractor appraiser for the performance of appraisal services that the hiring appraiser cannot complete for any reason; or
- an individual or business entity that in the normal course of business enters into an agreement with an independent contractor appraiser for the performance of real estate appraisal services and that upon completion of the appraisal, co-signs the report.

Section 47-14-4 enacted 2009; § 47-14-3 amended 2013.

[N.M. Stat. §§ 47-14-3, -4 \(2019\)](#)

Annual Certifications

An AMC must at the time of registration and annually thereafter certify to the Board on a prescribed form that:

- it has a system and process in place to verify that a person being added to or retained on the company's appraiser panel or network holds a license in good standing in New Mexico pursuant to the Real Estate Appraisers Law;
- it has a system in place to review on a periodic basis the work of all appraisers performing real estate appraisal services for it to ensure that the services are being conducted in accordance with the Uniform Standards of Professional Appraisal Practice; and
- it maintains a detailed record of each real estate appraisal service request it receives, including the names of the independent appraiser that performs the appraisal services for the AMC.

Enacted 2009, § 47-14-3 amended 2013.

[N.M. Stat. §§ 47-14-3, -14, -15, -16 \(2019\)](#)

Prohibitions

It is unlawful for any employee, director, officer or agent of a New Mexico-registered AMC to influence or attempt to influence the development, reporting or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery, or in any other manner, including the following:

- withholding or threatening to withhold timely payment for an appraisal or future business for an independent appraiser;
- demoting or terminating or threatening to demote or terminate an independent appraiser;
- expressly or impliedly promising future business, promotions or increased compensation for an independent appraiser;
- conditioning a request for an appraisal service or payment of an appraisal fee or salary or bonus on the opinion, conclusion or valuation to be reached, or on a preliminary estimate or opinion from an independent appraiser;
- requesting that an independent appraiser provide an estimated, predetermined or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the appraiser's completion of a real estate appraisal service;
- providing an independent appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or targeted amount to be loaned to the borrower (except that a copy of the sales contract for purchase transactions may be provided);
- providing an independent appraiser, or any person or entity related to the appraiser, stock or other financial or nonfinancial benefits;
- allowing the removal of an independent appraiser from an appraiser panel, without prior written notice;
- obtaining, using or paying for a second or subsequent appraisal or ordering an automated valuation model in conjunction with a mortgage financing transaction unless there is a reasonable basis to believe that the initial appraisal was flawed or tainted and such basis is clearly noted in the loan file, or unless such appraisal or automated valuation model is done pursuant to a bona fide pre- or post-funding appraisal review or quality control process; or

- engaging in any other act or practice that impairs or attempts to impair an appraiser's independence, objectivity or impartiality.

Note: The above limitations do not prohibit an AMC from requesting that an independent appraiser provide additional information about the basis for a valuation or correct objective factual errors in an appraisal report.

An AMC may not alter, modify or otherwise change a completed appraisal service report by an independent appraiser without the appraiser's written consent or use an appraisal report submitted by an appraiser for any other transaction.

A registrant must verify that it uses only licensed or certified appraisers for federally related transactions, and require that all appraisals comply with the Uniform Standards of Professional Appraisal Practice.

Enacted 2009, § 47-14-17 amended 2013.

[N.M. Stat. §§ 47-14-17, -19 \(2019\)](#)

AMC-Appraiser Relationships

A New Mexico-licensed AMC may enter into contracts or agreements with an independent appraiser for the performance of real estate appraisal services only if the person is licensed and in good standing pursuant to the Real Estate Appraisers Law.

The written engagement letter between an AMC and an appraiser must disclose:

- the total fee that the AMC will collect for the assignment; and
- the dollar amount the AMC will retain from the fee charged.

Except in cases of breach of contract or substandard performance, an AMC must pay an independent appraiser for completion of an appraisal or valuation assignment within 60 days of the date the appraiser transmits the appraisal or study to the AMC or its assignee.

An AMC must establish criteria for assignments to appraisers, including education achieved, experience, sample appraisals and references. Membership in a national professional appraisal organization may also be considered, but lack of membership may not be the sole factor precluding consideration for an assignment under the criteria.

An AMC may not require an appraiser to indemnify the AMC against liability except for errors and omissions of the appraiser.

An AMC may not remove an appraiser from the panel, or otherwise refuse to assign appraisal service requests to the appraiser, without:

- notifying the appraiser in writing of the reasons why he or she is being removed from the panel, and if the appraiser is being removed for illegal conduct, violation of the Uniform Standards of Professional Appraisal Practice or a violation of state licensing standards, the nature of the alleged conduct or violation must be identified; and
- providing the appraiser an opportunity to respond to the notification.

An appraiser that is removed from an appraiser panel for alleged illegal conduct or violation of the uniform standards or state licensing standards may file a complaint with the Real Estate Appraisers Board for a review of the AMC's decision, except that the Board may in no case make any determination regarding the nature of the business relationship between the appraiser and the AMC which is unrelated to the actions specified above.

Section 47-14-20 enacted 2009, § 47-14-17 amended 2013; §§ 47-14-13, -18 amended 2010; rule amended 2015.

[N.M. Stat. §§ 47-14-13, -17, -18, -20 \(2019\); N.M. Code R. § 16.65.2.12 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law defines an "appraisal management company" to include any external third party that contracts with a qualifying licensed real estate broker or associate broker to provide broker price opinions.

Amended 2013.

[N.M. Stat. § 47-14-2 \(2019\)](#)

New Mexico, Penalties

Administrative Penalties

The Board of Real Estate Appraisers may censure an AMC, conditionally or unconditionally suspend or revoke any registration, levy fines or impose civil penalties not to exceed \$25,000, if in the Board's opinion, the AMC is attempting to perform, has performed, or has attempted to perform any of the following:

- committing any act in violation of the New Mexico Appraisal Management Company Registration Act;
- violating any rule or regulation adopted by the Board;
- procuring a registration by fraud, misrepresentation or deceit; or
- violating the New Mexico Real Estate Appraisers Act or the federal Financial Institutions Reform Recovery and Enforcement Act.

Amended 2013.

[N.M. Stat. § 47-14-21 \(2019\)](#)

New York

New York, Fee Disclosures

An AMC may not knowingly:

- include any fees for appraisal management services that are performed by the AMC for a lender, client, or other person in the amount that it charges the lender, client, or other person for the actual completion of an appraisal or valuation service by an appraiser that is on the AMC's appraiser panel;
- fail to separate any and all fees charged to a client by the AMC for the actual completion of an appraisal by an appraiser from the fees charged to a lender, client, or any other person by an AMC for appraisal management services;
- prohibit an appraiser from recording the fee that he or she was paid by the AMC for the appraisal within the appraisal report that is submitted to the AMC; or
- fail to separately state the fees paid to an appraiser and the fees charged by the AMC for services associated with the management of the appraisal.

AMC's must provide a copy of the appraiser's invoice with a copy of any appraisal report submitted to a client or a client's representative.

Enacted 2018.

[N.Y. Exec. Law § 160-0000 \(2019\)](#)

New York, License Fees

The fee for an original certificate of registration or a renewal is \$250.

A fee of \$25 for each appraiser added to an AMC's panel is also assessed.

Enacted 2018.

New York, Restrictions

Licensure Required

Effective April 27, 2019, an AMC that within a given year, oversees an appraisal panel of more than 15 appraisers working in New York state or 25 or more appraisers working in two or more states must obtain a registration certificate issued by the [Department of State](#). A "hybrid firm or entity" that hires both real estate appraisers as employees to perform appraisals of real property, and engages independent contractors to perform such appraisals is treated as an AMC for purposes of state registration if it oversees more than 15 real estate appraisers completing valuation services in an individual state or 25 or more real estate appraisers in two or more states within a given year. The numerical calculation for a hybrid firm or entity should only include real estate appraisers engaged as independent contractors.

Exceptions: The registration requirement does not apply to:

- a department or division within an entity that provides appraisal management services only to the entity;
- any person that exclusively employs appraisers for the performance of appraisals;
- any AMC that is a wholly-owned subsidiary of a financial institution, which is regulated by a federal financial institution regulatory agency; or
- the state, any state agency or authority, or any political subdivision of the state that employs appraisers.

A registration certificate expires two years after the date it is issued.

Enacted 2018.

[N.Y. Exec. Law §§ 160-aaaa, -bbbb, -cccc, -ffff \(2019\)](#)

Annual Certifications

An AMC must certify to the Department at the time of application that it has reviewed each entity that owns more than ten percent of the AMC and that no entity that owns more than ten percent is more than ten percent owned by any person that has had a license or certificate to act as an appraiser denied, revoked, or surrendered in lieu of a pending revocation.

Enacted 2018.

[N.Y. Exec. Law § 160-iiii \(2019\)](#)

Prohibitions

An AMC may not employ or engage, or contract in any way with or pay a person who is not licensed or certified as a real estate appraiser by the Department for the purposes of performing an appraisal. An AMC may hire, employ, engage, or contract with or pay a person to perform a property inspection, or property evaluation if they are licensed as an appraiser, a real estate broker including associate real estate brokers and real estate salespersons, or a home inspector, or a person to perform a broker price opinion if they are licensed as a real estate broker including associate real estate brokers and real estate salespersons.

An AMC applying for registration may not knowingly:

- employ a person in a position in which he or she has responsibility to order appraisals or valuation services, or to review completed appraisals, who has had an appraiser license, certification or registration in any state denied, revoked or surrendered in lieu of a pending revocation, unless such license was reinstated;

- enter into any independent contractor agreement with any person who has had an appraiser license, certification or registration in any state denied, revoked or surrendered in lieu of a pending revocation, unless such license was reinstated; or
- enter into any contract or other business relationship with any entity that employs, has an independent contractor relationship with, or has entered into a contract or other business relationship with any person who has had an appraiser license, certification or registration in any state denied, revoked or surrendered in lieu of a pending revocation, unless such license was reinstated.

An AMC must ensure that appraisals are conducted independently and free from inappropriate coercion, It is unlawful for any employee, director, officer or agent of an AMC registered in New York to:

- compensate, coerce, extort, collude, instruct, induce, bribe or intimidate a person or entity conducting or involved in an appraisal for the purpose of causing the appraised value assigned to the property to be based on any factor other than the appraiser's independent judgment;
- mischaracterize the appraised value of a property in connection with a consumer credit transaction;
- seek to influence an appraiser or encourage a targeted value in order to facilitate the making or pricing of a consumer credit transaction;
- withhold or threaten to withhold, without just cause, timely payment for an appraisal report or other valuation services rendered with the report or services provided pursuant to the parties' contract;
- withhold or threaten to withhold future business, or to demote or terminate an appraiser without just cause;

- promise future business, promotions or increased compensation for an appraiser in exchange for the appraiser inflating or deflating the appraised property value;
- condition an appraisal request, or payment of an earned fee, salary or bonus, on the opinion, conclusion, or valuation to be reached or on a preliminary estimate requested from an appraiser;
- request an appraiser to provide an estimated predetermined or desired valuation, or estimated values or comparable sales, at any time prior to the completion of an appraisal;
- provide an appraiser with an anticipated, estimated or desired property value or a proposed or target amount to be loaned to the borrower, except that a copy of the sales contract may be provided; or
- provide the appraiser, or any entity or person related to the appraiser, stock or any other financial or non-financial benefits for appraising real property in a manner other than that which is in the appraiser's independent opinion.

The above prohibitions are not to be construed as prohibiting the AMC from requesting an appraiser to:

- consider additional, appropriate property information, including additional comparable properties;
- provide further detail, substantiation or explanation of the appraiser's value conclusion; or
- correct errors in the appraisal report.

An AMC may not knowingly:

- allow an appraiser's removal from an appraiser panel rotation without prior written notice to the appraiser with just cause; or
- obtain, use or pay for a second or subsequent appraisal or order an automated valuation model or any other valuation service in connection with a mortgage financing transaction unless there is a reasonable basis to believe the initial appraisal was flawed or tainted, and such basis is noted in the loan file, or unless such appraisal or automated valuation model is done pursuant to a bona fide pre- or post-funding appraisal review or quality control process.

An AMC may not alter a completed appraisal or valuation service report by removing the appraiser's signature or seal, or by adding or removing information with the intent to change the valuation conclusion.

An AMC may not require an appraiser to provide the AMC with his or her digital signature or seal.

Enacted 2018; section 160-jjjj amended 2019.

[N.Y. Exec. Law §§ 160-jjjj, -kkkk, -mmmm, -oooo, -pppp \(2019\)](#)

AMC-Appraiser Relationships

Prior to placing an appraisal or valuation service assignment with a panel member, an AMC must verify that the appraiser receiving the assignment is a competent appraiser as defined in the USPAP Competency Rule with regards to geographic area and property type.

An AMC may not:

- require an appraiser to modify any aspect of a report, unless appropriate according to USPAP;
- require an appraiser to prepare a report if the appraiser, in their professional judgement, believes he or she does not have the necessary expertise;

- require an appraiser to prepare a report under a time frame that the appraiser believes does not afford him or her the ability to meet all legal and professional obligations, provided all appraisal reports should be completed within a reasonable time and appraisers may not unnecessarily delay completing assignments;
- prohibit or inhibit communication between the appraiser and the lender, a real estate licensee or any other person when the appraiser deems such communication relevant;
- require the appraiser to do anything that does not comply with the USPAP, or assignment conditions required by the client;
- make any portion of the appraiser's fee or the AMC's fee contingent upon a favorable outcome; or
- require an appraiser to indemnify the AMC or hold it harmless for any liability, damage or claims arising out of the services performed by the AMC and not the appraiser's services.

An AMC operating in New York must pay an appraiser for completion of an appraisal or valuation assignment within 30 days of the date on which the appraiser transmits or otherwise provides the completed appraisal or services to the AMC or its assignee. The compensation must be at a rate that is reasonable and customary for appraisal services performed in the market area of the appraised property without the services of an AMC in a manner consistent with the federal Truth in Lending Act, 15 U.S.C. § 1639(e).

Enacted 2018; section 160-jjjj amended 2019.

[N.Y. Exec. Law §§ 160-jjjj, -oooo \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

An AMC may hire, employ, engage, or contract with or pay a person to perform a broker price opinion if they are licensed as a real estate broker including associate real estate brokers and real estate salespersons.

Section amended 2019.

[N.Y. Exec. Law §§ 160-jjjj \(2019\)](#)

New York, Penalties

Administrative Penalties

The Department may revoke or suspend the license of an AMC, or in lieu thereof, impose a fine of up to \$25,000 per violation, if it finds that the licensee has:

- made a material misrepresentation in its license application;
- been found guilty of fraud or fraudulent practices or dishonest or misleading advertising;
- demonstrated untrustworthiness or incompetency to act as an AMC; or
- violated any provision of the AMC law or the regulations promulgated thereunder.

Criminal Penalties

Any person or company who fails to obtain a required certificate of registration is guilty of a misdemeanor.

The Attorney General may prosecute an action for failure to obtain a certificate.

Enacted 2018.

[N.Y. Exec. Law §§ 160-qqqq, -vvvv \(2019\)](#)

North Carolina

North Carolina, Fee Disclosures

An AMC may not prohibit an appraiser from stating on an appraisal the fee the AMC paid to the appraiser for the appraisal.

Rule promulgated 2010.

[21 N.C. Admin. Code 57D.0401 \(2019\)](#)

North Carolina, License Fees

The North Carolina Appraisal Board has set the following fees:

- an application fee of \$3,500;
- an annual renewal fee of \$2,000; and
- a late renewal filing fee of \$20 per month, not to exceed \$120.

Each applicant for registration or renewal must post and maintain a \$25,000 surety bond.

In addition to those fees prescribed for renewal, the Board is required collect from registrants any additional fees as may be required to render North Carolina AMCs and federally regulated AMCs eligible to perform services in connection with federally related transactions. The Board shall remit those fees to the AMC National Registry of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council. The Board may also collect a fee from an AMC that is a subsidiary wholly owned and controlled by a financial institution in order to be eligible to be placed on the AMC National Registry. As of March 12, 2020, the Board has not set out the amount of the fee to be charged.

Section 93E-2-6 amended 2019; § 93E-2-4 amended 2016; rule 57D.0102 amended 2013; rules 57D.0202 amended 2018; rule 57D.0203 promulgated 2011.

[N.C. Gen. Stat. §§ 93E-2-4, -6 \(2019\); 21 N.C. Admin. Code 57D.0102, .0202, 0203 \(2019\)](#)

North Carolina, Restrictions

Registration Required

Effective January 1, 2011, an appraisal management company may not directly or indirectly engage in business as an AMC in North Carolina, in any way act as or perform services of an AMC in North Carolina, or advertise or represent that the person or entity is engaging in or conducting business as an AMC in North Carolina, without first registering with the [North Carolina Appraisal Board](#).

Exceptions: The registration law does not apply to:

- an appraiser that has an agreement with another appraiser for the performance of an appraisal, which is signed by both appraisers upon completion, except that an AMC cannot avoid the registration requirement by requiring an AMC appraiser employee to sign an appraisal report that is completed by a panel appraiser;
- a state or federally chartered bank, farm credit system, savings institution or credit union;
- any agency of the federal government or any state or municipal government;
- a North Carolina-licensed attorney, a court-appointed personal representative or a trustee who orders an appraisal in connection with a bona fide client relationship when such person directly contracts with an independent contractor;
- a licensed real estate broker performing only activities in accordance with North Carolina's licensing law;
- any officer or employee of any above-described exempt entity when acting within the scope of employment for the exempt entity; and
- an appraisal management company that is a subsidiary owned and controlled by a financial institution regulated by a federal financial institution regulatory agency.

Registrations are subject to renewal every year.

Enacted 2010; section 93E-2-2 and -6 amended 2019.

[N.C. Gen. Stat. §§ 93E-2-1, -2, -6 \(2019\)](#)

Certifications

An AMC must certify to the Commission at the time of registration application that it:

- has a system and process in place to verify that a person being added to the AMC's appraiser panel holds an appraiser's license in good standing under North Carolina law if a license or certification is required to perform appraisals;
- has a system in place to require that appraisers inform the AMC of their areas of geographic competency, the types of properties the appraiser is competent to appraise and the methodologies the appraiser is competent to perform;
- maintains detailed records of each request for appraisal services in North Carolina and the independent appraiser who performs the residential real estate appraisal services for it; and
- has a system in place to review on a periodic basis the work of all independent appraisers performing appraisals for the AMC in North Carolina, to ensure that the appraisals are conducted in accordance with the Uniform Standards of Professional Appraisal Practice.

Amended 2016.

[N.C. Gen. Stat. § 93E-2-4\(b\) \(2018\)](#)

Prohibitions

It is a violation of the AMC law if an employee, director, officer or agent of an AMC or any third party acting as joint venture partner or independent contractor influences or attempts to influence the development, reporting, result or review of an appraisal through coercion, extortion, collusion, compensation, inducement, intimidation, bribery or in any other manner, including:

- withholding or threatening to withhold timely payment for an appraisal report;
- withholding or threatening to withhold future business, or demoting, terminating or threatening to demote or terminate an appraiser;
- promising future business, promotion or increased compensation for an appraiser;
- conditioning an appraisal request or payment of a fee, salary or bonus on the opinion, conclusion or valuation to be reached by the appraiser, or on a preliminary estimate or opinion requested from an appraiser;
- requesting that an appraiser provide an estimated, predetermined or desired valuation in a report or estimated values or comparable sales at any time prior to the completion of an appraisal;
- providing an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or target amount to be loaned to the borrower (except that a copy of the purchase contract may be provided);
- providing an appraiser, or any person or entity related to the appraiser, stock or other financial or nonfinancial benefits;
- removing an appraiser from a list of qualified appraisers without prior written notice;

- requiring an appraiser to collect an appraisal fee from the borrower, homeowner or other third party;
- requiring an appraiser to prepare an appraisal if the appraiser believes he or she does not have the necessary expertise for the assignment or the specific geographic area and has notified the AMC and declined the assignment;
- requiring an appraiser to prepare an appraisal under a timeframe that he or she believes does not afford the appraiser the ability to meet all the relevant legal and professional obligations, if the appraiser has notified the AMC and declined the assignment;
- requiring an appraiser to provide the AMC with the appraiser's digital signature or seal;
- using an appraisal report submitted by an independent appraiser for any other transaction;
- altering or otherwise changing a completed appraisal report submitted by an independent appraiser without his or her written knowledge and consent; or
- using any other act or practice that knowingly impairs or attempts to impair an appraiser's independence, impartiality or objectivity.

Note: The above limitations do not prohibit an AMC from requesting that an appraiser consider additional relevant property information, provide additional detail, substantiation or explanation for the appraiser's value conclusion, through the AMC's established dispute process, or correct errors in an appraisal report.

No AMC procuring or facilitating an appraisal in connection with a consumer credit transaction secured by the principal dwelling of a consumer may have a direct or indirect interest, financial or otherwise, in the property or transaction involving the appraisal.

Section amended 2019.

[N.C. Gen. Stat. § 93E-2-7 \(2019\)](#)

AMC-Appraiser Relationships

An AMC may only enter into contracts or agreements with an independent appraiser for the performance of residential real estate appraisal services for property in North Carolina if the appraiser is licensed or certified in good standing under the North Carolina Appraisers Act.

Effective January 1, 2017, for appraisal assignments of property secured by the consumer's principal dwelling, an AMC must compensate appraisers at customary and reasonable rates in compliance with § 129E(i) of the federal Truth in Lending Act and regulations promulgated thereunder.

An AMC must pay an appraiser within 30 days of the date on which the appraiser transmits the appraisal to the AMC, except in cases of noncompliance with the conditions of the engagement, in which case the AMC must notify the appraiser in writing that the fees will not be paid.

An AMC may not allow the removal of an appraiser from a list of qualified appraisers used by any entity without prior written notice to the appraiser, which must include written evidence of the appraiser's illegal conduct, substandard performance or otherwise unprofessional or improper behavior, or any violation of the Uniform Standards of Professional Appraisal Practice or North Carolina licensing standards.

An AMC may not require an appraiser to indemnify or hold harmless the AMC for any liability, damage, losses, or claims arising out of services performed by the AMC, and not the appraiser's services.

An AMC may not require or attempt to require an appraiser to prepare an appraisal if the appraiser may have a direct or indirect interest, financial or otherwise, in the property or transaction involving the appraisal.

Section 93E-2-7 amended 2019; § 93E-2-4 amended 2016.

[N.C. Gen. Stat. §§ 93E-2-4\(d\), \(f\), \(i\); -7\(a\)\(8\), \(13\) \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

North Carolina, Penalties

Administrative Penalties

The North Carolina Appraisal Board may deny, suspend, revoke or refuse to issue or renew an AMC registration or may restrict or limit activities of a person who owns an interest in or participated in the business of an AMC, if the Board determines that an applicant, registrant or any partner, member, manager, officer, director, compliance manager or person occupying a similar position, performing similar functions or directly or indirectly controlling the AMC has:

- filed an application that contained any statement that is false or misleading with respect to any material fact;
- violated or failed to comply with any provision of the regulatory law or any Board rule adopted thereunder;
- been convicted of any felony or, within the last 10 years, been convicted of any misdemeanor involving mortgage lending or real estate appraisal or any offense involving breach of trust, moral turpitude, or fraudulent or dishonest dealing;
- been permanently or temporarily enjoined from engaging in or continuing any conduct or practice involving any aspect of the real estate appraisal management business;

- been the subject of an order of the Board, or any other state appraiser regulatory agency, denying, suspending or revoking the person's license as a real estate appraiser;
- failed to compensate appraisers in compliance with N.C, Gen. Stat. § 93E-2-4(i);
- acted as an AMC while not properly licensed by the Board; or
- failed to pay the filing or renewal fee under North Carolina's registration law.

In addition, the Board may impose a civil penalty for any violation of the AMC regulatory law, not exceeding \$10,000 per violation. It may also issue cease and desist orders and, if the conduct continues, may impose a penalty of up to \$25,000 for each violation of such orders.

Criminal Penalty

A violation of the AMC registration and regulatory law is a Class 1 misdemeanor, punishable by a maximum sentence of 120 days in prison, and whatever fine the court deems appropriate.

Section 93E-2-10 enacted 2010; § 93E-2-8 amended 2016; § 15A-1340.23 amended 2013.

[N.C. Gen. Stat. § 15A-1340.23; 93E-2-8, -10 \(2019\)](#)

North Dakota

North Dakota, Fee Disclosures

AMC Disclosures

An AMC must disclose to a client the fee paid for appraisal management services and to the appraiser for completing an appraisal.

Appraiser Disclosures

An AMC may not prohibit an appraiser who is on its appraiser panel from stating the fee paid to the appraiser by the AMC within the communication of the appraisal.

Enacted 2013.

[N.D. Cent. Code § 43-23.5-16 \(2019\)](#)

North Dakota, License Fees

Effective September 20, 2018, an AMC must register with the North Dakota Real Estate Appraiser Qualifications and Ethics Board before engaging in business in North Dakota.

The application fee is \$2,500. The annual renewal fee is \$2,000 plus the national registry fee. Additionally, the Board may require a surety bond of up to \$25,000. Registrations expire September 30 of each year.

Enacted 2013; regulations promulgated 2018.

[N.D. Cent. Code §§ 43-23.5-04, -19 \(2017\); N.D. Admin. Code § 101-05-01-12 \(2019\)](#)

North Dakota, Restrictions

Licensure Required

Effective September 20, 2018, an appraisal management company with a panel of more than 15 certified or licensed appraisers in North Dakota or 25 or more nationally in a given year may not directly or indirectly engage in business or attempt to engage in business as an AMC in North Dakota, perform or attempt to perform services of an AMC in North Dakota, or advertise or represent that the person or entity is engaging in or conducting business as an AMC in North Dakota, without first registering with the [North Dakota Real Estate Appraiser Qualifications and Ethics Board](#).

Exceptions: The registration law does not apply to:

- a person that has an agreement with an appraiser for the performance of an appraisal, which results in a report signed by both the appraiser who completed the appraisal and the appraiser who requested the appraisal;
- a financial institution, including a department or unit therein, that is regulated by a North Dakota or federal agency;
- an AMC with a panel of fewer than 16 certified or licensed appraisers in North Dakota or fewer than 25 nationally in a given year;
- a person or entity that exclusively employs persons, on an employer-employee basis, for the performance of appraisal services in the normal course of its business and the services are being performed according to the Uniform Standards of Professional Appraisal Practice (USPAP); or
- an AMC that is a subsidiary owned and controlled by a financial institution that is subject to appraisal independence standards at least as stringent as those under N.D. Cent. Code § 43-23.5-21 if regulated by a North Dakota agency, or the Truth in Lending Act, if regulated by the federal government.

Registrations are subject to renewal every year.

Enacted 2013; section 43-23.5-07 amended 2019.

[N.D. Cent. Code §§ 43-23.5-03, -06, -07 \(2019\)](#)

Annual Certifications

An AMC must certify to the Board at the time of registration application and renewal that it:

- has a system and process in place to verify that a person being added to the AMC's appraiser panel holds an appraiser's license in good standing in North Dakota;
- will require appraisals to be performed independently as required under section 129E of the Truth in Lending Act, including the payment of a reasonable and customary fee to independent appraisers when the AMC is providing services for a consumer credit transaction secured by a consumer's principal residence;
- maintains detailed records of each request it receives for appraisal of real property located in North Dakota; and
- has a system in place to review on a periodic basis the work of a statistically significant number of independent appraisers performing appraisals for the AMC in North Dakota, to ensure that the appraisals are conducted in accordance with the USPAP and applicable North Dakota law.

Enacted 2013.

[N.D. Cent. Code §§ 43-23.5-13, -14, -15, -17 \(2019\)](#)

Prohibitions

AMCs may not engage in any of the following:

- procuring or attempting to procure a registration by knowingly making a false statement, submitting false information, refusing to provide complete information in response to a question in an application for registration, or through fraud or misrepresentation;
- willfully violating AMC laws or rules;

- improperly influencing or attempting to improperly influence the development, reporting, result, or a review of an appraisal through intimidation, coercion, extortion, bribery, or any other manner, including:
 - withholding payment for appraisal services;
 - threatening to exclude an appraiser from future work or threatening to demote or terminate;
 - conditioning payment of an appraisal fee upon the opinion, conclusion, or valuation to be reached; or
 - requesting an appraiser to report a predetermined or desired opinion, conclusion, or valuation;
- requiring an appraiser to provide his or her digital signature or seal to the AMC; or
- altering appraisal report without the appraiser's knowledge and written consent.

Enacted 2013.

[N.D. Cent. Code § 43-23.5-21 \(2019\)](#)

AMC-Appraiser Relationships

Before or at the time of placing an assignment with a panel member, or entering any contract or agreement with an appraiser, an AMC must verify that the appraiser receiving the assignment is licensed or certified in good standing in North Dakota.

Unless a mutually agreed-upon alternate arrangement has been previously established, an AMC must pay an appraiser within 45 days of the date on which the appraiser transmits the appraisal to the AMC, except in bona fide cases of substandard performance of services or breach of contract.

Except within the first 90 days after an appraiser is added to its panel, an AMC may not remove an appraiser from an appraiser panel without prior written notice to the appraiser, which must include, if applicable, written evidence of the appraiser's illegal conduct, unprofessional or improper behavior, or any violation of the USPAP or North Dakota licensing standards.

An AMC may not:

- require an appraiser to sign an indemnification agreement to defend or hold harmless the AMC for any liability, damage, losses, or claims arising out of services performed by the AMC, and not the appraiser's services;
- prohibit lawful communication between the appraiser and any person whom the appraiser in his or her professional judgment believes possesses relevant information; or
- engage in any other conduct that impairs or attempts to impair an appraiser's independence, objectivity and impartiality.

Enacted 2013; section 43-23.5-12 amended 2019.

[N.D. Cent. Code §§ 43-23.5-10 to -13, -17, -21 \(2019\)](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

North Dakota, Penalties

Administrative Penalties

The Board may deny, suspend, revoke, impose a monetary penalty, issue a reprimand, refuse to issue or renew an AMC registration or take other disciplinary action if an AMC, among other conduct:

- violates the AMC law or any rule adopted by the Board;
- procured a registration or renewal, or committed any other act, by fraud, misrepresentation or deceit; or
- demonstrates incompetency or untrustworthiness, or conduct or practices rendering the AMC unfit to carry on appraisal management services.

Enacted 2013.

[N.D. Cent. Code § 43.23.5-22 \(2019\)](#)

Criminal Penalties

A person who performs appraisal management services without registering as required by North Dakota law commits a class A misdemeanor.

Enacted 2013.

[N.D. Cent. Code § 43.23.5-24 \(2019\)](#)

Ohio

Ohio, Fee Disclosures

No applicable provisions located.

Ohio, License Fees

The initial AMC licensing application fee is \$1,000.

The annual renewal fee, which may not exceed \$2,000, has not been fixed by the [Division of Real Estate & Professional Licensing](#) as of March 2020.

Enacted 2018.

[Ohio Rev. Code § 4768.03 \(2019\); Real Estate Appraisal Company Application \(accessed Mar. 12, 2020\)](#)

Ohio, Restrictions

Registration Required

On April 1, 2019, all appraisal management companies (AMCs) that are subject to [Ohio Revised Code chapter 4768](#) and are conducting appraisal management services in Ohio must have their AMC license applications filed with the [Division of Real Estate & Professional Licensing](#). AMCs that do not have an application on file April 1 and are conducting AMC business in Ohio may be subject to discipline for unlicensed activity. An AMC that files an application by April 1 will be permitted to continue conducting AMC business in Ohio, pending review of its application.

Exceptions: The registration law does not apply to:

- a federally regulated AMC;
- any person that exclusively employs appraisers on an employer-employee basis for the performance of appraisals;

- "[a]ny person engaged in appraisal services who, in the normal course of business, enters into an agreement, whether written or otherwise, with an independent appraiser for the performance of appraisal services that the hiring or contracting person is not completing for any reason, including competency, work load, schedule, or geographic location," which exception applies only to an appraiser and to that appraiser's business entity provided that entity is engaging in real estate appraisal services, not appraisal management services;
- "[a]ny person engaged in appraisal services who, in the normal course of business, enters into an agreement, whether written or otherwise, with an independent contractor appraiser for the performance of appraisal services and, upon the completion of the appraisal, the report of the independent contractor appraiser performing the appraisal services is cosigned by the person who subcontracted with the independent contractor appraiser for the performance of the appraisal services," provided an AMC may not avoid the the licensing requirements by requiring an employee of the AMC, who is an appraiser, to sign the appraisal that has been completed by an appraiser that is part of the AMC's appraisal panel;
- any appraiser engaged in mass appraisal services under the direction of the Tax Commissioner or a county auditor.

Enacted 2018.

[Ohio Rev. Code § 4768.02 \(2019\)](#)

Certifications

An AMC must certify to the Division at the time of registration and annual renew that it has a system in place to:

- verify that any appraiser added to the appraiser panel for the purpose of performing real estate appraiser services in Ohio holds a license or certificate pursuant to Ohio law and is in good standing in Ohio;

- review the work of appraisers who are performing real estate appraisal services for compliance with Uniform Standards of Professional Appraisal Practice (USPAP) and to verify that any employee of, or independent contractor to, the AMC that performs an appraisal review is an appraiser licensed or certified under Ohio law if the property that is the subject of the appraisal is located in Ohio;
- disclose to its clients the actual fees paid to an appraiser for appraisal services, separate from any other fees or charges related to appraisal management services; and
- disclose the license number of the AMC on each engagement letter for each Ohio appraisal assignment.

Enacted 2018.

[Ohio Rev. Code §§ 4768.06, .07 \(2019\)](#)

Prohibitions

No employee, director, officer, or agent of a licensed AMC may recklessly influence or attempt to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery, or in any other manner, including:

- withholding or threatening to withhold timely payment for appraisal services rendered when the appraisal report or services rendered are provided in accordance with the parties' contract;
- withholding or threatening to withhold future business for an appraiser, or demoting or threatening to demote an appraiser, or terminating the relationship with or threatening to terminate the relationship with an appraiser;

- promising future business, promotions, or increased compensation for an appraiser;
- conditioning the assignment of an appraisal or payment of an appraisal fee, salary, or bonus, on the opinion, conclusion, or valuation to be reached by, or on a preliminary estimate or opinion requested from, an appraiser;
- requesting that an appraiser provide an estimated, predetermined, or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the appraiser's completion of an appraisal;
- providing to an appraiser an anticipated, estimated, encouraged, or desired value for a subject property or a proposed or target amount to be loaned to the borrower, except that the appraiser may be provided with a copy of the sales contract for purchase transactions;
- providing stock or other financial or nonfinancial benefits to an appraiser or any person related to the appraiser;
- any other act or practice that impairs, or attempts to impair, an appraiser's independence, objectivity, or impartiality;
- obtaining, using, or paying for a second or subsequent appraisal or ordering an automated valuation model in connection with a mortgage financing transaction, unless: (a) there is a reasonable basis to believe that the initial appraisal was flawed or tainted and such basis is clearly and appropriately noted in the loan file; (b) the appraisal or automated valuation model is done pursuant to a bona fide pre- or post-funding appraisal review or quality control process; or (c) a second appraisal is required under state or federal law.
- allowing the removal of an appraiser from the AMC's appraiser panel without prior written notice.

None of the above prohibitions are deemed to prevent an AMC from requesting that an appraiser:

- consider additional, appropriate property information, including the consideration of additional comparable properties, to make or support an appraisal;
- provide further detail, substantiation, or explanation for the appraiser's value conclusion; or
- correct objective factual errors in an appraisal report.

An AMC may not recklessly alter, modify, or otherwise change a completed appraisal report submitted by an appraiser, except that the report's format may be modified solely for the purpose of transmission.

An AMC must require that appraisals be conducted independently and free from inappropriate influence and coercion pursuant to the appraisal independence standards established under the "Truth in Lending Act," 15 U.S.C. § 1639e.

Enacted 2018.

[Ohio Rev. Code § 4768.11 \(2019\)](#)

AMC-Appraiser Relationships

An AMC may not require an appraiser:

- to indemnify the AMC against liability, damages, losses, or claims other than those liabilities, damages, losses, or claims arising out of the services performed by the appraiser, including performance or nonperformance of the appraiser's duties and obligation, whether as a result of negligence or willful misconduct;

- to perform an appraisal assignment if the appraiser declines the assignment and informs the AMC that the appraiser is not competent to perform the appraisal assignment and the appraiser declines to acquire the necessary competency to perform the assignment;
- who has notified the AMC and declined the assignment to prepare an appraisal under a time frame that the appraiser, in the appraiser's own professional judgment, believes does not afford him or her the ability to meet all the relevant legal and professional obligations.

An Ohio-licensed AMC must compensate an appraiser for the completion of an appraisal within 60 days of the date on which the appraiser transmits or otherwise provides the completed appraisal to the AMC or its assignees, except in cases of breach of contract or substandard performance of services. The AMC must compensate each appraiser who performs appraisal services for it in accordance with the appraisal independence standards established under 15 U.S.C. § 1639e. If the appraisal involves a complex assignment, "the customary and reasonable fee may reflect the increased time, difficulty, and scope of the work required for the appraisal, and may include an amount over and above the customary and reasonable fee for noncomplex assignments."

An AMC may not remove the appraiser from its panel or otherwise refuse to assign requests for real estate appraisal services to the appraiser without first:

- notifying the appraiser in writing of the reasons the appraiser is being removed from the panel or is refused assignment requests; and
- providing the appraiser with an opportunity to respond to that notification, in writing, within ten business days after the AMC sends the removal notification.

Enacted 2018; section 4768.09 amended 2019..

[Ohio Rev. Code §§ 4768.09, .011, .12 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Ohio, Penalties

If the Real Estate Appraiser Board determines that a ground for disciplinary action exists against a person, the Board may order the disciplinary action it considers appropriate, which may include:

- reprimand of of a licensed AMC;
- imposition of a fine, not exceeding \$25,000 per violation;
- suspension of an AMC license for a specific period of time; or
- revocation of an AMC license.

Enacted 2018.

[Ohio Rev. Code § 4768.13 \(2019\)](#)

Oklahoma

Oklahoma, Fee Disclosures

Disclosures to Clients

An Oklahoma-registered AMC must have a system in place to disclose to its clients the fee paid for appraisal management services and the fee paid to the appraiser for completion of an appraisal assignment.

Enacted 2010.

[Okla. Stat. tit. 59, § 858-818 \(2019\)](#)

Disclosures in Appraisal Report

An Oklahoma-registered AMC may not prohibit an appraiser on its appraiser panel from recording the fee that the appraiser was paid by the AMC for performing the appraisal within the appraisal communication the appraiser submits to the AMC.

Enacted 2010.

[Okla. Stat. tit. 59, § 858-818 \(2019\)](#)

Oklahoma, License Fees

The Oklahoma Real Estate Appraiser Board has established a \$1,000 fee for AMC registration and renewal. An initial registration or renewal is valid for one year from the date of issue.

In addition, the Department shall charge and collect a National Registry Fee in such amount as may be assessed by the Appraisal Subcommittee for all AMCs holding a Certificate of Registration. Those fees are transmitted by the Department to the Appraisal Subcommittee.

Enacted 2010; rule promulgated 2010.

[Okla. Stat. tit. 59, §§ 858-806, -808 \(2019\); Okla. Admin. Code § 600:30-1-6 \(2019\)](#)

Oklahoma, Restrictions

Registration Required

Effective January 1, 2011, an appraisal management company may not engage in business as an AMC in Oklahoma, attempt to perform or perform appraisal management services in Oklahoma or advertise or hold itself out as doing business as an AMC in Oklahoma, without first registering with the [Oklahoma Real Estate Appraiser Board](#).

Exceptions: The Oklahoma Appraisal Management Company Regulation Act does not apply to:

- an appraiser that has an agreement with another appraiser for the performance of an appraisal, which is signed by both appraisers upon completion, except that an AMC may not avoid the Act's requirements by requiring an AMC appraiser employee to sign an appraisal that is completed by an appraiser who is part of the AMC'S appraisal panel;
- persons who are Oklahoma-certified or -licensed appraisers in good standing and are actively engaged in real estate appraising, and as a function thereof, maintain a list of fifteen or fewer employees in Oklahoma or 24 or less employees in two or more states who are credentialed appraisers in good standing or independent contractor credentialed appraisers in good standing; or
- a department or unit within a financial institution that is subject to direct regulation by an agency of the federal government that is a member of the Federal Financial Institutions Examination Council or its successor, or by an Oklahoma state agency, that only receives appraisal requests from an employee of the financial institution and a co-employee assigns the requests to an appraiser who is an independent contractor to the institution, except that an AMC that is a wholly-owned subsidiary of a financial institution is not deemed a department or unit within the institution to which the provisions of the Act do not apply.

Registrations are subject to renewal every year.

Enacted 2010; §§ 858-804 and -805 amended 2019.

[Okla. Stat. tit. 59, §§ 858-804, -805, -806 \(2019\)](#)

Certifications

An AMC must certify to the Board at the time of registration and renewal that it:

- has a system and process in place to verify that a person being added to the AMC's appraiser panel holds a credential in good standing in Oklahoma under the Oklahoma Certified Real Estate Appraisers Act;
- maintains detailed records of each request for appraisal services for real property located in Oklahoma;
- has a system in place to review the work product of a statistically significant number of appraisal reports submitted by each appraiser on a periodic basis to ensure that the appraisals are conducted in accordance with the Uniform Standards of Professional Appraisal Practice and the Oklahoma Certified Real Estate Appraisers Act and the rules promulgated thereunder; and
- has reviewed each entity that owns more than 10% of the AMC and that no such entity is more than 10% owned by any person who has had a license or certificate to act as an appraiser refused, denied, cancelled, revoked or surrendered in lieu of pending revocation in any jurisdiction and not subsequently granted or reinstated.

Enacted 2010; § 858-809 amended 2019.

[Okla. Stat. tit. 59, §§ 858-809, -815, -816, -817 \(2019\)](#)

Prohibitions

It is violation of the AMC law if an employee, partner, director, officer or agent of an AMC influences or attempts to influence the development, reporting or review of an appraisal through coercion, extortion, compensation, collusion, inducement, intimidation, bribery or in any other manner, including:

- withholding or threatening to withhold timely payment or partial payment for an appraisal except in instances of substandard or noncompliant appraisals;

- withholding or threatening to withhold future business, or demoting, terminating or threatening to demote or terminate an appraiser;
- promising future business, promotion or increased compensation to an appraiser;
- conditioning an appraisal assignment or payment of a fee, salary or bonus on the opinion, conclusion or valuation to be reached by the appraiser, or on a preliminary estimate or opinion requested from an appraiser;
- requesting that an appraiser provide an estimated, predetermined or desired valuation in a report or estimated values or comparable sales at any time prior to the completion of an appraisal;
- providing an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or target amount to be loaned to the borrower (except that a copy of the purchase contract may be provided);
- providing an appraiser, or any person or entity related to the appraiser, stock or other financial or nonfinancial benefits;
- removing an appraiser from an appraiser panel, or adding an appraiser to an exclusionary list of disapproved appraisers used by any entity, without prior written notice;
- requiring an appraiser to modify an aspect of an appraisal report;
- requiring an appraiser to prepare an appraisal if the appraiser believes he or she does not have the necessary expertise for the assignment or the specific geographic area and has notified the AMC and declined the assignment;

- require an appraiser to prepare an appraisal under a timeframe that he or she believes does not afford the appraiser the ability to meet all the relevant legal and professional obligations, if the appraiser has notified the AMC and declined the assignment;
- prohibiting or inhibiting legal or other allowable communication between the appraiser and the lender, a real estate licensee or any other person from whom the appraiser believes information would be relevant;
- requiring the appraiser to do anything that does not comply with the Uniform Standards of Professional Appraisal Practice or the Oklahoma Certified Real Estate Appraisers Act, or any assignment conditions or certifications required by the client;
- making any portion of the appraiser's fee or AMC fee contingent on a predetermined or favorable outcome, including a loan closing or specific dollar amount being achieved in the appraisal;
- requiring an appraiser to provide the AMC with the appraiser's digital signature or seal;
- altering or otherwise changing a completed appraisal report by changing it without the appraiser's knowledge and written consent;
- using an appraisal submitted by an independent appraiser for any other transaction or use;
- altering or otherwise changing a completed appraisal report by permanently removing the appraiser's signature or seal or adding information to, or removing information from, the appraisal report; or
- using any other act or practice that knowingly impairs or attempts to impair an appraiser's independence, impartiality or objectivity.

Note: The above limitations do not prohibit an AMC from requesting that an appraiser provide additional information about the basis for a valuation, provide additional information

with the appraisal regarding additional sales provided through an established dispute process, or correct objective factual errors in an appraisal report.

Enacted 2010; §§ 858-819, -820 amended 2016.

[Okla. Stat. tit. 59, §§ 858-819, -820, -822 \(2019\)](#)

AMC-Appraiser Relationships

An AMC registered in Oklahoma may enter into a contract or agreement with an appraiser for performance of appraisals only if the AMC verifies that the appraiser is credentialed in good standing to perform appraisals under the Oklahoma Certified Real Estate Appraisers Act. Letters of engagement must include instructions to the appraiser to decline the assignment if he or she is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.

Each AMC operating in Oklahoma must pay an appraiser for completion of an appraisal or valuation assignment within 60 days after the date on which the appraiser transmits or otherwise provides the completed appraisal or valuation to the AMC or its assignee.

Exceptions: The 60-day payment period does not apply in cases:

- of breach of contract;
- of substandard performance of services;
- where the parties have mutually agreed upon an alternate payment arrangement.

An AMC may not remove the appraiser from the panel, or otherwise refuse to assign appraisal requests, without:

- notifying the appraiser in writing of the reasons why he or she is being removed from the panel, and if the appraiser is being removed for illegal conduct or violation of the applicable

appraisal practice standards or the state licensing standards, both the appraiser and the Board must be notified of the allegations of fact and alleged violations or standards or laws; and

- providing the appraiser an opportunity to respond to the notification personally or through legal counsel.

AMCs are prohibited from requiring an appraiser to reimburse them for the Appraisal Subcommittee's Appraisal Management Company National Registry fee which may be charged or assessed against them.

An appraiser removed from a panel may file a complaint with the Board requesting a review of the removal decision.

AMCs must comply with the appraisal independence requirements of the federal Truth in Lending Act, 15 U.S.C. § 1639(a)-(i).

Enacted 2010; § 858-819 amended 2016; §§ 858-821 and -824 amended 2019.

[Okla. Stat. tit. 59, §§ 858-812, -813, -814, -819, -821, -824 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Oklahoma, Penalties

Administrative Penalties

The Oklahoma Real Estate Appraiser Board may censure an AMC, suspend or revoke any AMC registration, with or without conditions, or impose fines not to exceed \$5,000 per violation if an AMC is attempting to perform, has performed or has attempted to perform any of the following:

- committing any act in violation of the Oklahoma Appraisal Management Company Registration Act;
- violating any Board rule or regulation; or
- procuring a registration or renewal, or committing any other act by fraud, misrepresentation or deceit.

In addition, the Board may, after notice and opportunity for hearing, impose one of the following penalties whenever it finds, by clear and convincing evidence, that an AMC has violated any provision of the Act or rules promulgated thereunder:

- revocation of the registration with or without the right to reapply;
- suspension of the AMC for a period not to exceed five years;
- stipulations, limitations, restrictions and conditions relating to conduct of the AMC's practice;
- censure, including specific redress, if appropriate;
- reprimand;
- administrative fines of up to \$5000 per violation; and

- payment of the Board's legal fees, costs and monitoring fees, including administrative costs, witness fees and legal fees.

Enacted 2010; § 858-828 amended 2016.

[Okla. Stat. tit. 59, §§ 858-827, -828 \(2019\)](#)

Oregon

Oregon, Fee Disclosures

An appraisal management company may not prohibit an appraiser from reporting the fee paid to the appraiser in the appraisal report.

Amended 2011.

[Or. Rev. Stat. § 674.220 \(2017\)](#)

Oregon, License Fees

An appraisal management company must register with the Appraiser Certification and Licensure Board effective January 1, 2012. The Board has established the following fees:

- a nonrefundable application fee of \$1,000;
- a biennial registration fee of \$3,000; and
- a renewal fee of \$4,250 for two years.

An applicant for issuance or renewal of an AMC registration must file with the Board a surety bond with one or more corporate sureties authorized to do business in Oregon, or an irrevocable letter of credit issued by an insured institution, in the amount of \$25,000.

Rule amended 2019; statute amended 2011.

[Or. Admin R. 161-510-0010 \(2019\); Or. Rev. Stat. § 674.210 \(2019\)](#)

Oregon, Restrictions

Licensure Required

Effective January 1, 2011, an appraisal management company that oversees an appraisal panel of more than 15 appraisers in Oregon or at least 25 appraisers in the United States may not provide appraisal management services unless it is registered with the [Appraiser Certification and Licensure Board](#).

Exceptions: An AMC that is a subsidiary of and owned and controlled by a financial institution regulated by a federal financial institution regulatory agency need not be registered. In addition, an entity that employs real estate appraisers exclusively as employees for the performance of real estate appraisal activity is not an AMC.

Registrations are subject to renewal every two years.

Section 674.200 amended 2013; § 674.205 amended 2011.

[Or. Rev. Stat. §§ 674.200, .205 \(2019\)](#)

Annual Certifications

An AMC must certify to the Board at the time of registration application and renewal that:

- it has a system to verify that each appraiser on its appraiser panel is licensed or certified under Oregon law;

- it requires an appraiser completing appraisals at the AMC's request to confirm that he or she is competent to perform the appraisal assignment before accepting the assignment;
- it requires appraisers completing appraisals to comply with the Uniform Standards of Professional Appraisal Practices;
- it has a system in place to require that appraisals are conducted independently and without inappropriate influence or coercion as required by the appraisal-independence standards under the Truth in Lending Act; and
- it maintains and retains for at least five years, or as otherwise required by law, a detailed record of each service request it receives and the appraiser who performs the appraisal for each.

Amended 2011.

[Or. Rev. Stat. § 674.205 \(2019\)](#)

Prohibitions

It is unlawful for an AMC or an employee, agent or controlling person of an AMC to attempt to influence the development, reporting or review of an appraisal or appraisal review assignment through coercion, extortion, collusion, compensation, inducement, intimidation, bribery, or in any other manner, including, without limitation, the following:

- withholding or threatening to withhold timely payment for an appraisal or future business for an independent appraiser;

- expressly or impliedly promising future business, promotions or increased compensation for an independent appraiser;
- conditioning the ordering of an appraisal report or any payment on the opinion, conclusion or valuation to be reached, or on a preliminary estimate or opinion from an appraiser;
- requesting that an independent appraiser provide an estimated, predetermined or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the appraiser's completion of a real estate appraisal activity;
- providing an independent appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or targeted amount to be loaned to the borrower (except that a copy of the sales contract for purchase transactions may be provided); or
- providing an independent appraiser, or any person or entity related to the appraiser, stock or other financial or nonfinancial benefits.

Additionally, an AMC may not:

- require an appraiser to accept an assignment if the appraiser has notified the AMC that the appraiser declines the assignment because it must be completed within a time frame that the appraiser, in his or her professional judgment, believes does not afford the appraiser the ability to meet his or her legal and professional obligations;
- require an appraiser to accept an assignment if the appraiser has notified the AMC that the appraiser declines the assignment because, in the appraiser's professional judgment, he or she does not have the expertise necessary for the assignment;
- allow a person to perform an appraisal review relating to Oregon property if the person is not an appraiser with the licensure required to perform the appraisal review;

- prohibit lawful communications between the appraiser and any other person who the appraiser, in his or her professional judgment, believes possesses relevant information; or
- knowingly require an appraiser to take any action that does not comply with the provisions of Oregon law or any assignment conditions and certifications required by the client for whom an appraisal is being performed.

Note: The above limitations do not prohibit an AMC from requesting on behalf and with the approval of a financial institution at the request of a consumer that an appraiser provide additional information about the basis for a valuation, consider the values of other comparable properties or correct objective factual errors in an appraisal report.

An AMC may not alter in any manner a completed appraisal service report by an appraiser.

Amended 2011.

[Or. Rev. Stat. § 674.220 \(2019\)](#)

AMC-Appraiser Relations

An AMC may not require an appraiser to indemnify the AMC or any other party against liability, damages, losses or claims that arise out of any act or conduct of the AMC or that do not arise out of the services performed by the appraiser.

Except within the first 90 days after an appraiser is added to the AMC's panel, an AMC may not remove an appraiser from an appraiser panel without prior written notice to the appraiser, including notice of evidence of the reason for removal.

Except in the case of contract breach or substandard performance of appraisal activity, an AMC must pay an independent contractor appraiser for the completion of an appraisal or appraisal review assignment within 60 days (effective January 1, 2014, within 45 days) after the appraiser

provides the completed appraisal report to the AMC or according to another payment schedule agreed to by the appraiser and the AMC.

Section 674.220 amended 2011; § 674.225 amended 2013.

[Or. Rev. Stat. §§ 674.220, .225 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Oregon, Penalties

The Appraiser Certification and Licensure Board may suspend or revoke an AMC registration for statutory or rule violations and may impose a civil penalty of up to \$15,000 for each violation on a person who violates the AMC law or regulations.

Enacted 2010, amended 2011.

[Or. Rev. Stat. § 674.995 \(2019\)](#)

Pennsylvania

Pennsylvania, Fee Disclosures

AMC Disclosures

An AMC must disclose to its lender the fees paid for an appraisal separate from any other appraisal management fees or charges.

Appraiser Disclosures

An AMC may not prohibit an appraiser from stating the fee paid to the appraiser for performing an appraisal in the appraisal report.

Enacted 2012.

[63 Pa. Stat. §§ 457.27\(e\), .28\(b\)\(9\) \(2019\)](#)

Pennsylvania, License Fees

Effective July 24, 2012, appraisal management companies must be registered by the Pennsylvania Board of Certified Real Estate Appraisers. The fee for an initial registration application is \$2,000 as set by Board rule. The biennial renewal fee is \$1,000.

An applicant must also post a \$40,000 surety bond or letter of credit with the application.

Registrations expire on June 30 of each odd-numbered year.

Enacted 2012; rules promulgated 2017.

[63 Pa. Stat. §§ 457.23, .26 \(2019\); 49 Pa. Code §§ 36.405, .451, .452 \(2019\)](#)

Pennsylvania, Restrictions

Registration Required

Effective July 24, 2012, a person may not act as, hold out as, or advertise as engaging in business as an appraisal management company without first registering with the [Pennsylvania Certified Real Estate Appraisers Board](#).

Exceptions: The registration requirement does not apply to:

- a person authorized to engage in business as a banking institution, credit union or savings association organized under Pennsylvania law or that of any other jurisdiction,

and whose employees perform appraisals for the person or arrange for appraisals for the person by an independent contractor to the person; or

- an appraiser who enters into an agreement with an appraiser to perform an appraisal and, under the agreement cosigns the appraisal upon its completion.

A registration is valid for two years.

Enacted 2012.

[63 Pa. Stat. §§ 457.23, .26\(c\)\(1\), .31 \(2019\)](#)

Annual Certifications

An AMC must certify to the Board at the time of registration application and renewal that it:

- has a system in place to verify that a person being added to the appraiser panel for appraisal of property in Pennsylvania is a certified appraiser in good standing in Pennsylvania;
- a certification of the identity of its compliance person and that individual's acceptance of the position's responsibilities;
- has a system in place to review, on a periodic basis and when requested by a client, the work of all appraisers performing real estate appraisal services for the AMC of property located in Pennsylvania to confirm that the services are being performed according to the minimum standards of the Pennsylvania Real Estate Appraisers Certification Act (REACA); and

- maintains a record of each service request it receives, the identity of the appraiser that performs the appraisal services for the AMC, the fees received from the client and the fees paid to the appraiser.

Enacted 2012.

[63 Pa. Stat. §§ 457.25\(b\)\(5\), .27\(c\)\(2\) \(2019\)](#)

Prohibitions

A key person, employee, compliance person or agent of an AMC is prohibited from improperly influencing or attempting to improperly influence an appraisal through means including, but not limited to, intimidation, coercion, extortion, bribery, blackmail, threat of nonpayment or withholding payment for an appraisal or threat of exclusion from future appraisal work.

In addition, an AMC is prohibited from:

- hiring, employing, or in any way contracting with or paying a person who is not a licensed appraiser in good standing to perform a real estate valuation, except for a comparative market analysis;
- requiring an appraiser to provide his or her digital signature or seal to the AMC;
- altering, amending, or changing an appraisal submitted, including by removing the appraiser's signature or seal or by adding or removing information;
- removing an appraiser from an appraiser panel without prior written notice to the appraiser;

- requesting an appraiser to provide an estimated, predetermined or desired valuation, or estimated values or comparable sales at any time before appraisal completion;
- providing an appraiser an anticipated, estimated, encouraged or desired value for a property or a proposed or target amount to be loaned to the borrower; or
- committing an act or practice that impairs or attempts to impair an appraiser's independence, objectivity or impartiality or soliciting an appraiser to violate the law or rules.

Note: The above limitations do not prohibit an AMC from requesting that an appraiser provide additional information about the basis for a valuation, correct objective factual errors in an appraisal report, or consider additional comparables.

Enacted 2012.

[63 Pa. Stat. § 457.28 \(2019\)](#)

AMC-Appraiser Relationships

An AMC may contract with an appraiser only if the appraiser is certified and in good standing.

An AMC must make a reasonable effort to provide to the appraiser, in a timely manner, a copy of the property sale contract, if available, along with the legal description and any other pertinent documents.

An AMC may not remove an appraiser from the panel without giving the appraiser written notice, including evidence of:

- the appraiser's illegal or unlawful conduct;

- a violation of the minimum reporting standards under the REACA or other applicable statute or rule;
- failure to satisfy the required minimum standards of the AMC or the appraiser/AMC contract;
- otherwise improper or unprofessional behavior; or
- a legitimate business reason for the removal unrelated to the appraiser's performance.

An AMC may not:

- require that an appraiser collect a fee from the borrower;
- prohibit an appraiser from noting or reporting real property appraisal assistance;
- refuse to pay or not pay for appraisal services for a reason other than the appraiser's breach of agreement or substandard performance;
- include a provision in an appraisal order requiring the appraiser to indemnify or hold harmless for acts or omissions other than those of the appraiser, or requiring the appraiser to defend the AMC in a civil proceeding;
- request that the appraiser provide comparable properties for a specified property prior to completing the appraisal report;
- delay payment for appraisal services in violation of the AMC's payment policy; or

- limit the time for completing an appraisal assignment that impairs the report's credibility.

Enacted 2012; rule promulgated 2017.

[63 Pa. Stat. §§ 457.27\(g\), .28\(b\)\(4\), \(5\) \(2018\); 49 Pa. Code § 36.442 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions. The AMC regulations provide that an AMC may not may not solicit or order, nor offer to solicit or order, a BPO for use in a non-federally related transaction or a federally related transaction, Additionally, an AMC may not solicit or order, nor offer to solicit or order, an evaluation.

However, [2018 Pa. Laws ch. 75, § 4](#), provides that "[a] registered appraisal management company may recruit, engage and negotiate fees with a broker to prepare broker price opinions and may receive orders for and submit broker price opinions to clients." The Appraisal Management Company Registration Act, is repealed insofar as it is inconsistent with this 2018 Act.

A BPO is defined as: "an estimate prepared by a broker, associate broker or salesperson that details the probable selling price of a particular parcel of real property and provides a varying level of detail about the property's condition, market and neighborhood, and information on comparable sales, but does not include an automated valuation model."

Rules promulgated 2017.

[49 Pa. Code §§ 36.401, .434 \(2019\)](#)

Pennsylvania, Penalties

Administrative Penalties

When the Board of Certified Real Estate Appraisers finds that an AMC has violated the laws or rules, the Board may do any of the following:

- deny, suspend, revoke or refuse to issue or renew the AMC's registration;
- restrict, reprimand, limit or suspend enforcement of its findings and place the AMC on probation with the right to vacate the probation for noncompliance;
- order the removal, replacement or restriction of a compliance person or a key person found to have committed a violation as a condition of approving, renewing or retaining an AMC's registration;
- order a person found to have committed a violation who owns an interest in or participates in the business of an AMC to divest partially or wholly of his or her interest or participation as a condition of granting, renewing or retaining an AMC's registration;
- levy a civil penalty or costs of investigation;
- require the posting of a bond or other security; or
- levy a civil penalty of up to \$10,000 on any person who violates any provision of the law relating to AMCs.

Criminal Penalties

A violation of the AMC registration law is a third degree misdemeanor punishable by a fine of up to \$1,000 and/or imprisonment for not more than 90 days.

Enacted 2012.

[63 Pa. Stat. § 457.30 \(2019\)](#)

Puerto Rico

Puerto Rico, Fee Disclosures

No applicable provisions located.

Puerto Rico, License Fees

Puerto Rico does not require licensure or registration of AMCs.

Puerto Rico, Restrictions

No applicable provisions located.

Puerto Rico, Penalties

No applicable provisions located.

Rhode Island

Rhode Island, Fee Disclosures

No applicable provisions located.

Rhode Island, License Fees

Rhode Island's AMC registration law became effective July 1, 2018. The fee for initial registration is \$500. The annual renewal fee is \$500.

A registration is valid for one year from the date on which it is issued.

Enacted 2017; section 5-20.9-7 amended 2019.

[R.I. Gen. Laws §§ 5-20.9-7, -8 \(2019\); 230-R.I. Code R.-30-20-3, §§ 3.6, 3.9 \(2019\)](#)

Rhode Island, Restrictions

Licensure Required

Effective July 1, 2018 any person or entity acting as a real estate appraisal management company, or directly or indirectly engaging in the business of real estate appraisal management in Rhode Island, or advertising or holding himself, herself, or itself out as engaging in the business of real estate appraisal management Rhode Island, must first register with the [Department of Business Regulation](#). A partnership, limited liability partnership, limited liability company, or corporation that acts as an AMC must register with the Department and renew the registrations of its members, officers, and directors for each registration period.

"Appraisal management company" means "in connection with valuing properties collateralizing mortgage loans or mortgages incorporated into a securitization, any external third party authorized either by a creditor of a consumer credit transaction secured by a consumer's principal dwelling, or by an underwriter of or other principal in the secondary mortgage markets, that oversees a network or panel" of more than 15 certified or licensed appraisers in Rhode Island or 25 or more nationally, excluding those appraisers who do not provide appraisal services for covered transactions, within a given year. It does not include "any entity that employs real estate appraisers as employees for the performance of real estate appraisal services in a manner consistent with federal regulations promulgated in accordance with § 1473 of the Dodd-Frank Wall Street Reform Act."

Exceptions: The Real Estate Appraisal Management Company Registration Act does not apply to:

- an agency of the federal government or any state or municipal government;
- an AMC that is a subsidiary owned and controlled by a financial institution regulated by a federal financial institution regulatory agency, provided the AMC is in compliance with § 1124 of the Federal Financial Institutions Reform, Recovery and Enforcement Act of 1989, 12 U.S.C. § 3353, and any rules promulgated thereunder;
- "any domestic corporation, partnership, sole proprietorship, subsidiary, unit, or other domestic business entity that exclusively employs persons in employer-employee relationships to perform residential real estate appraisal services in accordance with USPAP in the normal course of its business;" or
- any individual or business entity "who or that in the normal course of business enters into an agreement, whether written or otherwise, with an independent fee appraiser for the

performance of residential real estate appraisal services shall, upon the completion of the appraisal, cosign the report with the independent fee appraiser with whom it or the individual subcontracted for the performance of the residential real estate appraisal service."

Enacted 2017, effective July 1, 2018.

[R.I. Gen. Laws §§ 5-20.9-2, -3 \(2019\)](#)

Annual Certifications

Upon its initial registration and upon each registration renewal, an AMC must certify that it:

- has a system and process in place to verify that a person being added to the AMC's appraiser panel holds a certification or license in good standing in Rhode Island to perform appraisals;
- has a system in place to periodically perform a quality assurance review of the work of independent fee appraisers who are performing real estate appraisal services on its behalf to ensure that the appraisal services are being conducted in accordance with USPAP;
- maintains a detailed record of each service request that it receives for five years;
- maintains a system to assure that the appraiser selected for an appraisal assignment is independent of the transaction and has the requisite education, expertise, and experience necessary to competently complete the appraisal assignment for the particular market and property type; and
- will have a system in place to ensure that real estate appraisal services are provided independently and free from inappropriate influence and coercion under the appraisal independence standards established under the Truth in Lending Act, 15 U.S.C. § 1639e,

including the requirement that independent fee appraisers be compensated at a customary and reasonable rate when the AMC is providing services for a consumer credit transaction secured by the consumer's principal dwelling.

Enacted 2017, effective July 1, 2018.

[R.I. Gen. Laws §§ 5-20.9-4\(c\) \(2019\)](#)

Prohibitions

It is unlawful for any employee, director, officer, or agent of an AMC to influence or attempt to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery, or in any other manner, including, but are not limited to:

- withholding or threatening to withhold timely payment for an appraisal except in cases of breach of contract or substandard performance;
- withholding or threatening to withhold future business for, or demoting or terminating or threatening to demote or terminate an independent appraiser;
- promising future business, promotions, or increased compensation for an independent appraiser;
- "[c]onditioning the request for an appraisal service or the payment of an appraisal fee or salary or bonus on the opinion, conclusion, or valuation to be reached, or on a preliminary estimate or opinion requested from an independent appraiser;"
- requesting that an independent appraiser provide an estimated, predetermined, or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the completion of an appraisal service;

- "[p]roviding to an independent appraiser an anticipated, estimated, encouraged, or desired value for a subject property or a proposed or target amount to be loaned to the borrower, except that a copy of the sales contract for purchase transactions may be provided;"
- providing to the appraiser, or any entity or person related to the appraiser, stock or other benefits;
- "[r]emoving an appraiser from a list of qualified appraisers, or adding an appraiser to an exclusionary list of disapproved appraisers, in connection with the influencing or attempting to influence an appraisal;"
- "[o]btaining, using, or paying for a second or subsequent appraisal or ordering an automated valuation model in connection with a mortgage financing transaction unless there is a reasonable basis to believe that the initial appraisal was flawed or tainted and such basis is clearly and appropriately noted in the loan file, or unless such appraisal or automated valuation model is done pursuant to a bona fide pre-funding or post-funding appraisal review or quality control process;" or
- any other act or practice that impairs or attempts to impair an appraiser's independence, objectivity, or impartiality.

The above prohibitions do not prevent an AMC from requesting that an independent fee appraiser consider additional property information, provide additional information about the basis for a valuation; or correct objective factual errors in an appraisal report.

Enacted 2017, effective July 1, 2018.

[R.I. Gen. Laws § 5-20.9-13 \(2019\)](#)

AMC-Appraiser Relationships

An AMC may not enter into contracts or agreements with an independent fee appraiser for the performance of residential real estate appraisal services unless that person is licensed or certified and in good standing pursuant to Rhode Island law.

An AMC may not:

- require an independent fee appraiser to collect the appraisal fee from a borrower, homeowner, or other person;
- require an independent fee appraiser to provide the company with the appraiser's digital signature;
- alter an appraisal report submitted by an independent fee appraiser in any fashion, including removing the appraiser's signature or adding information to or removing information from the report; or
- transmit an appraisal to the company's client if the appraisal has been altered in any fashion after it was transmitted to the company.

An AMC may not require an independent fee appraiser to sign any indemnification agreement that would require the appraiser to defend and hold harmless the AMC or any of its agents, employees, or independent contractors for any liability, damage, losses, or claims arising out of the services performed by the AMC.

Except within the first 30 days after an independent appraiser is added to the AMC's appraiser panel, an AMC may not remove an appraiser from its appraiser panel, or otherwise refuse to assign requests for real estate appraisal services to an independent appraiser without:

- providing written notice to the appraiser of the reasons why the appraiser is being removed from the panel, including the alleged statutory or USPAP violation, if any; and

- providing an opportunity for the appraiser to respond to the notification.

An appraiser that is removed from the appraiser panel for alleged illegal conduct, violation of the USPAP, or violation of state licensing statutes, may file a complaint with the Department for a review of the AMC's decision.

Enacted 2017, effective July 1, 2018.

[R.I. Gen. Laws §§ 5-20.9-12, -14, -15 \(2019\)](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Rhode Island, Penalties

The Department may deny, censure, suspend, or revoke an AMC's registration, levy fines or impose civil penalties not to exceed \$5,000 per violation, if an AMC is attempting to perform, has performed, or has attempted to perform any of the following acts among others:

- violated or failed to comply with any provision of registration law, or any rule adopted by the Department;
- acted as an AMC while not properly registered with the Department;
- failed to pay the proper filing or renewal fee;
- has demonstrated incompetence, untrustworthiness, or conduct or practices that render the applicant unfit to perform appraisal management services; or

- committed any of the prohibited practices set forth in the law or Department regulations.

The Department may also issue cease and desist orders.

Enacted 2017.

[R.I. Gen. Laws §§ 5-20.9-9, -17 \(2019\)](#)

South Carolina

South Carolina, Fee Disclosures

An AMC, appraiser's client, or other third party may not prevent an appraiser from disclosing the fee paid to the appraiser for the performance of the appraisal in the appraisal report.

Enacted 2017.

[S.C. Code Ann. § 40-60-450 \(2019\)](#)

South Carolina, License Fees

The registration fee and biennial renewal fee is \$1,000. [AMC Registration Application Form](#).

In lieu of submitting a detailed statement of current financial condition as part of its application, an AMC may submit a \$25,000 surety bond, whichever the registering AMC selects.

To renew biennially, an entity actively registered under the Act must submit all information required by the Board before June 30.

Enacted 2017; § 40-60-330 amended 2018.

[S.C. Stat. Ann. §§ 40-60-330, -350, -360 \(2019\); S.C. Real Estate Appraiser Bd., Fees \(last visited Mar. 12, 2020\)](#)

South Carolina, Restrictions

Licensure Required

A person may not directly or indirectly engage or attempt to engage in business as an appraisal management company, or directly or indirectly engage or attempt to perform appraisal management services, or advertise or hold himself out as engaging in or conducting business as an AMC without first obtaining a registration issued by the [South Carolina Real Estate Appraisers Board](#).

An "appraisal management company" is "an external third party, in connection with valuing properties, collateralizing mortgage loans, or incorporating mortgages into a securitization" who must be "authorized either by a creditor of a consumer credit transaction secured by a consumer's principal dwelling or by an underwriter or by other principal in the secondary mortgage markets" and who oversees a network or panel of more than 15 certified or licensed appraisers in a state or 25 or more nationally within a given year in order.

Exceptions: The AMC registration requirements do not apply to:

- a person or entity that exclusively employs appraisers on an employer-employee basis for the performance of appraisals;
- a department or unit within a financial institution subject to direct regulation by a federal or South Carolina agency and that receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser that is a certified or licensed appraiser, provided an AMC that is a subsidiary owned or controlled by a financial institution may not be considered a department or unit within a financial institution to which the provisions of the registration law do not apply;
- a person that enters into an agreement with an appraiser for the performance of an appraisal, and upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed it and the appraiser who requested the appraisal, provided, however, an AMC may not avoid the requirements of the

law by requiring an employee of the AMC who is an appraiser to sign an appraisal that is completed by an appraiser who is part of the AMC's appraisal panel;

- an AMC that maintains an appraiser panel that consists of 15 or fewer certified or licensed appraisers who are independent contractors in South Carolina, or a total of 24 or fewer certified or licensed appraisers who are independent contractors in two or more states; and
- an AMC that is a subsidiary owned and controlled by a financial institution regulated by a federal financial institution regulatory agency, except that each AMC so exempt must comply with the requirements of S.C. Code Ann. § 40-60-360(C).

Enacted 2017; § 40-60-330 amended 2019.

[S.C. Code Ann. §§ 40-60-320, -330, -340 \(2019\)](#)

Annual Certifications

At registration an AMC must certify that:

- the entity seeking registration has a system and process in place to verify that a person being added to the AMC's appraiser panel holds a certification or license in good standing in South Carolina pursuant to the South Carolina Real Estate Appraisers Act;
- the applicant has a system in place to review the work of all certified or licensed appraisers who are independent contractors and perform real estate appraisal services for the AMC on a periodic basis to validate that the appraisal services are being conducted pursuant to Uniform Standards of Professional Appraisals Practice (USPAP);
- the entity maintains a detailed record of each service request that it receives and the appraisers who are independent contractors and who perform the appraisal services for the AMC; and

- the person has a system in place to require that appraisals are conducted independently and free from inappropriate influence and coercion, as required by the appraisal independence standards established under the Truth in Lending Act, 15 U.S.C. § 1639e.

At each renewal, an AMC must certify to the Board that it:

- maintains a detailed record of each service request that it receives; and
- has a policy that requires an independent appraiser who performs a real estate appraisal service for the AMC to maintain those records, including, but not limited to, the work file, for at least the later of five years after preparation or two years after final disposition of a judicial proceeding in which the appraiser or AMC provided testimony related to the assignment.

Enacted 2017; § 40-60-330 amended 2019.

[S.C. Code Ann. §§ 40-6-330, -420 \(2019\)](#)

Prohibitions

An AMC that applies for a registration to do business in South Carolina as an AMC may not knowingly:

- employ a person who has had a certificate or license to act as an appraiser in any state refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in a position in which the person has the responsibility to order appraisals or to review completed appraisals;

- enter into an independent contractor arrangement for appraisal services with a person who has had a certificate or license to act as an appraiser in any state refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation; or
- enter into a contract, agreement, or other business relationship with an entity for appraisal services that employs, has entered into an independent contract arrangement, or has entered into a contract, agreement, or other business relationship with a person who has ever had a certificate or license to act as an appraiser in any state refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation.

It is unprofessional conduct for an employee, director, or agent of an AMC to influence or attempt to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery, or in another manner, including:

- withholding or threatening to withhold timely payment for an appraisal, with the exception of an appraisal that does not comply with the written terms of the agreement;
- withholding or threatening to withhold future business from certified or licensed appraisers, who are independent contractors, or demoting, threatening to demote, or terminating such appraisers,;
- expressly or impliedly promising future business, promotion, or increased compensation for independent-contractor appraisers;
- requesting that independent-contractor appraisers provide an estimated, predetermined, or desired valuation in an appraisal report or provide estimated values of comparable sales at any time before the appraiser completes an appraisal service;
- providing to independent-contractor appraisers, an anticipated, estimated, encouraged, or desired value for a subject property or a proposed or target amount to be loaned to the borrower, provided however that a copy of the sales contract for purchase transactions may be provided;

- providing stock or other financial or nonfinancial benefits to independent-contractor appraisers, or an entity or person related to an appraiser;
- "obtaining, using, or paying for a second or subsequent appraisal or valuation in connection with a mortgage financing transaction, unless there is a reasonable basis to believe that the initial appraisal or valuation was flawed or tainted and this basis is clearly and appropriately noted in the loan file, or unless the appraisal review or quality control process written preestablished lending requirements, or unless the appraisal or valuation is required by state or federal law;" or
- engaging in another act or practice that impairs or attempts to impair the independence, objectivity, or impartiality of an appraiser.

The above prohibitions may not be construed to prohibit the AMC from requiring appraisers to provide additional information about the basis for a valuation, correct objective factual errors in an appraisal report, and consider additional, appropriate property information, including the consideration of additional comparable properties to make or support an appraisal.

Enacted 2017.

[S.C. Code Ann. §§ 40-60-390, 490 \(2019\)](#)

AMC-Appraiser Relationships

An AMC may not enter into contracts or agreements with a certified or licensed appraiser, who is an independent contractor, to perform a real estate appraisal service in South Carolina unless the person performing the appraisal service is certified or licensed in good standing with the Board.

A registered AMC that requires a real estate appraiser to submit to a criminal background check as a condition of employment, contractual relationship, or access to an appraisal portal must accept a criminal background check performed within the preceding 12 months if it substantially conforms to the criminal background checks of the company selected by the AMC.

Except in cases of breach of contract or substandard performance of services, an AMC must make payment to certified or licensed appraisers, who are independent contractors, for the completion of an appraisal or valuation assignment within 45 days after the date on which the appraisers transmit or otherwise provide the completed appraisal or valuation study to the AMC or its assignee. Appraisers must be compensated at a rate that is customary and reasonable for appraisals being performed in the market area of the property being appraised, consistent with the requirements of 15 U.S.C. § 1639e and regulations adopted thereunder.

An AMC may not allow the removal of an appraiser from an appraiser panel without prior written notice to the appraiser specifying the basis for his or her removal.

An AMC may not require an appraiser to indemnify the AMC or hold it harmless for liability, damages, losses, or claims arising out of the services performed by the AMC and not the services performed by the appraiser

An AMC may not:

- "alter, modify, or otherwise change a completed appraisal report submitted by a licensed or certified independent appraiser without the appraiser's consent, except as necessary to comply with regulatory mandates or legal requirements"; or
- "use an appraisal report submitted by a licensed or certified independent appraiser, or any of the data or information contained therein, for any purpose other than its intended use without the appraiser's or the intended end user's consent, except as necessary to comply with regulatory mandates or legal requirements."

Enacted 2017.

[S.C. Code Ann. §§ 40-60-400, -410, -430, -450, -460 \(2019\)](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

South Carolina, Penalties

Administrative Penalties

In addition to the grounds for disciplinary action pursuant to § 40-1-110, the Board may discipline, publicly or privately reprimand, or fine an AMC or suspend or revoke a registration if an AMCI is attempting to perform, has performed, or has attempted to:

- commit an act in violation of the registration law;
- violate a rule or regulation adopted by the Board;
- procure a registration, license, or certification by fraud, misrepresentation, or deceit; or
- violate the South Carolina Real Estate Appraisers Act or the federal Financial Institutions Reform Recovery and Enforcement Act of 1989.

In addition to the sanctions provided in § 40-1-120, the Board may impose a fine not to exceed \$10,000 for an initial violation and not to exceed \$20,000 for subsequent violations and may require payment of investigative costs. A registrant against whom a fine is levied is not eligible for reinstatement until the fine is fully paid.

The Board may also issue restraining orders and cease and desist orders.

Judicial Penalties

The Department, in addition to instituting a criminal proceeding, may institute a civil action through the Administrative Law Court, for injunctive relief against a person or entity violating the registration law, a regulation promulgated thereunder, or an order of the Board. The court may

impose a fine of not more than \$10,000 for each violation in addition to a fine imposed by the Board for the same violation.

Enacted 2017.

[S.C. Code Ann. §§ 40-60-470, -490, -560 \(2019\)](#)

South Dakota

South Dakota, Fee Disclosures

AMC Disclosures

An AMC must disclose to the client the actual fees paid to an appraiser separate from any other fees or charges for appraisal management services, and make the information available to the Department of Labor and Regulation.

Amended 2018.

[S.D. Admin. R. 20:77:05:01\(8\) \(2019\)](#)

Appraiser Disclosure

An AMC may not prohibit an appraiser from reporting in the appraisal report the fee received by the appraiser from the AMC.

Amended 2018.

[S.D. Admin. R. 20:77:07:03\(1\) \(2019\)](#)

South Dakota, License Fees

The Department of Labor and Regulation has established the following fees for AMCs:

- \$1,000 registration fee;
- \$750 annual renewal fee; and
- a late renewal fee of \$50 per month, or fraction thereof, not to exceed \$150.

An applicant for issuance or renewal of an AMC registration must also file with the Department a surety bond with one or more corporate sureties authorized to do business in South Dakota or an irrevocable letter of credit issued by an insured institution authorized to do business in South Dakota in the amount of \$25,000.

Statute enacted 2014; rules promulgated 2011.

[S.D. Codified Laws § 36-21D-12 \(2019\)](#); [S.D. Admin. R. 20:77:04:01, :02, :03 \(2019\)](#)

South Dakota, Restrictions

Licensure Required

Any person or entity acting as an appraisal management company or performing appraisal management services in South Dakota that oversees a network or panel of more than 15 certified or licensed appraisers in a state or 25 or more nationally within a given year, except an AMC that is a subsidiary owned and controlled by a financial institution regulated by a federal financial institution regulatory agency, must register with the [Department of Labor and Regulation](#).

Enacted 2011.

[S.D. Codified Laws §§ 36-21D-1, -2 \(2019\)](#)

Annual Certifications

There are no relevant certification provisions. However, an AMC must have a system in place:

- to verify that the appraisers it uses are licensed or certified and in good standing in South Dakota;
- that is reasonably designed and properly applied by the AMC to ensure the work of utilized appraisers who perform appraisal services are subject to a Standard 3 review to determine if the services were performed in compliance with the uniform standards; and
- to verify that any employee or independent contractor that performs a Standard 3 appraisal review of utilized appraisers be licensed or certified and in good standing in South Dakota and conducts the appraisal review in compliance with the uniform standards.

Amended 2018.

[S.D. Admin. R. 20:77:05:01 \(2019\)](#)

Prohibitions

An employee, director, officer, agent, independent contractor or other third party acting on behalf of an AMC may not:

- improperly influence or attempt to improperly influence the development, reporting, result, or review of a real estate appraisal;

- intimidate, coerce, extort, bribe, blackmail, withhold payment for appraisal services, or threaten to exclude the real estate appraiser from future work in order to improperly obtain a desired result;
- condition payment of an appraisal fee upon the opinion, conclusion, or valuation to be reached;
- request a real estate appraiser to report a predetermined opinion, conclusion, or valuation or the desired valuation of any person or entity;
- engage in any other act or practice that impairs or attempts to impair a real estate appraiser's independence, objectivity, and impartiality;
- require a real estate appraiser to provide the AMC with the appraiser's digital signature or seal; or
- alter, amend, or change an appraisal report submitted by a real estate appraiser, without the appraiser's written consent.

Note: An AMC does not violate the above provisions solely by asking a real estate appraiser to consider additional, appropriate property information, provide further detail, substantiation, or explanation for the appraiser's value conclusion, or correct errors in the appraisal report.

An AMC may not use an independent appraiser's appraisal report, or any data or information contained in the report, for any purpose other than its intended use without the appraiser's or end user's written consent, except as required to comply with regulatory or legal requirements.

Statutes enacted 2011; rule amended 2018.

[S.D. Codified Laws §§ 36-21D-10, -11 \(2019\); S.D. Admin. R. 20:77:07:03\(2\) \(2019\)](#)

AMC-Appraiser Relationships

An AMC may not remove an appraiser from a real estate appraiser panel without prior written notice to the appraiser, which must include evidence of the appraiser's illegal conduct, a violation of the appraisal standards adopted by the Department of Labor and Regulation, or improper or

unprofessional conduct.

An AMC pay the appraisal fee to a utilized appraiser within 45 days of the date the appraiser first transmits the appraisal report to the AMC, except in cases of verifiable breach of contract or substandard performance of services by the appraiser

An AMC may not require an appraiser to sign any indemnification agreement that would require the appraiser to defend and hold harmless the AMC or any of its agents or employees for any liability, damage, losses, or claims arising out of the services performed by the AMC or its agents, employees, or independent contractors and not the services performed by the appraiser.

An AMC may retain a real estate appraiser from panels or lists on a rotating basis; supply an appraiser with information the appraiser is required to analyze under the appraisal standards adopted by the Department, such as agreements of sale, options, and listings of the property to be valued; and withhold payment of an appraisal fee based on a bona fide dispute regarding the appraiser's compliance with the appraisal standards adopted by the Department.

Statutes enacted 2011; rule amended 2018.

[S.D. Codified Laws §§ 36-21D-10, -11 \(2019\)](#); [S.D. Admin. R. 20:77:05:01\(10\) \(2019\)](#)

Persons Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

South Dakota, Penalties

The Department of Labor and Regulation may impose a monetary penalty of up to \$2,000 on an AMC upon proof of a violation of the rules relating to AMCs or a violation of the AMC law. Other disciplinary action includes denial, suspension or revocation of a registration, censure, reprimand and consent agreements.

Statute enacted 2011; rule promulgated 2011.

[S.D. Codified Laws § 36-21D-8 \(2018\)](#); [S.D. Admin. R. 20:77:07:02 \(2019\)](#)

Tennessee

Tennessee, Fee Disclosures

Disclosures to Clients

An AMC must separately state to a client:

- the fees paid by the AMC to the appraiser who performed the appraisal; and
- the fees charged by the AMC for services associated with management of the appraisal process.

Disclosure in Appraisal Report

An AMC may not prohibit a panel appraiser from including in an appraisal report the appraisal fee paid to the appraiser by the AMC.

Enacted 2010.

Tenn. Code Ann. § 62-39-418 (LexisNexis 2019)

Tennessee, License Fees

The Tennessee Real Estate Appraiser Commission has set the following fees:

- a registration fee of \$2,000 at the time of application;
- a fee of \$2,000 upon registration renewal every two years.

In addition to paying the required fee, each applicant for registration must post with the Commission, and maintain on renewal, a \$20,000 surety bond.

Statute enacted 2010; rules promulgated 2011; rule 1255-08-.01 amended 2018.

Tenn. Code Ann. § 62-39-408 (LexisNexis 2019); [Tenn. Comp. R. & Regs. 1255-08-.01, -.04 \(2019\)](#)

Tennessee, Restrictions

Registration Required

Effective July 1, 2011, an appraisal management company may not engage in business as an AMC in Tennessee, attempt to perform or perform appraisal management services in Tennessee or advertise or hold itself out as doing business as an AMC in Tennessee, without first registering with the [Tennessee Real Estate Appraiser Commission](#).

Exceptions: The registration law does not apply to:

- an appraiser that has an agreement with another appraiser for the performance of an appraisal, which is signed by both appraisers upon completion;
- a national or state bank or state savings institution subject to direct regulation by an agency of the federal government or by the Tennessee Department of Financial Institutions that only receives appraisal requests from an employee of the financial institution and a co-employee assigns the requests to an appraiser who is an independent contractor to the institution;
- any local municipality or state agency that orders appraisals for ad valorem tax purposes or any other business on behalf of the state of Tennessee;
- a Tennessee licensed attorney, a court-appointed personal representative or a trustee who orders an appraisal in connection with a bona fide client relationship when such person directly contracts with an independent contractor; and
- a CPA regulated under Tennessee law.

Registrations are subject to renewal every two years.

Enacted 2010; § 62-39-404 amended 2017.

Tenn. Code Ann. §§ 62-39-403, -404, -406 (LexisNexis 2019)

Certifications

An AMC must certify to the Commission at the time of registration and biennial renewal that it has:

- a system and process in place to verify that a person being added to the AMC's appraiser panel for appraisals in Tennessee holds an appraiser's license in good standing under Tennessee law;
- a system in place to verify on a regular basis that an individual to whom it is making appraisal assignments has not had an appraiser license or certification refused, denied, cancelled, revoked or surrendered in lieu of revocation; and
- a system in place to review on a periodic basis the work of all appraisers performing appraisals for the AMC in Tennessee, to ensure that the appraisals are conducted in accordance with the Uniform Standards of Professional Appraisal Practice.

Each AMC must certify annually to the Commissioner of Consumer Protection that it maintains a detailed record of each appraisal request or order it receives and of the appraiser who performs the appraisal.

In addition, at the time of registration, an AMC must certify that:

- any person owning the entity, in whole or in part, has never had a license or certificate to act as an appraiser refused, revoked or surrendered in lieu of disciplinary action in any state and

- that the AMC is not more than ten percent owned by "any person who has been convicted of any felony or a misdemeanor involving the theft of services, money or property, or has had an appraiser license, certification or registration denied, revoked or suspended subject to a disciplinary proceeding in any state."

Amended 2013; § 62-39-417 amended 2017; rule amended 2018.

Tenn. Code Ann. §§ 62-39-414, -415, -416, -417 (LexisNexis 2019); [Tenn. Comp. R. & Regs. 1255-08-.01 \(2019\)](#)

Prohibitions

It is violation of the AMC law if an employee, director, officer or agent of an AMC influences or attempts to influence the development, reporting or review of an appraisal through coercion, extortion, collusion, inducement, intimidation, bribery or in any other manner, including:

- withholding or threatening to withhold timely payment for an appraisal except in instances of substandard performance or noncompliance with conditions of engagement;
- withholding or threatening to withhold future business, or demoting, terminating or threatening to demote or terminate an appraiser;
- promising future business, promotion or increased compensation to an appraiser;
- conditioning an appraisal request or payment of a fee, salary or bonus on the opinion, conclusion or valuation to be reached by the appraiser, or on a preliminary estimate or opinion requested from an appraiser;

- requesting that an appraiser provide an estimated, predetermined or desired valuation in a report or estimated values or comparable sales at any time prior to the completion of an appraisal;
- providing an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or target amount to be loaned to the borrower (except that a copy of the purchase contract may be provided);
- providing an appraiser, or any person or entity related to the appraiser, stock or other financial or nonfinancial benefits;
- removing an appraiser from the panel without prior written notice;
- requiring an appraiser to collect an appraisal fee on behalf of the AMC from the borrower, homeowner or other third party;
- requiring an appraiser to modify an aspect of an appraisal report;
- requiring an appraiser to prepare an appraisal if the appraiser believes he or she does not have the necessary expertise for the assignment or the specific geographic area and has notified the AMC and declined the assignment;
- require an appraiser to prepare an appraisal under a timeframe that he or she believes does not afford the appraiser the ability to meet all the relevant legal and professional obligations, if the appraiser has notified the AMC and declined the assignment;
- prohibiting or inhibiting legal or other allowable communication between the appraiser and the lender, a real estate licensee or any other person from whom the appraiser believes information would be relevant;

- knowingly requiring the appraiser to do anything that does not comply with the Uniform Standards of Professional Appraisal Practice or the Tennessee Licensing and Certified Real Estate Appraisers Law and regulations promulgated thereunder, or any assignment conditions or certifications required by the client;
- making any portion of the appraiser's fee or AMC fee contingent on a predetermined or favorable outcome, including a loan closing or specific dollar amount being achieved in the appraisal;
- requiring an appraiser to provide the AMC with the appraiser's digital signature or seal;
- altering or otherwise changing a completed appraisal report by permanently removing the appraiser's signature or seal or adding information to, or removing information from, the appraisal report with an intent to change the valuation conclusion; or
- using any other act or practice that knowingly impairs or attempts to impair an appraiser's independence, impartiality or objectivity.

Note: The above limitations do not prohibit an AMC from requesting that an appraiser provide additional information about the basis for a valuation, provide additional information within the appraisal regarding additional sales provided through an established dispute process, or correct objective factual errors in an appraisal report.

Enacted 2010.

Tenn. Code Ann. §§ 62-39-419, -420, -421, -422 (LexisNexis 2019)

AMC-Appraiser Relationships

Any appraiser panel member who has any involvement in the performance of appraisals in Tennessee must be licensed or certified and in good standing under Tennessee's appraiser licensing law. Letters of engagement must include instructions to the appraiser to decline the assignment if he or she is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.

Each AMC operating in Tennessee must pay an appraiser for completion of an appraisal or valuation assignment no later than 60 days after the date on which the appraiser transmits or otherwise provides the completed study to the AMC or its assignee.

Exception: The 60-day payment period does not apply in cases:

- of breach of contract;
- of substandard performance of services; or
- where the parties have mutually agreed upon an alternate payment schedule.

Except within the first 30 days after an appraiser is first added to an appraiser panel, an AMC may not remove the appraiser from the panel, or otherwise refuse to assign appraisal requests or orders, without:

- notifying the appraiser in writing of the reasons why he or she is being removed from the panel, and if the appraiser is being removed for illegal conduct or violation of the applicable appraisal practice standards, the nature of the alleged conduct or violation must be identified; and
- providing the appraiser an opportunity to respond to the notification.

An appraiser removed from a panel may file a complaint with the Commissioner requesting a review of the removal decision.

An AMC may not require an appraiser to indemnify or hold harmless the AMC for any liability, damage, losses, or claims arising out of services performed by the AMC, and not the appraiser's services.

All AMCs operating in Tennessee that are not owned and controlled by an insured depository institution and are not regulated by a federal financial institution's regulatory agency must:

- establish and comply with processes and controls reasonably designed to ensure that the AMC, in engaging an appraiser, selects an appraiser who is independent of the transaction and who has the requisite education, expertise, and experience to competently complete the appraisal assignment for the particular market and property type; and
- direct the appraiser to perform the assignment in accordance with the USPAP.

Enacted 2010; § 62-39-428 enacted 2017; § 62-39-412 amended 2017.

Tenn. Code Ann. §§ 62-39-412, -419, -421, -424, -428 (LexisNexis 2019)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Tennessee, Penalties

Administrative Penalties

The Tennessee Real Estate Appraiser Commission may censure an AMC, conditionally or unconditionally, suspend or revoke any registration issued to an AMC, or impose administrative fines, if an AMC is:

- knowingly committing any act in violation of the registration law;
- violating any rule or regulation adopted by the Commission; or

- procuring a license by fraud, misrepresentation or deceit.

Enacted 2010.

Tenn. Code Ann. § 62-39-425 (LexisNexis 2019)

Texas

Texas, Fee Disclosures

In reporting to a client, an AMC must separately state the fees:

- paid to an appraiser for the completion of an appraisal; and
- charged by the AMC for appraisal management services.

An AMC may not:

- prohibit an appraiser from recording in the body of the appraisal report that is submitted to the AMC the fee that the appraiser was paid by the AMC for completing the appraisal; or
- include any fees for appraisal management services performed by the company in the amount it reports as charges for the actual completion of an appraisal by an appraiser.

Enacted 2011.

[Tex. Occ. Code Ann. § 1104.158 \(2019\)](#)

Texas, License Fees

The Texas Appraiser Licensing and Certification Board has set the following registration fees for AMCs:

- \$3,300 for an application for a two-year registration;
- \$3,000 for a timely renewal of a two-year registration;
- \$10 for each appraiser on a panel at the time of renewal of a registration;
- a late fee of 1.5 times the timely renewal fee for the late renewal of a registration within 90 days of expiration, and a fee equal to two times the timely renewal fee for late renewal more than 90 days but less than six months after expiration;
- \$5.00 for the addition or termination of a panel appraiser; and
- the national registry fee in the amount charged by the Appraisal Subcommittee for the AMC registry.

Rule amended 2019.

[22 Tex. Admin. Code § 159.52 \(2019\)](#)

Texas, Restrictions

Licensure Required

Effective March 1, 2012, a person who acts or attempts to act as an appraisal management company or who provides or attempts to provide appraisal management services must be registered with the [Texas Appraiser Licensing and Certification Board](#).

Exceptions: The registration requirement does not apply to:

- a person who exclusively employs appraisers on an employer-employee basis for the performance of appraisals;
- a person acting as an appraisal firm that at all times during a calendar year employs on an exclusive basis as independent contractors not more than 15 appraisers for performance of appraisals;
- a financial institution, including a department or unit within the institution, that is regulated by a Texas or federal agency;
- a person who enters into an agreement with an appraiser for the performance of an appraisal that on completion results in a report signed by both parties:
- an AMC operating only in Texas with an appraisal panel of not more than 15 appraisers at all times during the calendar year, or an AMC operating in multiple states, including Texas, with an appraiser panel of not more than 24 appraisers in all states at all times during a calendar year;
- an AMC that is a subsidiary owned and controlled by a financial institution that is subject to appraisal independence standards at least as stringent as those under the Truth in Lending Act through regulation by a Texas or federal agency; or
- a federally regulated AMC.

A registration is subject to renewal every two years.

Enacted 2011; § 1104.004 amended 2017.

[Tex. Occ. Code Ann. §§ 1104.004, .101, .107 \(2019\)](#)

Annual Certifications

An AMC must certify to the Board at the time of application that:

- it has reviewed each entity that owns more than 10% of the company and that no entity reviewed is more than 10% owned by a person who has had a license or certificate to act as an appraiser denied, revoked or surrendered in lieu of revocation and who has not subsequently had a license or certificate granted or reinstated;
- it has a system in place to ensure compliance with Subchapter D and section 129E of the Truth in Lending Act.

Section 1104.103 amended 2017; section 1104.102 amended 2019.

[Tex. Occ. Code Ann. §§ 1104.102, .103 \(2019\)](#)

Prohibitions

An AMC or an employee, director, officer or agent thereof may not:

- cause or attempt to cause the appraised value of a property assigned under an appraisal to be based on any factor other than the independent judgment of the appraiser;
- cause or attempt to cause the mischaracterization of the appraised value of a property in connection with a consumer credit transaction;
- seek to influence an appraiser or otherwise encourage a targeted value in order to facilitate the making or pricing of a consumer credit transaction;

- alter, modify or otherwise change a completed report submitted by an appraiser by altering or removing the appraiser's seal or signature or adding information to or removing information from, or changing information contained in the appraisal report;
- condition the request for an appraisal or payment of an appraisal fee, salary or bonus on the opinion, conclusion or valuation to be reached, or on a preliminary estimate or opinion requested from an appraiser;
- request that an appraiser provide an estimated, predetermined or desired valuation, or provide estimated values or comparable sales at any time before the appraiser's completion of an appraisal;
- make any part of an appraiser's fee or the AMC's fee contingent on a favorable outcome, including a loan closing or a specific valuation being achieved in the report;
- withhold or threaten to withhold timely payment for an appraisal report or services rendered when the appraisal report or services are provided in accordance with the parties' contract;
- withhold or threaten to withhold future business from an appraiser;
- demote or threaten to demote or terminate an appraiser;
- expressly or implicitly promise future business, promotions or increased compensation for an appraiser;
- provide to an appraiser, or a person related to the appraiser, stock or other financial or nonfinancial benefits;
- allow removal of an appraiser from an appraiser panel without prior written notice to the appraiser;

- obtain, use or pay for a second or subsequent appraisal or order an automated valuation model in connection with a mortgage financing transaction unless (a) there is a reasonable basis to believe that the initial appraisal was flawed or tainted and that basis is clearly noted in the loan file, (b) the subsequent appraisal or automated valuation model is done under a bona fide pre-funding or post-funding appraisal review or quality control process, or (c) the subsequent appraisal or automated valuation model is otherwise required or permitted by federal or state law;
- prohibit legal and allowable communication between the appraiser and the lender, real estate license holder or any other person from whom the appraiser, in his or her professional judgment, believes information would be relevant;
- refuse to accept an appraisal report prepared by more than one appraiser, if an appraiser provides substantial assistance to another appraiser, unless the appraisal assignment names an individual appraiser or the statement of work requires an unassisted report;
- require an appraiser to prepare an appraisal report if the appraiser, in his or her professional judgment, believes he or she does not have the necessary expertise for the specific geographic area and the appraiser has notified the AMC of this belief;
- require an appraiser to prepare an appraisal report under a schedule that the appraiser, in his or her professional judgment, believes does not afford him or her the ability to meet all the relevant legal or professional obligations if the appraiser has notified the AMC of this belief;
- require an appraiser to provide the AMC with his or her digital signature or seal;
- require an appraiser to modify any aspect of an appraisal report without the appraiser's agreement;
- require an appraiser to engage in any act or practice that does not comply with the Uniform Standards of Professional Appraisal Practice or any assignment conditions and certifications required by the client;

- require an appraiser to engage in any other act or practice that impairs or attempts to impair an appraiser's independence, objectivity or impartiality; or
- require an appraiser to pay a fee imposed on the AMC.

Note: The above prohibitions do not prohibit:

- an appraiser from reimbursing an AMC for the actual cost of discretionary services provided to the appraiser;
- an appraiser from voluntarily providing his or her digital signature to another person;
- an AMC from asking an appraiser, after a report is delivered to consider additional appropriate property information, provide further detail, substantiation or explanation for the appraiser's value conclusion, or correct errors in the report;
- an AMC from requiring an appraiser to provide advance notice of and an opportunity for the AMC to participate in any legal and allowable communication between the appraiser and lender; or
- providing a copy of an executed contract for a purchase transaction to the appraiser.

An AMC may not require an employee of the AMC who is an appraiser to sign an appraisal that is completed by another appraiser who contracts with the AMC in order to avoid the requirements of the AMC registration law.

Amended 2017.

[Tex. Occ. Code Ann. §§ 1104.004\(b\), .203 \(2019\)](#)

AMC-Appraiser Relationships

An AMC may not make an assignment to an appraiser who is not a member of the AMC's panel at the time of the assignment, unless the appraiser is employed by the AMC on an employer-employee basis.

An AMC must verify that an individual to whom the company is making an appraisal assignment is licensed under Texas law as an appraiser and has not had a license or certification denied, revoked or surrendered in lieu of revocation since the last time the AMC made an assignment to the appraiser.

Before making an assignment to an appraiser, an AMC must verify that the appraiser satisfies each provision of the competency rule of the Uniform Standards of Professional Appraisal Practice (USPAP) for the appraisal being assigned. Before or at the time of assignment, an AMC must obtain a written certification from the appraiser that the appraiser (1) is competent in the assigned property type and geographical area of the assignment, (2) has access to appropriate data sources, (3) will notify the AMC if he or she later determines he or she is unqualified to complete the assignment; and (4) is aware that misrepresentation of competency is subject to the mandatory reporting requirement in § 1104.160 of the AMC Act.

An AMC must on a periodic basis perform an appraisal review of the work of appraisers performing services for the company to ensure the service complies with the current USPAP and other standards prescribed by Board rules.

An AMC must, except in cases of breach of contract or substandard performance of services, pay an appraiser for completion of an appraisal or valuation assignment not later than 60 days after the date the appraiser provides the completed assignment to the AMC or its assignees. Appraisers must be compensated at a rate that is reasonable and customary for appraisals being conducted in the market area of the appraised property, consistent with the presumptions under federal law.

An AMC may not remove an appraiser from its panel, or otherwise refuse to assign requests for appraisal services to an appraiser, without notifying the appraiser in writing of the reasons for

removal, and if the appraiser is being removed from the panel for illegal conduct, a violation of the Uniform Standards or a violation of the Texas AMC law, notify the appraiser of the nature of the alleged conduct or violation. The appraiser must be given an opportunity to respond in writing to the notification, and may file a complaint with the Board for a review of the AMC's decision.

An AMC may not require an appraiser to keep confidential the existence of his or her business relationship with the AMC or the fact that the appraiser has received a specific appraisal-service assignment from the AMC.

Enacted 2011; §§ 1104.161, .203 amended 2017; rules 159.154, .156 amended 2017; rule 159.161 amended 2016.

[**Tex. Occ. Code Ann. §§ 1104.152, .154, .155, .157, .161, .203\(a\)\(18\)\(G\), \(H\) \(2019\); 22 Tex. Admin. Code §§ 159.154, .156, .161 \(2019\)**](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Texas, Penalties

The Texas Appraiser Licensing and Certification Board may reprimand an AMC or conditionally or unconditionally suspend or revoke any AMC registration if it determines that the AMC violated or attempted to violate the AMC registration law or any Board rules or procured or attempted to procure a license or registration by fraud, misrepresentation or deceit.

In addition to any other disciplinary action, the Board may impose an administrative penalty not to exceed \$10,000 per violation, with each day of a continuing violation deemed a separate violation. The Board may also seek injunctive relief to enjoin a violation.

A person who receives consideration for engaging in an activity for which AMC registration is required and who is not registered is liable for a civil penalty not less than the amount of money equal to the value of the consideration received or more than three times the amount of money equal to the value of the consideration received.

It is a Class A misdemeanor for a person to engage in an activity for which AMC registration is required without being registered.

Amended 2017.

[Tex. Occ. Code Ann. §§ 1104.202, .251, .252, .253 \(2019\)](#)

Utah

Utah, Fee Disclosures

Disclosures to Appraisers

An AMC must at the time an assignment is offered, disclose to the appraiser:

- the total dollar amount the appraiser may expect to earn from the assignment; and
- any fees or costs that will be charged by the AMC to the appraiser.

Before requiring the appraiser to submit a completed report, an AMC must disclose to the appraiser:

- the total fee that will be collected by the AMC for the assignment; and
- the total dollar amount that the AMC will retain from the fee charged.

Amended 2018.

[Utah Admin. Code r. 162-2e-304 \(2019\)](#)

Disclosures to Clients

Before an AMC receives monies from a client for a real estate appraisal activity requested by the client, the AMC must disclose to the client the total compensation that the AMC pays to the appraiser who performs the appraisal activity.

Before requiring the appraiser to submit a completed report, an AMC must direct the appraiser to disclose in the body of the appraisal report:

- the total compensation, stated as a dollar amount, paid to the appraiser or, if the appraiser is employed by an appraisal company, to the appraiser's employer; and
- the dollar amount retained by the AMC as compensation.

Statute amended 2016; rule amended 2018.

[Utah Code Ann. § 61-2e-304 \(2019\)](#); [Utah Admin. Code r. 162-2e-304 \(2019\)](#)

Utah, License Fees

The AMC application fee and on-time renewal fee established by the Utah Real Estate Appraiser Licensing and Certification Board is \$350. Late renewal fee is \$400. A license is valid for two years.

An AMC must maintain a surety bond in the amount of at least \$25,000.

Section 61-2e-204 amended 2016; rule amended 2015.

Utah, Restrictions

Licensure Required

Effective January 1, 2010, an entity must first be registered as an appraisal management company by the [Utah Real Estate Appraisers Licensing and Certification Board](#) before it may engage in business as an AMC, directly or indirectly engage or attempt to perform appraisal management services or advertise or hold itself out as engaging in or conducting business as an appraisal management company, if it:

- contracts with one or more appraisers for 10 or more appraisals in Utah in a calendar year;
- in a calendar year oversees a network or panel of more than 15 Utah-certified or -licensed appraisers; or
- in a calendar year oversees an appraiser panel of 25 or more certified or licensed appraisers, including: (a) at least one appraiser certified or licensed in Utah, and (b) at least one appraiser certified or licensed in a another state, the District of Columbia or a U.S. territory.

Note: Registration is required regardless of the entity's use of the term "appraisal management company," "mortgage technology company," or any other name.

Exception: The registration law does not apply to an AMC that:

- exclusively employs an individual on an employer-employee basis to perform real estate appraisal activity in the normal course of its business;
- is responsible for ensuring the appraisal activity is performed according to applicable appraisal standards; and

- is a federally regulated AMC.

Section 61-2e-104 amended 2018; § 61-2e-201 amended 2018.

[Utah Code Ann. §§ 61-2e-104, -201 \(2019\)](#)

Annual Certifications

An AMC must biennially certify to the Board on a prescribed form that:

- it has a system in place to verify that a person being added to the company's appraiser panel holds a license in good standing in Utah pursuant to the Real Estate Appraiser Licensing and Certification Act;
- it has a system in place to ensure that it only selects an appraiser that is independent of the transaction and has the necessary education, experience and expertise needed to competently complete the appraisal activity for the particular market and type of property;
- it has a system in place to ensure the AMC conducts appraisal management services in compliance with the Truth in Lending Act and regulations thereunder;
- it has a system in place to review on a periodic basis the work of all appraisers performing real estate appraisal services for it to ensure that the services are being conducted in accordance with the applicable appraisal standards; and
- it maintains a detailed record of each real estate appraisal activity request it receives, including the names of the independent appraiser that performs the appraisal activity for the AMC.

Section 61-2e-301 amended 2016; § 61-2e-302 amended 2018; § 61-2e-303 amended 2015.

Prohibitions

An AMC required to be registered in Utah or a controlling person, employee or agent of the AMC may not influence or attempt to influence the development, reporting or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery, or in any other manner that would constitute undue influence. Such a violation includes doing any of the following:

- withholding or threatening to withhold timely payment for an appraisal or future business for an appraiser;
- taking adverse action or threatening adverse action against an appraiser regarding use of the appraiser for appraisals;
- expressly or impliedly promising future business or increased compensation for an appraiser;
- conditioning a request for an appraisal service or payment of consideration on the opinion, conclusion or valuation to be reached, or on a preliminary estimate or opinion from an appraiser;
- requesting that an appraiser provide an estimated, predetermined or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the appraiser's completion of a real estate appraisal service;
- providing an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or targeted amount to be loaned to the borrower (except that a copy of the sales contract for purchase transactions may be provided);

- providing an appraiser, or any individual related to the appraiser, stock or other financial or nonfinancial benefits;
- allowing the removal of an appraiser from an appraiser panel, without prior written notice;
- obtaining, using or paying for a subsequent appraisal or ordering an automated valuation model in conjunction with a mortgage financing transaction unless there is a reasonable basis to believe that the initial appraisal does not meet applicable appraisal standards and such basis is noted in the loan file, or unless such appraisal or automated valuation model is done pursuant to a pre- or post-funding appraisal review or quality control process according to applicable appraisal standards;
- engaging in the business of an AMC under an assumed or fictitious name not properly registered in Utah;
- accepting a contingent fee for performing an appraisal management service if the fee is contingent on:
 - the appraiser report having a predetermined analysis, opinion or conclusion;
 - the analysis, opinion, valuation or conclusion reached in an appraisal report; or
 - the consequences resulting from the appraisal assignment;
- engaging in any other act or practice that impairs or attempts to impair an appraiser's independence, objectivity or impartiality;

- engage in any act or practice that violates appraisal independence as defined in 15 U.S.C. § 1639e or in the policies and procedures of the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

Note: The above limitations do not prohibit an AMC from requesting that an appraiser provide additional information about the basis for a valuation or correct objective factual errors in an appraisal report.

An AMC commits unprofessional conduct if it:

- requires an appraiser to modify any aspect of an appraisal report except as provided in the above Note;
- requires an appraiser to prepare an appraisal report if the appraiser in his own professional judgment believes he does not have the necessary expertise for the specific geographic area or that the time frame does not afford him the ability to meet all legal and professional obligations;
- prohibits or inhibits communication between the appraiser and the lender, a real estate licensee or any other person from whom the appraiser believes information would be relevant;
- requires the appraiser to do anything that does not comply with the Uniform Standards of Professional Appraisal Practice or any assignment conditions and certifications required by the client;
- makes any portion of the appraiser's fee or the AMC's fee contingent on a favorable outcome, such as a loan closing or a specific dollar amount being achieved in the appraisal report;
- requests, for purposes of facilitating a mortgage loan transaction, a broker price opinion or any other real property price or value estimation that does not qualify as an appraisal; or
- requires the appraiser to accept full payment and remit a portion of the full payment back to the AMC.

Statute amended 2017; rule promulgated 2009, amended 2015.

[Utah Code Ann. §§ 61-2e-307 \(2019\); Utah Admin. Code r. 162-2e-401 \(2019\)](#)

AMC-Appraiser Relationships

A Utah-licensed AMC may enter into agreements with an independent appraiser for the performance of real estate appraisal activity only if the person is licensed or certified in good standing pursuant to the Utah Real Estate Appraiser Licensing and Certification Act.

An AMC must compensate an appraiser at a rate that is:

- customary and reasonable for an appraisal in the geographic market area of the property being appraised; and
- consistent with a presumption of compliance under the Dodd-Frank Wall Street Reform and Consumer Protection Act and its implementing regulations.

An AMC must pay the appraiser's fee within 45 days of completion of the appraisal assignment.

Except within the first 30 days after an independent appraiser is first added to the appraiser panel, an AMC may not remove an appraiser from the panel, or otherwise refuse to assign appraisal activity requests to the appraiser, without:

- notifying the appraiser in writing of the reasons why he or she is being removed from the panel, and if the appraiser is being removed for illegal conduct or violation of the applicable appraisal standards, the nature of the alleged conduct or violation must be identified; and

- providing the appraiser an opportunity to respond to the notification.

An AMC may not:

- require an appraiser to indemnify the AMC against liability, except liability for the appraiser's own errors or omissions;
- remove or threaten to remove an appraiser from the panel if the appraiser requires a reasonable extension of the completion date for an assignment in order to complete a credible appraisal report; or
- compensate an appraiser in a manner that the AMC should reasonably know would result in the appraiser not conducting an appraisal in a manner consistent with applicable standards.

Statutes amended 2016; § 61-2e-307 amended 2017; rule amended 2015.

[Utah Code Ann. §§ 61-2e-301, -304, -306, -307 \(2019\); Utah Admin. Code r. 162-2e-401\(g\) \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions. However, an AMC commits unprofessional conduct if it requests, for the purpose of facilitating a mortgage loan transaction, a broker price opinion or any other real property price or value estimation that does not qualify as an appraisal.

Rule amended 2015.

[Utah Admin. Code r. 162-2e-401\(e\) \(2019\)](#)

Utah, Penalties

Administrative Penalties

The Real Estate Appraiser Licensing and Certification Board may revoke, suspend or place an AMC's registration on probation, deny original or renewal registration, order remedial education, impose civil penalties not to exceed the greater of \$5,000 per violation or the amount of gain or economic benefit from a violation and/or issue a cease and desist order, if, in the Board's opinion, a person has engaged in, is attempting to engage in, or has attempted to engage in any of the following:

- any act in violation of the Utah Appraisal Management Company Registration and Regulation Act;
- an act that violates any rule adopted by the Board;
- procuring a registration by fraud, misrepresentation or deceit;
- paying any money other than a legally required fee to an employee of the Real Estate Division to procure registration as an AMC;
- an act or omission in the business of an AMC that constitutes fraud, dishonesty or misrepresentation;
- unprofessional conduct; or
- other conduct that constitutes dishonest dealing.

Amended 2012.

[Utah Code Ann. § 61-2e-402 \(2019\)](#)

Vermont

Vermont, Fee Disclosures

A licensed appraiser must ensure that the appraiser's fee for appraisal services appears adjacent to or immediately below the AMC's registered name on documents supplied to clients or customers in Vermont.

The appraiser must include within the body of the appraisal report the amount of his or her fee for appraisal services.

Amended 2019.

[Vt. Stat. Ann. tit. 26, § 3322 \(2019\)](#)

Vermont, License Fees

Effective July 1, 2019, the application fee for registration as an AMC is \$600. The biennial renewal fee is \$600.

Amended 2019.

[Vt. Stat. Ann. tit. 3, § 125 \(2019\)](#)

Vermont, Restrictions

Note: In 2017, the General Assembly passed legislation repealing the AMC registration statute, effective August 10, 2018 and bestowed specific regulatory authority on the Board of Real Estate Appraisers. These amendments regarding AMCs were "intended to facilitate an informed decision by the General Assembly regarding whether the State should opt in or out of appraisal management company regulation in accordance with federal law permitting such state discretion and to allow Board rulemaking in preparation for that legislative decision." The Director of the Office of Professional Regulation was directed to conduct a preliminary assessment of AMC regulation report his or her findings and recommendations to the Senate and House Committees on Government Operations on or before January 1, 2018. See [2017 Vt. Act 48, §§ 22-24](#). As of March 13, 2020, that report had not been submitted, and no legislative action reinstating the

registration requirement has occurred. The Real Estate Appraisers Board adopted Emergency Regulations to regulate AMCs effective August 11, 2019.

Registration Required

An appraisal management company that is registered with the [Vermont Real Estate Appraisers Board](#) is not required to be licensed in order to acquire and provide finished appraisals to third parties.

Exceptions: The AMC rules do not apply to AMCs that within a given 12-month period do not oversee an appraiser panel of either more than 15 appraisers who are licensed or certified in Vermont; or 25 or more state-licensed or state-certified appraisers at least one of whom is certified or licensed in Vermont.

An AMC does not include a department or division of an entity that provides appraisal management services only to that entity.

Statute amended 2019; regulations adopted 2019.

[Vt. Stat. Ann. tit. 26, § 3312 \(2019\)](#); [Vt. Emergency Appraisal Management Company Rules \(2019\)](#)

Annual Certifications

Registration must include a certification that the AMC:

- has and will continue to verify that the AMC only engages appraisers whose appraiser license(s) and certification(s) are in good standing in all jurisdictions in which the appraiser is licensed or certified;
- requires appraisers completing appraisals at the AMC's request to comply with the USPAP; and
- has and will continue to require and verify that all appraisals and appraisal management services are conducted independently and free from inappropriate influence and coercion as required by the Truth in Lending Act and regulations thereunder.

Regulations adopted 2019.

[Vt. Emergency Appraisal Management Company Rules \(2019\)](#)

Prohibitions

An AMC commits unprofessional conduct by:

- influencing or attempting to influence the development, reporting or review of an appraisal through coercion, compensation, inducement, intimidation or other manner intended to affect the independent judgment of a licensed real estate appraiser, including:
 - withholding or threatening to withhold timely payment for an appraisal report or future business or work opportunities;
 - expressly or impliedly promising future business or work-related compensation for an appraiser;
 - ordering or paying for appraisal services based on a predetermined valuation or other conclusions to be reached by an appraiser; or
 - requesting or suggesting that an appraiser provide an estimated, predetermined or desired valuation in a report or provide estimated values or comparable sales prior to completion of the report;
- altering or otherwise changing a completed appraisal report submitted by an appraiser;
- using an appraisal report submitted by an appraiser for a transaction other than the one for which it was developed;

- using or possessing an independent licensed appraiser's digital signature, seal or other similar endorsement stamp; or
- transmitting other than an exact copy of the completed appraisal to a client or other intended user.

Amended 2019.

[Vt. Stat. Ann. tit. 26, § 3323 \(2019\)](#)

AMC-Appraiser Relationships

A registered AMC may only engage, in conformity with any Federally-Related Transaction regulations, appraisers who are certified or licensed in Vermont to perform federally related transactions that take place in Vermont

An AMC may not require an independent appraiser to enter into an agreement requiring the appraiser to defend, indemnify or hold harmless the AMC or other third party for the development, use or contents of an appraisal. This does not, however, affect the appraiser's or AMC's professional liability to consumers or to other registrants or licensees.

Section 3323 amended 2019; regulations adopted 2019.

[Vt. Stat. Ann. tit. 26, § 3323 \(2019\)](#); [Vt. Emergency Appraisal Management Company Rules \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Vermont, Penalties

Administrative Penalties

Upon a finding by an administrative law officer that a registered AMC, a registered AMC's agent, including an appraiser on the registered AMC's appraiser panel, an applicant, or an AMC who later becomes an applicant has committed unprofessional conduct, the Director of the Office of Professional Regulation may warn, reprimand, suspend, revoke, limit, condition, deny, or prevent the renewal of a registration.

Adopted 2019.

[Vt. Appraisal Management Company Emergency Regulations \(2019\)](#)

Virgin Islands

Virgin Islands, Fee Disclosures

No applicable provisions located.

Virgin Islands, License Fees

The Virgin Islands does not require licensure or registration of AMCs.

Virgin Islands, Restrictions

No applicable provisions located.

Virgin Islands, Penalties

No applicable provisions located.

Virginia

Virginia, Fee Disclosures

Disclosure in Appraisal Report

An AMC may not prohibit an appraiser from disclosing in the appraisal report the actual fees charged by the appraiser for appraisal services.

An appraiser engaged by an AMC must disclose in the appraisal report the actual fee paid to the appraiser.

Section 54.1-2011 amended 2012; § 54.1-2022 amended 2013.

[Va. Code Ann. §§ 54.1-2011\(F\), -2022\(B\) \(2019\)](#)

Virginia, License Fees

Beginning July 1, 2014, AMCs must be licensed by the Virginia Real Estate Appraiser Board. The Board established an application fee of \$340 and a renewal fee of \$150. For licenses expiring between August 31, 2019 and February 1, 2020, the renewal fee is \$75.

An applicant must also post a bond or letter of credit in the amount of \$100,000 or such other amount set by the Board.

Amended 2018; regulation amended 2019.

[Va. Code Ann. § 54.1-2021.1 \(2019\); 18 Va. Admin. Code § 130-30-60 \(2019\)](#)

Virginia, Restrictions

Licensure Required

An AMC that within a 12-month calendar year, oversees an appraiser panel of more than 15 state-certified or state-licensed appraisers in a state or 25 or more state-certified or state-licensed appraisers in two or more states. must be licensed by the [Virginia Real Estate Appraiser Board](#).

Exceptions: The licensure requirement does not apply to:

- an agency of the federal government, Virginia or local government;

- a department or division of an entity that provides appraisal management services only to that entity;
- an entity that exclusively employs persons on an employer-employee basis to perform appraisal services;
- an entity licensed under [Va. Code Ann. § 54.1-2017](#) that has as its primary business the performance of appraisal services in Virginia in accordance with Va. Code Ann. § 54.1-2009 *et seq.* and with the Uniform Standards of Professional Appraisal Practice (USPAP);
- an entity licensed under [Va. Code Ann. § 54.1-2017](#) that has as its primary business the performance of appraisal services in Virginia but that in the normal course of business contracts with an independent contract appraiser for appraisal services that the contracting entity cannot complete because of the location or type of property involved;
- a licensed real estate broker performing activities in accordance with the Virginia broker licensing law;
- an officer or employer of an exempt entity when acting in the scope of employment;
- an AMC that is a subsidiary owned and controlled by a financial institution subject to appraisal independence standards at least as stringent as those under the federal Truth in Lending Act; or
- a department or unit within a financial institution that is directly regulated by a federal agency that is a member of the Federal Financial Institution Examination Council, or that is subject to regulation by a Virginia agency, that receives an appraisal request from one employee of the financial institution, and another employee assigns to an appraiser that is an independent contractor to the institution, except that an AMC that is a wholly owned subsidiary of the institution is not considered a department or unit within the institution.

Section 54.1-2021 amended 2012; §§ 54.1-2020 and 54.1-2021.1 amended 2018.

[Va. Code Ann. §§ 54.1-2020, -2021, -2021.1 \(2019\)](#)

Annual Certifications

An applicant for licensure must certify to the Board that it:

- has a system in place to review the work of all appraisers that perform appraisal services for it on a periodic basis to ensure the services are conducted in compliance with the USPAP;
- maintains a detailed record of each appraisal request received by the AMC, the location of the subject property, the AMC's client's name, the name of the appraiser performing the appraisal and the fee paid to the AMC; and
- has a system in place to ensure compliance with § 129E of the Truth in Lending Act.

Amended 2018.

[Va. Code Ann. § 54.1-2021.1 \(2019\)](#)

Prohibitions

No employee, director, officer or agent of an AMC may influence or attempt to influence the development, reporting, result or review of a real estate appraisal through coercion, extortion, collusion, compensation, inducement, intimidation, bribery, or in any manner, including:

- withholding or threatening to withhold timely payment for an appraisal report or future business;

- demoting or terminating or threatening to demote or terminate an appraiser;
- expressly or impliedly promising future business, promotion or increased compensation for an appraiser;
- conditioning the ordering of an appraisal report or the payment of a fee, salary or bonus, on the opinion, conclusion or valuation to be reached or on a preliminary estimate requested from an appraiser;
- requesting that an appraiser provide an estimated, predetermined or desired valuation in an appraisal report or provide estimated values or comparable sales at any time before the completion of the report;
- providing to an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed amount to be loaned to the borrower (except the appraiser may be provided a copy of the sales contract for purchase transactions);
- allowing the removal of an appraiser from a list of qualified appraisers used by any entity without prior written notice to the appraiser;
- any other act or practice that impairs or attempts to impair the appraiser's independence, objectivity or impartiality;
- requesting or requiring an appraiser to collect a fee from the borrower, homeowner or any other person in the provision of appraisal services;
- altering or otherwise changing a completed appraisal report submitted by an independent appraiser without the appraiser's written knowledge and consent;

- use by the AMC of an appraisal report submitted by an independent appraiser for any other transaction, purpose or use other than that for which the appraisal was prepared; or
- requesting or requiring an appraiser to provide the AMC with the appraiser's digital signature or seal.

Amended 2013.

[Va. Code Ann. § 54.1-2022 \(2019\)](#)

AMC-Appraiser Relationships

An AMC may not enter any agreements or contracts with an independent appraiser for the performance of real estate appraisal services unless the appraiser is licensed under Virginia law to provide that service.

An AMC must compensate appraisers in compliance with § 129E(i) of the federal Truth in Lending Act (15 U.S.C. § 1601 et seq.) and regulations promulgated thereunder.

Except in the case of breach of contract or noncompliance with the conditions of the engagement or performance of services that violates the USPAP, an AMC must compensate the appraiser within 30 days of the initial delivery by the appraiser of the completed appraisal report.

An appraiser must receive timely payment. "Timely payment" means payment for the completion of an appraisal or a valuation assignment within 30 days after the appraiser delivers the completed appraisal or valuation assignment to the AMC except in cases of breach of contract or noncompliance with the conditions of the engagement or performance of services that violates the USPAP.

An AMC may not request or require an appraiser to sign any indemnification agreement that would require the appraiser to defend and hold harmless the AMC or any of its agents, employees or

independent contractors for any liability or claims arising out of the services performed by the AMC, its agents, employees or independent contractors and not the services performed by the appraiser.

Section 54.1-2022 amended 2013; § 54.1-2022.1 amended 2017; regulation promulgated 2015.

[Va. Code Ann. §§ 54.1-2022, -2022.1 \(2019\); 18 Va. Admin Code § 130-30-10 \(2019\)](#)

Parties Authorized to Broker Price Opinions

The AMC law does not contain provisions relating to persons authorized to give broker price opinions.

Virginia, Penalties

Civil Penalties

If a court finds that a person has willfully engaged in an act or practice that violates the AMC law, the Attorney General, the attorney for the Commonwealth or the attorney for a locality may recover for the Literary Fund, upon petition to the court, a civil penalty of not more than \$10,000 per violation.

Amended 2012.

[Va. Code Ann. § 54.1-2023 \(2019\)](#)

Washington

Washington, Fee Disclosures

Disclosure in Report

An AMC may not prohibit an appraiser from including or referencing the appraisal fee, the AMC'S name or identity, or the client's or lender's name or identity in the appraisal report.

Enacted 2010.

[Wash. Rev. Code § 18.310.150\(h\) \(2019\)](#)

Washington, License Fees

The Director of Licensing has established a \$2,400 application fee and \$1,200 renewal fee for AMCs. A license must be renewed every two years.

Effective June 4, 2020, AMC licenses will be valid for one year.

An applicant for registration must submit, in addition to the required application fee, a surety bond in a minimum amount of \$100,000.

Amended 2019; rule amended 2016.

[Wash. Rev. Code 18.310.040 \(2019\)](#); [Wash. Admin. Code § 308-409-050 \(2019\)](#)

Washington, Restrictions

Registration Required

Effective January 1, 2012, an appraisal management company may not engage in business as an AMC in Washington, attempt to perform or perform appraisal management services in Washington or advertise or hold itself out as doing business as an AMC in Washington, without first registering with the [Washington Department of Licensing](#).

Exceptions: The registration law does not apply to:

- an appraiser that has an agreement with another appraiser for the performance of an appraisal, which is signed by both appraisers upon completion; or

- until June 4, 2020, a department or unit within a financial institution subject to direct regulation by an agency of the federal government or by a Washington State agency that receives appraisal requests from one employee of the financial institution and a co-employee assigns the requests to an appraiser who is part of an appraiser panel;
- effective June 4, 2020, an appraisal management company that is a subsidiary owned and controlled by a financial institution regulated by a federal financial institution regulatory agency.

Registrations are subject to renewal every two years. Effective June 4, 2020, registrations are subject to annual renewal.

Sections amended 2019.

[Wash. Rev. Code §§ 18.310.040, .060, .120 \(2019\)](#)

Certifications

An AMC must certify to the Commission at the time of registration that it:

- has a system and process in place to verify that a person being added to the AMC's appraiser panel for work being done in Washington holds an appraiser's license or certificate in good standing under Washington law;
- maintains a complete copy of completed appraisal reports for a minimum of five years, or at least two years after final disposition of any judicial proceeding related to an assignment;
- maintains detailed records of each request for appraisal services in Washington and the appraiser who performs each appraisal; and

- has a system in place to review on a periodic basis the work of all appraisers performing appraisals for the AMC in Washington, to ensure that the appraisals are conducted in accordance with the applicable state and federal laws.

An AMC must also certify to the Department upon application that no person who owns more than 10% of the AMC is prohibited from owning an AMC under Washington law.

Each AMC must certify upon renewal that it maintains a detailed record of each appraisal request or order it receives and of the appraiser who performs the appraisal.

Amended 2019.

[Wash. Rev. Code §§ 18.310.060, .090, .130 \(2019\)](#)

Prohibitions

An AMC commits unprofessional conduct, for which it may be disciplined by the Director of Licensing, by coercing, extorting, colluding, inducing, compensating, intimidating, or bribing an appraiser, or in any other manner, including:

- withholding or threatening to withhold timely payment for an appraisal;
- requiring an appraiser to remit a portion of the appraisal fee back to the AMC;
- withholding or threatening to withhold future business, or demoting, terminating or threatening to demote or terminate an appraiser;
- promising future business, promotion or increased compensation to an appraiser;

- conditioning an appraisal request or payment of a fee, salary or bonus on the opinion, conclusion or valuation to be reached by the appraiser, or on a preliminary estimate or opinion requested from an appraiser;
- requesting that an appraiser provide an estimated, predetermined or desired valuation in a report, or estimated values or comparable sales at any time prior to the completion of an appraisal;
- providing an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or target amount to be loaned to the borrower (except that a copy of the purchase contract must be provided to the appraiser);
- providing an appraiser, or any person or entity related to the appraiser, stock or other financial or nonfinancial benefits;
- obtaining, using or paying for a second or subsequent appraisal or ordering an automated valuation model in connection with a mortgage transaction unless there is a reasonable basis to believe the initial appraisal was flawed and such basis is clearly noted in the loan file, or unless such appraisal or model is done pursuant to a bona fide prefunding or postfunding appraisal review or quality control process;
- copying and using the appraiser's signature for any purpose or in any other report;
- extracting, copying or using only a portion of the appraisal report without referencing the entire report;
- prohibiting or refusing to allow the transfer of an appraisal from one lender to another if the lenders are allowed to transfer an appraisal under applicable federal law;
- requiring an appraiser to modify an appraisal report;

- knowingly requiring or engaging an appraiser to prepare an appraisal report, or accepting an appraisal from an appraiser, if the appraiser has informed the AMC that he or she does not have the necessary expertise or geographic competence to complete the appraisal;
- knowingly requiring an appraiser to prepare an appraisal under such a limited timeframe when the appraiser has informed the AMC that it does not afford the appraiser the ability to meet all the relevant legal and professional obligations, or provide a credible value opinion;
- prohibiting or inhibiting legal or other allowable communication between the appraiser and the lender, a real estate licensee or any other person from whom the appraiser believes information would be relevant;
- knowingly requiring the appraiser to do anything that does not comply with applicable state or federal laws, or any allowable assignment conditions or certifications required by the client;
- prohibiting or refusing to allow the professional appraisal assistance of registered real estate appraiser trainees, unless required by the client;
- requiring an appraiser to collect the appraisal fee from a borrower, homeowner or third party or to accept a credit card payment;
- requiring an appraiser to provide the AMC with the appraiser's digital signature;
- compensating an unlicensed AMC for referrals of appraisal services;
- altering or otherwise changing a completed appraisal report submitted by an appraiser; or
- using any other act or practice that knowingly impairs or attempts to impair an appraiser's independence, impartiality or objectivity.

Note: The above limitations do not prohibit an AMC from requesting that an appraiser provide additional information about the basis for a valuation or correct objective factual errors in an appraisal report.

Statute enacted 2010; rule promulgated 2011.

[Wash. Rev. Code § 18.310.150 \(2019\)](#); [Wash. Admin. Code § 308-409-080 \(2019\)](#)

AMC-Appraiser Relationships

Any contractor working in any capacity on behalf of the AMC who has any involvement in the performance or review of appraisals must be licensed or certified and in good standing under Washington's appraiser licensing law, or in the state in which the property is located, and must have geographic and product competence.

An AMC must pay an appraiser no later than 45 days after completion of the appraisal services, unless otherwise agreed or the appraiser has been notified in writing that a bona fide dispute exists regarding the performance or quality of the services. An appraiser must be paid even if the client does not pay the AMC.

Except within the first 30 days after an appraiser is first added to an appraiser panel, an AMC may not remove the appraiser from the panel, or otherwise refuse to assign appraisal requests or orders, without:

- notifying the appraiser in writing of the reasons why he or she is being removed from the panel, and if the appraiser is being removed for illegal conduct, substandard performance or violation of the state licensing standards, the nature of the alleged conduct or violation must be identified; and
- providing the appraiser an opportunity to respond to the notification.

An appraiser removed from a panel may file a complaint with the Department of Licensing requesting a review of the removal decision.

An AMC may not require an appraiser to sign any indemnification agreement that would require the appraiser to defend and hold harmless the AMC or any of its agents, employees or independent contractors for any liability, damage, losses, or claims arising out of services performed by the AMC, or its agents, employees or independent contractors, and not the appraiser's services.

Enacted 2010.

[Wash. Rev. Code §§ 18.310.110, .140, .150 \(2019\)](#)

Parties Authorized to Give Broker Price Opinion

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Washington, Penalties

Administrative Penalties

Upon a finding of unprofessional conduct, see **Washington Restrictions - Prohibitions**, the Director of Licensing may issue an order providing for any one or combination of the following:

- license revocation for a period of time;
- license suspension for a fixed or indefinite term;
- restriction or limitation of AMC practice;
- satisfactory completion of a specific program of remedial education or treatment;

- monitoring of the AMC in a manner directed by the Director;
- censure or reprimand;
- compliance with probation conditions for a designated period;
- payment of a fine, not to exceed \$5,000 per violation;
- denial of an initial or renewal license application for a period of time; or
- other corrective action.

If one of the above sanctions is ordered, the Director may require reimbursement for the investigative costs incurred in the matter that resulted in the order.

Enacted 2002, amended 2016.

[Wash. Rev. Code § 18.235.110 \(2019\)](#)

West Virginia

West Virginia, Fee Disclosures

AMC Disclosures

An AMC must disclose to its clients and separately state the fees paid for appraisal services and to the appraiser for the completion of an appraisal assignment.

Appraiser Disclosures

An AMC may not prohibit an appraiser from stating in an appraisal the fee paid by the AMC to the appraiser.

Enacted 2013.

[W. Va. Code §§ 30-38A-13, -15 \(2019\)](#)

West Virginia, License Fees

Effective July 1, 2014, AMCs will be required to register with the West Virginia Real Estate Appraiser Licensing and Certification Board. The Board has set the following fees:

- application fee: \$500;
- registration fee: \$2,000;
- renewal fee: \$2,000; and
- late renewal fee: \$250 per month.

A registrant must post and maintain a surety bond in the amount of \$50,000.

Registrations must be renewed annually on July 1.

Enacted 2013; rules promulgated 2015.

[W. Va. Code §§ 30-38A-4, -9, -10 \(2019\); W. Va. Code R. §§ 190-5-5, -7 \(2019\)](#)

West Virginia, Restrictions

Licensure Required

Effective July 1, 2014, any person or entity will be required to register with the [West Virginia Real Estate Appraiser Licensing and Certification Board](#) if it performs or offers to perform appraisal management services or acts as an AMC within West Virginia or if it advertises or uses a title conveying the impression that it is registered to perform appraisal management services within West Virginia.

Exceptions: The registration requirement does not apply to:

- a financial institution, including a department or unit therein, that is regulated by a West Virginia or federal government agency; or
- an AMC that is a subsidiary wholly owned and controlled by a financial institution regulated by a federal financial institution regulatory agency.

Enacted 2013.

[W. Va. Code §§ 30-38A-1, -4, -5 \(2018\)](#)

Certifications

At the time of registration, an AMC must certify that it:

- has a process to verify that any person used as an appraiser or added to its panel is a licensed or certified appraiser in good standing in West Virginia;
- requires verification that appraisers are geographically competent and can perform assigned appraisals;

- requires appraisal services to be provided in an independent manner, free from inappropriate influence and coercion as required by appraisal independence standards, including the requirement that fee appraisers be compensated at a customary and reasonable rate when the AMC is providing services for a consumer credit transaction secured by the principal dwelling of a consumer;
- maintains complete detailed records of requests for appraisals from clients and the appraisers that perform the appraisals; and
- has procedures for a licensed or certified appraiser to review the work of appraisers performing appraisals for the AMC to verify that appraisals are conducted according to minimum Uniform Standards of Professional Appraisal Practice (USPAP).

Amended 2019.

[W. Va. Code § 30-38A-7 \(2019\)](#)

Prohibitions

It is unprofessional conduct for an AMC to:

- require an appraiser to modify an appraisal, unless the modification is related to substandard performance or noncompliance with the terms of a contract or agreement;
- require an appraiser to prepare an appraisal if the appraiser believes, in his or her own professional judgment and notifies the AMC, that he or she does not have the necessary expertise for the specific geographic area or is otherwise not competent to perform the appraisal;

- require an appraiser to prepare an appraisal within a certain time period that the appraiser believes does not provide the necessary time to meet all the necessary and relevant legal and professional obligations;
- request an appraiser do anything that does not comply with the USPAP or the client's requests; or
- make any portion of the appraiser's fee or the AMC's fee contingent on a favorable outcome, including a loan closing or specific appraisal amount.

AMCs may not:

- improperly influence the development, reporting, result or review of an appraisal through:
 - intimidation, inducement, coercion, extortion, collusion, bribery, compensation, blackmail, threat of exclusion from future appraisal work or any other means that unduly influences or pressures the appraiser;
 - withholding payment to an appraiser; or
 - expressly or impliedly promise future business, promotions or increased compensation to an appraiser;
- knowingly employ a person in a position of responsibility or enter into a contract with a person if that person has had an appraiser license or certificate refused, denied, canceled, revoked or surrendered and not subsequently granted or reinstated;
- knowingly enter into a contract, agreement or other business relationship for the purpose of obtaining real estate appraisal services with a firm that employs or contracts with a person who has had an appraiser license or certificate refused, denied, canceled, revoked or surrendered and not subsequently granted or reinstated;

- knowingly fail to separate and disclose any fees it charges to a client for an appraisal from fees charged to a client by the AMC for appraisal management services;
- alter, amend or change an appraisal submitted by an appraiser;
- remove an appraiser's signature or seal from an appraisal;
- add information to or remove information from an appraisal with the intent to change the conclusion;
- request or require an appraiser to provide an estimated, predetermined or desired valuation in an appraisal;
- request or require an appraiser to provide estimated values or comparable sales prior to the completion of an appraisal;
- condition an appraisal request or the payment of an appraisal fee on an opinion, conclusion or valuation reached, or on a preliminary estimate or opinion requested from an appraiser;
- provide to an appraiser an anticipated, estimated, encouraged or desired value for an appraisal or a proposed or targeted amount to be loaned or borrowed;
- have a direct or indirect interest in the property or transaction involving the appraisal;
- provide to an appraiser or a person related to the appraiser stock or other benefits;
- obtain a second or subsequent appraisal or order an automated valuation model (AVM), unless:

- there is a reasonable basis to believe that the initial appraisal was flawed and that basis is noted in the file;
- the second or subsequent appraisal or AVM is done under a bona fide prefunding or post-funding appraisal review or quality control process;
- the second appraisal is required by law; or
- the second or subsequent appraisal or AVM is ordered by a client; or
- commit an act or practice that impairs or attempts to impair an appraiser's independence, objectivity or impartiality.

Note: The above prohibitions do not prevent an AMC from requesting that an appraiser:

- provide additional information concerning the basis of a valuation;
- correct objective factual errors in an appraisal;
- provide additional detail, substantiation or explanation for the appraiser's conclusion; and
- consider additional property information, including additional comparable properties.

Enacted 2013.

[W. Va. Code §§ 30-38A-14, -15 \(2018\)](#)

AMC-Appraiser Relationships

An AMC must verify that an appraiser receiving work or being placed on an appraiser panel is:

- professionally and geographically competent;
- competent to perform the appraisal service being assigned to the appraiser;
- licensed or certified; and
- in good standing in West Virginia.

Except in cases of breach of contract or substandard performance, an AMC must pay an independent appraiser for the completion of an appraisal within 45 days after the appraiser provides the completed appraisal to the AMC, unless otherwise agreed to by the parties. Appraisers must be compensated at a customary and reasonable rate when the AMC is providing services for a consumer credit transaction secured by the consumer's principal dwelling.

An AMC may not:

- prohibit or inhibit communication between an appraiser and any other person who has information the appraiser, in his or her own professional judgment, believes would be relevant;
- require an appraiser to indemnify or hold harmless an AMC for any liability, damage, losses or claims arising out of the services provided by the AMC;
- request, allow, or require an appraiser to collect any portion of the fee charged by the AMC to the client; or

- require an appraiser to provide the appraiser's signature or seal.

An AMC may not remove an appraiser from the panel or refuse to assign appraisals to the appraiser unless it provides the appraiser 20 days prior written notice stating the reasons for the removal or refusal and provides an opportunity for the appraiser to be heard.

Enacted 2013.

[W. Va. Code §§ 30-38A-12, -13, -14 \(2019\)](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

West Virginia, Penalties

If an AMC violates the applicable laws or rules, the West Virginia Real Estate Appraiser Licensing and Certification Board may, after notice and hearing:

- deny, revoke or refuse to issue or renew the registration of the AMC;
- restrict or limit the activities of the AMC;
- impose a fine not to exceed \$25,000 for each violation; or
- take other disciplinary action as established by the Board by rule.

Amended 2019.

[W. Va. Code § 30-38A-17 \(2019\)](#)

Wisconsin

Wisconsin, Fee Disclosures

In any report or other written communication to a client, lender, or other person pertaining to the cost of a specific appraisal assignment, an AMC must separately state:

- any fee paid to the appraiser for the completion of the appraisal service; and
- any fee charged to the client for the AMC's appraisal management services.

An AMC may *not*:

- include any fee for appraisal management services performed by the AMC in the amount the company reports as charges for the actual completion of an appraisal service by an appraiser;
- prohibit an appraiser from showing in an appraisal report or other document the fee that the AMC paid to the appraiser for the appraisal service; or
- require an appraiser to state or affirm that any fees the AMC paid to the appraiser were reasonable and customary.

Enacted 2017.

[Wis. Stat. § 458.41 \(2019\)](#)

Wisconsin, License Fees

The Department of Safety and Professional Services has set the initial fee for an AMC license at \$4,000.

The fee for an AMC license renewal is \$2,000, due December 14 each odd-numbered year.

Enacted 2017.

[Wis. Stat. § 458.33 \(2019\); *Renewal Fee Schedule; Appraisal Management Company Application*](#)

Wisconsin, Restrictions

Licensure Required

Effective July 1, 2018, an appraisal management company must be licensed as an AMC by the [Department of Safety and Professional Services](#) before it may:

- perform appraisal management services for compensation; or
- advertise that the person is an AMC; use the title "licensed appraisal management company," "appraisal management company," or other similar title; or otherwise hold itself out as an AMC.

Exceptions: A license is not required for:

- an appraiser that, in the ordinary course of business, contracts with an independent appraiser for the performance of an appraisal if upon completion of the appraisal the appraiser co-signs the appraisal report;
- a federally regulated AMC;
- a department or unit within a financial institution that is subject to direct regulation by a U.S. government agency that is a member of the Federal Financial Institutions Examination Council or its successor, or to regulation by a Wisconsin agency, and receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request to an appraiser that is an independent contractor to the institution, provided an AMC that is a wholly owned subsidiary of a financial institution is not deemed a "department or unit within a financial institution;" or
- an AMC that does not contract with independent appraisers for the performance of appraisal services.

An AMC exempt from licensure may advertise as an AMC but may not hold itself out as a licensed AMC. An exempt AMC is deemed a licensed AMC for purposes of, and must comply with the provisions of [Wis. Stat. §§ 458.35, 458.365, 458.37, 458.38, 458.39, 458.41, 458.43, and 458.44](#). See [Prohibitions and AMC-Appraiser Relationships](#), below.

Note: As of March 9, 2019, the Department had not yet promulgated regulations implementing the new AMC law.

Enacted 2017.

[Wis. Stat. §§ 458.32, .34 \(2019\)](#)

Annual Certifications

A person applying for an AMC license must submit an application to the Department, which application must include a statement of the applicant that certifies that the applicant:

- has in place a system to verify that each independent appraiser on the applicant's appraiser panel and any other appraiser that may perform an appraisal service for the applicant is a certified or licensed appraiser;
- requires all appraisers performing appraisal services for the applicant to perform appraisal services in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP);
- has in place a system to verify that all appraisal services performed for the applicant are conducted independently and free from inappropriate influence or coercion under Wis. Stat. § 458.41 and under 15 U.S.C. § 1639e and rules promulgated thereunder;
- maintains a detailed record of each request for an appraisal service that it receives, including the identity of the appraiser that performs the service; and
- satisfies Wis. Stat. § 458.35(2).

Enacted 2017.

[Wis. Stat. 458.33 \(2019\)](#)

Prohibitions

An AMC may not:

- contract with an appraiser for the performance of an appraisal service unless the appraiser is a certified or licensed appraiser;
- "[e]mploy any person in a position in which the person has the responsibility to request appraisal services from an appraiser or to review the results of completed appraisal services if the person has had a license or other credential to act as an appraiser in any state denied, canceled, revoked, or surrendered in lieu of revocation unless that license or other credential was later granted or reinstated;"
- "[c]ontract with an appraiser for the provision of appraisal services if the appraiser has had a license or other credential to act as an appraiser in any state denied, canceled, revoked, or surrendered in lieu of revocation unless the license or other credential was later granted or reinstated;" or
- contract with any person for the provision of appraisal services if the AMC "knows or has reason to know that the person employs or is under contract with an independent appraiser or other person for the provision of appraisal services who, as a result of disciplinary action, has had a license or other credential to act as an appraiser in any state denied, canceled, revoked, or surrendered in lieu of revocation unless the license or other credential was later granted or reinstated."

An AMC must maintain all of the records specified in Wis. Stat. § 458.39 for at least five years after the record is generated or two years after final disposition of any court proceeding concerning an appraisal service, whichever is later.

An AMC or employee, controlling individual, or other agent of an AMC may not inappropriately influence or coerce, or attempt to inappropriately influence or coerce, an appraiser conducting an appraisal service, contrary to this Wis. Stat. § 458.41 or to 15 U.S.C. § 1639e or rules promulgated thereunder, including by doing any of the following:

- withholding, or threatening to withhold, timely payment for an appraisal service;
- "[w]ithholding, or threatening to withhold, future business from an independent appraiser, or demoting or terminating, or threatening to demote or terminate, an appraiser;"
- promising future business, promotions, or increased compensation for an appraiser;
- conditioning the assignment of an appraisal service or payment of compensation for an appraisal service on the opinion, conclusion, or valuation to be reached, or on a preliminary estimate or opinion requested from an appraiser;
- "[r]equesting an appraiser to provide an estimated, predetermined, or desired valuation in an appraisal report, or to provide estimated values of comparable sales prior to the appraiser's completion of an appraisal service"

- providing to an appraiser an anticipated, estimated, encouraged, or desired value for a subject property or a proposed or target amount to be loaned to the borrower, except that an AMC may provide a copy of a sales contract for purchase;
- providing financial or nonfinancial benefits to an appraiser or to any person connected with the appraiser;
- removing or threatening to remove an independent appraiser from an appraiser panel;
- obtaining, using, or paying for a second or subsequent appraisal or ordering an automated valuation model (AVM) in connection with a mortgage financing transaction, unless there is a reasonable basis to believe that the initial appraisal was flawed and the basis is clearly noted in the loan file, or unless the appraisal or AVM is performed as a bona fide pre-funding or post-funding appraisal review or quality control process; or
- any other act or practice that impairs, or attempts to impair, an appraiser's independence, objectivity, or impartiality.

The above restrictions do *not* prohibit:

- an AMC from asking an appraiser to consider additional appropriate property information, including additional comparable sales, to make or support an appraisal; provide further detail, substantiation, or explanation for the independent appraiser's value conclusion; or correct errors in the appraisal report or
- the exchange of information or other communication between an appraiser and any person if the exchange of information or other communication does not inappropriately influence or coerce, or attempt to inappropriately influence or coerce, the appraiser contrary to Wis. Stat. § 458.41 or to [15 U.S.C. § 1639e](#) or rules promulgated thereunder.

Enacted 2017.

[Wis. Stat. §§ 458.35, .39, .41 \(2019\)](#)

AMC-Appraiser Relationships

Before assigning an appraisal service to an appraiser, an AMC must verify that the appraiser has the requisite license or certification, education, expertise, experience, and competency necessary to

complete the appraisal assignment for the particular market and property type in accordance with the USPAP, and that the independent appraiser is a certified or licensed appraiser in good standing with the Board.

At or before the time an appraiser accepts an appraisal services assignment, the AMC must require the appraiser to confirm in writing that he or she:

- is competent, or will become competent, in the property type and geographical area of the assignment;
- has, or will obtain, access to appropriate data sources for the assignment; and
- will immediately notify the AMC in writing if the appraiser later determines that he or she is not qualified to complete the assignment.

Before an appraiser is added to an appraiser panel, the AMC must require the appraiser to declare in writing the geographic areas where the appraiser is competent to appraise, the types of properties the appraiser is competent to appraise, and the methodologies the appraiser is competent to perform, which information must be updated at least annually.

An AMC must regularly review the work of appraisers performing appraisal services for it to ensure that the services comply with the USPAP and with any standards prescribed by Department rules.

An AMC may not:

- change an appraisal report or other results of an appraisal service submitted by an appraiser to the AMC;
- require an appraiser to change an appraisal report or other results of an appraisal service;
- "[r]equire an appraiser to complete an appraisal service if the appraiser, in the appraiser's professional judgment, determines that he or she does not have necessary expertise concerning the geographic area of the subject property, if the appraiser notifies the licensed appraisal management company in writing of that determination;"
- "[r]equire an appraiser to prepare an appraisal report or complete an appraisal service under a time frame that the appraiser, in the appraiser's professional judgment, determines will not allow the appraiser to satisfy the appraiser's relevant legal and professional obligations, if the appraiser notifies the licensed appraisal management company in writing of that determination;"
- interfere with an appraiser's ability to obtain information that is relevant to an appraisal service;
- require an appraiser to engage in any conduct that does not comply with the USPAP or with lawful conditions required by the client; or

- requiring that an appraiser indemnify or hold harmless the AMC for liability for any damages, losses, or claims arising out of appraisal management services provided to a client by the AMC.

An AMC must compensate appraisers at a rate that is reasonable and customary for appraisal services being performed in the market area of the property being appraised in accordance with 15 U.S.C. § 1639e and rules promulgated thereunder. An AMC may not fail, except in cases of breach of contract or for other good cause, to make payment to an appraiser for the completion of an appraisal service within 30 days after the date on which the AMC receives the completed appraisal service.

Note: An appraisal service is complete when the scope of work has been completed and the work product has been delivered to the client with any required certification or other signed document.

Except within the first 60 days after an independent appraiser is added to an AMC's appraiser panel, the AMC may not remove an independent appraiser from its panel unless the AMC does the following:

- if the independent appraiser is not being removed for good cause, notifies the appraiser in writing of the reasons he or she is being removed from the panel; or
- if the independent appraiser is being removed for conduct alleged to be violation of licensing laws or rules promulgated thereunder, other state or federal law, or the USPAP, or other good cause, notifies the appraiser of the alleged conduct and provides the appraiser with an opportunity to respond before removal.

Note: An independent appraiser who is removed from an appraiser panel may petition the Department for review of that removal decision.

Enacted 2017.

[Wis. Stat. §§ 458.37, .38, .41, .43 \(2019\)](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

[Wisconsin, Penalties](#)

The Department of Safety and Professional Services may deny a license, and the Real Estate Appraisers Board may conditionally or unconditionally limit, suspend, or revoke a license or reprimand a licensed AMC if it is determined that the applicant or licensed AMC, or a controlling individual of the applicant or licensed AMC, has done any of the following:

- made a material misstatement in an application for a license or renewal or in any other information provided to the Board or Department;
- engaged in unprofessional or unethical conduct, as determined by Department rule;
- engaged in conduct in conducting business as an AMC that evidences a lack of knowledge or ability to apply professional principles or skills'
- had a license or other credential to act as an appraiser in any state denied, refused, canceled, revoked, or surrendered in lieu of a revocation, unless that license or other credential was later granted or reinstated;
- advertised in a manner that is false, deceptive, or misleading;
- advertised, practiced, or attempted to practice as an AMC under another person's name;
- subject to Wis. Stat. §§ 111.321, 111.322, and 111.34, provided appraisal management services while the individual's ability to practice was impaired by alcohol or other drugs;
- provided appraisal services or appraisal management services where the value of real estate provided in the appraisal report was based on the racial composition of the area in which the real estate is located; or
- violated the licensing law or any rule promulgated thereunder.

In addition to or in lieu of a reprimand or denial, limitation, suspension, or revocation of a license, the Board may assess against a licensed AMC, or an applicant for a license, a forfeiture of not less than \$100 nor more than \$10,000 for each violation enumerated above.

Any person who violates the licensing law or any rule promulgated thereunder may be fined not more than \$10,000.

Enacted 2017.

[Wis. Stat. §§ 458.44, .45 \(2019\)](#)

Wyoming

Wyoming, Fee Disclosures

AMC Disclosures

In reporting to a client, an AMC must separately state the fees:

- paid to an appraiser for appraisal services; and
- charged by the AMC for completion of appraisal management services.

An AMC may not include any fees for appraisal management services performed by the AMC in the amount it reports as charges for the actual completion of an appraisal service by an appraiser.

Enacted 2013.

[Wyo. Stat. Ann. § 33-39-220 \(2019\)](#)

Appraiser Disclosures

An AMC may not prohibit an appraiser from including the fee paid to the appraiser by the AMC for appraisal services in the body of the appraisal report submitted by the appraiser to the AMC.

Enacted 2013.

[Wyo. Stat. Ann. § 33-39-220 \(2019\)](#)

Wyoming, License Fees

The Wyoming Certified Real Estate Appraiser Board has set an AMC registration fee of \$1,800. The annual renewal fee is also \$1,800. The registration and renewal fees cover any changes made during the year (e.g., change of address, change of contact person).

Evidence of a surety bond or an irrevocable letter of credit in the amount of \$25,000 must be submitted with the AMC's registration application.

Statute amended 2019.

[Wyo. Stat. Ann. § 33-39-203\(c\)\(vii\) \(2019\)](#); [Wyo. CREAB Rules ch. 1, § 4 \(2019\)](#); [Wyoming Appraisal Management Company Registration Form \(2018\)](#)

Wyoming, Restrictions

Registration Required

Effective July 1, 2013, a person may not directly or indirectly engage or attempt to engage in business as an AMC, engage or attempt to perform appraisal services, or advertise or represent that it is engaging in or conducting business as an AMC in regard to property located in Wyoming, without first registering with the [Wyoming Certified Real Estate Appraiser Board](#), regardless of the entity's use of the term "appraisal management company," "mortgage technology company," or any other name.

Exceptions: The registration requirement does not apply to:

- an independent appraiser who in the normal course of business has an agreement with another independent appraiser for the performance of an appraisal service, which either appraiser cannot complete for any reason, including competency, work load, schedule or geographic location;
- a department or unit of a financial institution regulated by a federal or Wyoming state agency which receives a request for performance of an appraisal from one employee of the financial institution and another employee assigns the request to an appraiser who is an independent contractor;
- an AMC that is a subsidiary owned and controlled by a financial institution regulated by a federal financial institution regulatory agency;

- a CPA, attorney, financial advisor, insurance agent, real estate broker and agent or other professionals who request an appraisal of a client's property on behalf of the client;
- an entity that performs appraisal services and is 100% owned and controlled by Wyoming certified appraiser(s); and
- a person exclusively employing persons, on an employer-employee basis, to perform appraisal services in the normal course of business and the employer is responsible for ensuring the services performed by employees are conducted in accordance to the Uniform Standards of Professional Appraisal Practice (USPAP).

Registrations are subject to renewal every year.

Enacted 2013; section 33-39-203 amended 2019.

[Wyo. Stat. Ann. §§ 33-39-203, -204, -206 \(2019\)](#)

Annual Certifications

An AMC must certify to the Board on an annual basis that it:

- has a system and process in place to verify that a person being added to the AMC's appraiser panel holds an appraiser's certificate in good standing;
- requires all appraisers to have required competency to perform appraisal services as provided in the applicable edition of the USPAP for the appraisal being assigned;
- maintains detailed records of each request for appraisal services and the name of the independent appraiser who performs the residential real estate appraisal services for it for

the later of five years from the final appraisal submission to the client or two years after final disposition of a judicial proceeding related to the assignment; and

- has a system in place to review on a periodic basis the work of all independent appraisers performing appraisals for the AMC, to ensure that the appraisals are conducted in accordance with the USPAP.

Enacted 2013.

[Wyo. Stat. Ann. §§ 33-39-214, -215, -216 \(2019\)](#)

Prohibitions

It is unlawful for an AMC to influence or attempt to influence an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery or any other manner, including but not limited to:

- withholding or threatening to withhold timely payment for an appraisal or future business for an independent appraiser;
- demoting or terminating or threatening to demote or terminate an independent appraiser;
- expressly or impliedly promising future business, promotions or increased compensation for an independent appraiser;
- conditioning a request for an appraisal service or the payment of an appraisal fee or salary or bonus on the opinion, conclusion or valuation to be reached, or on a preliminary estimate or opinion;

- requesting that an independent appraiser provide an estimated, predetermined or desired valuation, or provide estimated values or comparable sales at any time prior to the completion of an appraisal;
- providing to an independent appraiser an anticipated, estimated, or desired value for a subject property or a proposed or target amount to be loaned to the borrower; or
- providing to an independent appraiser, or any entity or person related to the appraiser, stock or other financial or nonfinancial benefits.

In addition, it is unlawful for an AMC to:

- allow removal of an independent appraiser from an appraiser panel without prior written notice to the appraiser;
- obtain, use or pay for a second or subsequent appraisal or order an automated valuation model unless:
 - it is required by law;
 - there is a reasonable basis to believe that the initial appraisal was flawed or tainted and the basis is noted in the loan file; or
 - the appraisal or automated valuation model is done pursuant to a bona fide prefunding or post-funding appraisal review or quality control process;
- require an appraiser to prepare an appraisal if the appraiser, in his or her judgment, does not have the necessary expertise for the specific geographic area and the appraiser has so notified the AMC and declined the assignment;

- require an appraiser to prepare an appraisal under a schedule that the appraiser believes does not afford him or her the ability to meet all the relevant legal and professional obligations if the appraiser has so notified the company and declined the assignment;
- use, obtain or request the appraiser's digital signature or seal;
- modify or otherwise change any aspect of an appraisal without the appraiser's agreement, unless required by applicable law;
- engage in any act or practice that does not comply with the USPAP or any conditions and certifications required by the client; or
- engage in any other act or practice that impairs or attempts to impair the independence, objectivity or impartiality of an appraiser;

The above prohibitions do not prohibit an AMC from requesting that an independent appraiser:

- provide additional information about the valuation basis;
- correct objective factual errors in an appraisal report; or
- consider additional appropriate property information.

Enacted 2013.

[Wyo. Stat. Ann. § 33-39-218 \(2019\)](#)

AMC-Appraiser Relationships

A Wyoming-registered AMC may not contract with an independent appraiser for performance of appraisal services who does not hold a valid appraiser certificate in Wyoming.

An AMC may not require an appraiser to enter into an agreement to not serve on another AMC's panel.

Unless a mutually agreed-upon alternate arrangement has been previously established, an AMC must pay an independent appraiser within 60 days of the date on which the appraiser transmits the appraisal to the AMC, except in cases of substandard performance of services or breach of contract.

Except within the first 90 days after an independent appraiser is added to its panel, an AMC may not remove the appraiser from its appraiser panel or otherwise refuse to make assignments without prior written notice to the appraiser of the reasons for the action.

An AMC may not require an appraiser to sign an indemnification agreement to indemnify or hold harmless the AMC against any liability, other than liability damage, losses, or claims arising out of services performed by the appraiser.

An AMC must have a system in place to require that appraisals are conducted as required by the appraisal independence standards under the Truth in Lending Act, including the requirement that fee appraisers be compensated at a customary and reasonable rate when the AMC is providing services for a consumer credit transaction secured by real estate.

Enacted 2013.

[Wyo. Stat. Ann. §§ 33-39-213, -218, -219, -221, -222, -223 \(2019\)](#)

Parties Authorized to Give Broker Price Opinions

The AMC law contains no provisions relating to persons authorized to give broker price opinions.

Wyoming, Penalties

The Wyoming Certified Real Estate Appraiser Board may impose an administrative fine of \$25,000 for each violation, censure an AMC, place an AMC on probation, or deny, suspend or revoke an AMC's registration, if an AMC does any of the following:

- procures or attempts to procure a registration through any form of fraud or misrepresentation;
- is convicted of a felony, with discipline limited to registration probation, suspension or revocation;
- makes any substantial misrepresentation, false pretense or fraudulent representation; or
- is negligent or incompetent, as defined in the Uniform Standards of Professional Appraisal Practice, in reviewing an appraisal, preparing an appraisal report or communicating a report.

Enacted 2013.

[Wyo. Stat. Ann. § 33-39-224 \(2019\)](#)