Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 18.140.130 and 2005 c 339 s 10 are each amended to read as follows:

(1) Each original and renewal certificate, license, or registration issued under this chapter shall expire on the applicant's second birthday following issuance of the certificate, license, or registration.

(2) To be renewed as a state-certified or state-licensed real estate appraiser or state-registered appraiser trainee, the holder of a valid certificate, license, or registration shall apply and pay the prescribed fee to the director no earlier than one hundred twenty days prior to the expiration date of the certificate, license, or registration and shall demonstrate satisfaction of any continuing education requirements.

(3) If a person fails to renew a certificate, license, or registration prior to its expiration and no more than one year has passed since the person last held a valid certificate, license, or registration, the person may obtain a renewal certificate, license, or registration by satisfying all of the requirements for renewal and paying late renewal fees.

((The director shall cancel the certificate, license, or registration of any person whose renewal fee is not received within one year from the date of expiration. A person may obtain a new certificate, license, or registration by satisfying the procedures and qualifications for initial certification, licensure, or registration, including the successful completion of any applicable examinations.))

(4)(a) If a person's certificate, license, or registration is not renewed within one year after the expiration date of the certificate, license, or registration, the director must place the certificate, license, or registration in inactive status.
(b) A person whose appraisal certificate or license is placed in inactive status may apply for reinstatement of the certificate or license within a period of eight years by paying the prescribed fee, meeting the continuing education requirements established by the appraiser qualifications board and the director, and achieving a qualifying score on the uniformed standards of professional appraiser practice fifteen hour course.

(c) A trainee certificate that has expired cannot be reinstated. The trainee must apply for a new certificate, provide the appropriate documentation, and pay the fee prescribed by the director.

(d) If a trainee cannot meet the qualification standards necessary to take the state examination within the specified twenty-four month period, the director may grant one twelve-month extension.

(e) The director must cancel a license or certification that is not renewed or reinstated within eight years after the date of expiration of the certificate or license.

Sec. 2. RCW 18.140.060 and 2005 c 339 s 5 are each amended to read as follows:

(1) Applications for examinations, original certification, licensure, or registration, (and) renewal certification, licensure, or registration (shall), and the reinstatement of a certificate, license, or registration must be made in writing to the department on forms approved by the director. Applications for original and renewal certification, licensure, or registration (shall) or the reinstatement of a certificate, license, or registration must include a statement confirming that the applicant (shall) must comply with applicable rules and regulations and that the applicant understands the penalties for misconduct.

(2) The appropriate fees (shall) must accompany all applications for (examination, reexamination,) original certification, licensure, (or registration, and) renewal (certificate, licensure, or registration), and/or reinstatement.

Sec. 3. RCW 18.140.160 and 2007 c 256 s 1 are each amended to read as follows:

In addition to the unprofessional conduct described in RCW 18.235.130, the director may take disciplinary action for the following conduct, acts, or conditions:
(1) Failing to meet the minimum qualifications for state
certification, licensure, or registration established by or pursuant
to this chapter;

(2) Paying money other than the fees provided for by this chapter
to any employee of the director or the commission to procure state
certification, licensure, or registration under this chapter;

(3) Continuing to act as a state-certified real estate appraiser,
state-licensed real estate appraiser, or state-registered appraiser
trainee when his or her certificate, license, or registration is on
an expired or inactive status;

(4) Violating any provision of this chapter or any lawful rule
made by the director pursuant thereto;

(5) Issuing an appraisal report on any real property in which the
appraiser has an interest unless his or her interest is clearly
stated in the appraisal report;

(6) Being affiliated as an employer, independent contractor, or
supervisory appraiser of a state-certified real estate appraiser,
state-licensed real estate appraiser, or state-registered appraiser
trainee whose certification, license, or registration is currently in
a suspended or revoked status;

(7) Failure or refusal without good cause to exercise reasonable
diligence in performing an appraisal practice under this chapter,
including preparing an oral or written report to communicate
information concerning an appraisal practice; and

(8) Negligence or incompetence in performing an appraisal
practice under this chapter, including preparing an oral or written
report to communicate information concerning an appraisal practice.

NEW SECTION. Sec. 4. A new section is added to chapter 18.140
RCW to read as follows:

(1) Except in cases involving fraud, any action to recover
damages against a real estate appraiser or an appraisal management
company arising out of an appraiser's appraisal practice must be
brought within one year from the date of discovery of the act or
omission giving rise to the action, but in no event shall an action
to recover damages against a real estate appraiser be brought more
than three years after the report date.

(2) An appraisal report, restricted appraisal report, or
appraisal review report, opinion of market value, certification, or
statement is deemed prepared at the request of and exclusively for
the benefit of the client and intended user or, if the client is a
state or federally regulated bank, credit union, or mortgage lender,
then their successor in interest, and for the intended use specified
in the appraisal report or appraisal review report. An appraiser
shall not be liable in any court of law for any action arising out of
the appraiser's appraisal practice, to any person or entity other
than the client or intended user or the state or federally regulated
bank, credit union, or mortgage lender's successor in interest.

(3) For the purposes of this section, "report date" means the
date the appraiser submits a signed appraisal report, restricted
appraisal report, or appraisal review report."

SSB 6457 - S AMD
By Senator

On page 1, line 1 of the title, after "to" strike the remainder
of the title and insert "real estate appraisers; amending RCW
18.140.130, 18.140.060, and 18.140.160; and adding a new section to
chapter 18.140 RCW."

EFFECT: (1) Combines SB 6349 (renewal of real estate appraiser
certificates, licenses and registrations) and SB 6457 (actions
arising out of real estate appraisal activity).
(2) Changes requirements for reactivating a real estate appraisal
license.

--- END ---