

HB 3218 STAFF MEASURE SUMMARY
Senate Committee On Business and General Government

Carrier: Sen. Hass

Action Date: 04/23/19
Action: Do pass.
Vote: 5-0-0-0
Yeas: 5 - Dembrow, Girod, Hass, Olsen, Riley
Fiscal: No fiscal impact
Revenue: No revenue impact
Prepared By: Tyler Larson, LPRO Analyst
Meeting Dates: 4/23

WHAT THE MEASURE DOES:

Modifies statute of repose for actions arising out of real estate appraisal activity and appraisal review. Clarifies time limit in which Appraiser Certification and Licensure Board may commence disciplinary proceedings.

ISSUES DISCUSSED:

- 2017 legislation that established statute of repose
- Need for separate language to establish statute of repose for Board's disciplinary proceedings

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Legislation was introduced in 2017 (House Bill 2189) that established a statute of repose for actions arising out of real estate appraisal activity to match the five-year federal recordkeeping rule under the Uniform Standards of Professional Appraisal Practice. The measure was amended before being enacted to match the six-year liability limit placed on real estate agents. An agreement was made between the realtors and appraisers to propose legislation in a subsequent session to limit the liability for both groups to five years.

House Bill 3218 lowers the statute of repose to five years for actions arising out of a real estate appraisal activity or appraisal review. The measure also clarifies that disciplinary actions by the Board cannot be commenced after the later of five years after the activity was completed or the expiration of the time period for record retention as specified in ORS 674.150.