

## HOUSE AMENDMENTS TO SENATE BILL 37

By COMMITTEE ON BUSINESS AND LABOR

May 19

1 On page 1 of the printed bill, line 3, delete “prescribing an effective date” and insert “declaring  
2 an emergency”.

3 On page 2, delete lines 26 through 45 and delete page 3.

4 On page 4, delete lines 1 through 3 and insert:

5 “**SECTION 2.** ORS 674.205 is amended to read:

6 “674.205. (1) A person may not directly or indirectly engage in or attempt to engage in business  
7 as an appraisal management company or advertise or represent that the entity is an appraisal  
8 management company unless the person is:

9 “(a) Registered as an appraisal management company with the Appraiser Certification and  
10 Licensure Board; or

11 “(b) An appraisal management company [*that is a subsidiary of and owned and controlled by a*  
12 *financial institution regulated by a federal financial institution regulatory agency, as that term is de-*  
13 *defined in ORS 674.010*] **owned and controlled by an insured depository institution as defined in**  
14 **12 U.S.C. 1813 that is regulated by the Comptroller of the Currency, the Board of Governors**  
15 **of the Federal Reserve System or the Federal Deposit Insurance Corporation.**

16 “(2) A business entity may apply for registration as an appraisal management company on forms  
17 prescribed by rule by the board. The application must include:

18 “(a) The name, address and phone contact information of the entity;

19 “(b) The name, address and phone contact information of a controlling person of the entity;

20 “(c) If the entity is not domiciled in this state, the name and phone contact information for the  
21 entity’s agent for service of process in this state;

22 “(d) The name, address and phone contact information of any person that owns 10 percent or  
23 more of the entity;

24 “(e) A certification that:

25 “**(A) Each owner, in whole or in part, directly or indirectly, of the entity and the con-**  
26 **trolling person identified in the application have not had an appraiser license or certificate**  
27 **refused, denied, canceled, surrendered in lieu of revocation or revoked in any state, territory**  
28 **or possession of the United States, for a substantive cause, as determined by the Appraisal**  
29 **Subcommittee;**

30 “[~~(A)~~] **(B)** The entity has a system to verify that each appraiser on the entity’s appraiser panel  
31 is licensed or certified under ORS 674.310;

32 “[~~(B)~~] **(C)** The entity requires an appraiser completing an appraisal at the entity’s request to  
33 confirm that the appraiser is competent to perform the appraisal assignment before accepting the  
34 assignment;

35 “[~~(C)~~] **(D)** The entity requires appraisers completing appraisals at the entity’s request to comply

1 with the Uniform Standards of Professional Appraisal Practice;

2 “[*(D)*] **(E)** The entity has a system in place to require that appraisals are conducted independ-  
3 ently and without inappropriate influence or coercion as required by the appraisal independence  
4 standards established under section 129E of the Truth in Lending Act; and

5 “[*(E)*] **(F)** The entity maintains and retains for at least five years, or as required under ORS  
6 674.150, a detailed record of each appraisal management services request the entity receives and the  
7 appraiser who performs the real estate appraisal activity contained in the request;

8 “(f) The surety bond, letter of credit or deposit required by ORS 674.210;

9 “(g) Fees in an amount prescribed by rule by the board, which must be sufficient to cover the  
10 costs of administering ORS 674.200 to 674.250 and 674.995; and

11 “(h) Any other information required by the board by rule.

12 “(3) The board may not issue a registration to a business entity as an appraisal management  
13 company unless:

14 “(a) Each individual who owns 10 percent or more of the entity and the controlling person  
15 identified by the entity in the application have completed a criminal records check; [*and*]

16 “**(b) The board finds that no owner, in whole or in part, directly or indirectly, of the en-  
17 tity or the controlling person identified in the application has had an appraiser license or  
18 certificate refused, denied, canceled, surrendered in lieu of revocation or revoked in any  
19 state or territory or possession of the United States, for a substantive cause, as determined  
20 by the Appraisal Subcommittee; and**

21 “[*(b)*] **(c)** The board determines that each individual who owns **more than** 10 percent [*or more*]  
22 of the entity and the controlling person identified by the entity in the application **are of good moral  
23 character.**[.]

24 “[*(A)* *Are of good moral character; and*]

25 “[*(B)* *Have never had a license, certification or registration to act as an appraiser or appraisal  
26 management company refused, denied, canceled or revoked in this state or in any other state.*]

27 “(4)(a) The board shall issue a unique registration number to each appraisal management com-  
28 pany registered under this section.

29 “(b) The board shall maintain a published list of appraisal management companies registered  
30 under this section.

31 “(c) An appraisal management company registered under this section shall disclose the  
32 company’s registration number to each appraiser used by the company.

33 “(5) An appraisal management company registration expires two years after the date of the is-  
34 suance of the registration. The board shall adopt rules establishing the requirements for renewal  
35 or reactivation of a registration. The rules must require that an appraisal management company  
36 provide all of the information and certifications required for an initial application for registration  
37 under subsection (2) of this section in the renewal application.”.

38 On page 7, delete lines 12 and 13 and insert:

39 “**SECTION 8. This 2021 Act being necessary for the immediate preservation of the public  
40 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect  
41 on its passage.**”.