

HOUSE FILE 2272  
BY FORD

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the certification and registration of real  
2 estate appraisers, providing a penalty, and making an  
3 appropriation.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2272

1 Section 1. NEW SECTION. 543D.3A REGISTRATION REQUIRED.

2 A person engaged in the business or acting in the capacity  
3 of a real estate appraiser for compensation within this state  
4 shall register annually with the board. The board shall  
5 maintain a list of registrations at the board office,  
6 available for public inspection.

7 Sec. 2. Section 543D.17, subsection 1, paragraph f, Code  
8 2005, is amended to read as follows:

9 f. ~~Negligence, or incompetence in developing an appraisal,~~  
10 ~~in preparing an appraisal report, or in communicating an~~  
11 ~~appraisal, or acting with advocacy or bias while involved in~~  
12 valuation assignments in real property appraisal practice.

13 Sec. 3. Section 543D.17, subsection 3, Code 2005, is  
14 amended to read as follows:

15 3. Notwithstanding the limitations of section 272C.3,  
16 subsection 2, paragraph "e", the board shall adopt a rule  
17 providing for civil penalties in amounts and for the reasons  
18 authorized by federal law where federal law requires the board  
19 to have the authority to impose the civil penalties in order  
20 to obtain or to retain the board's designation as a qualified  
21 state appraiser certifying agency. An administrative penalty  
22 imposed under this section shall not be more than one thousand  
23 dollars in the case of a first violation and not more than  
24 five thousand dollars for each second or subsequent violation.  
25 All administrative penalties collected pursuant to this  
26 chapter shall be deposited in the housing trust fund created  
27 in section 16.181.

28 Sec. 4. Section 543D.17, Code 2005, is amended by adding  
29 the following new subsection:

30 NEW SUBSECTION. 4. The board may investigate complaints  
31 and initiate complaints against compensated real estate  
32 appraisers who are not certified pursuant to this chapter and  
33 may impose a penalty as provided in this chapter.

34 Sec. 5. NEW SECTION. 543D.20 EXCLUSIONS.

35 1. This chapter does not apply to any of the following:

1 a. An individual licensed under chapter 543B who does not  
2 provide an appraisal, but who in the ordinary course of a real  
3 estate brokerage business provides a recommendation of price  
4 or pricing of real estate in connection with the listing of  
5 property for sale or lease, or to assist a potential purchaser  
6 or lessee in developing an offer to purchase or lease  
7 property. No compensation, fee, or other consideration shall  
8 be charged for such recommendation other than a real estate  
9 commission or brokerage fee unless the recommendation is in  
10 writing and includes a prominent disclosure stating that the  
11 recommendation is not an appraisal, is intended only for the  
12 benefit of the addressee in connection with the listing, sale,  
13 lease, or purchase of real estate, and is not intended for any  
14 other purpose, including, but not limited to, lending  
15 purposes. Providing a recommendation pursuant to this  
16 paragraph is not subject to the uniform standards of  
17 professional appraisal practice adopted by the appraisal  
18 foundation.

19 b. An individual who provides administrative services to a  
20 certified real estate appraiser, such as taking photographs,  
21 preparing charts, or typing reports, who is not an associate  
22 real estate appraiser and who does not provide any assistance  
23 in developing the analysis, valuation, opinions, or  
24 conclusions associated with the appraisal assignment.

25 c. Unless otherwise required by federal, state, or local  
26 law, rule, ordinance, or policy, an employee of any of the  
27 following:

28 (1) The federal government.

29 (2) The state, or any agency, department, or political  
30 subdivision of the state, except as provided for an employee  
31 of the state department of transportation pursuant to section  
32 543D.3.

33 (3) A financial institution as defined in section 535A.1.

34 (4) An insurance company authorized to transact the  
35 business of insurance in this state.

