

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1400

53rd Legislature
1993 Regular Session

Passed by the House March 10, 1993
Yeas 92 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate April 1, 1993
Yeas 44 Nays 2

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1400** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1400

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By Representatives Heavey and Franklin; by request of Department of Licensing

Read first time 01/27/93. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to real estate appraisers; amending RCW 18.140.005,
2 18.140.010, 18.140.020, 18.140.030, 18.140.040, 18.140.060, 18.140.070,
3 18.140.080, 18.140.090, 18.140.100, 18.140.110, 18.140.120, 18.140.130,
4 18.140.140, 18.140.150, 18.140.160, 18.140.170, 18.140.180, 18.140.190,
5 and 18.140.900; adding new sections to chapter 18.140 RCW; creating a
6 new section; and repealing RCW 18.140.911.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 **Sec. 1.** RCW 18.140.005 and 1989 c 414 s 1 are each amended to read
9 as follows:

10 It is the intent of the legislature that only individuals who meet
11 and maintain minimum standards of competence and conduct may provide
12 certified or licensed appraisal services to the public.

13 **Sec. 2.** RCW 18.140.010 and 1989 c 414 s 3 are each amended to read
14 as follows:

15 As used in this chapter, the following terms have the meanings
16 indicated unless the context clearly requires otherwise.

17 (1) "Appraisal" or "real estate appraisal" means an analysis,
18 opinion, or conclusion relating to the nature, quality, value, or

1 utility of specified interests in, or aspects of, identified real
2 estate, for or in expectation of compensation. An appraisal may be
3 classified by subject matter into either a valuation or an analysis.
4 A "valuation" is an estimate of the value of real estate or real
5 property. An "analysis" is a study of real estate or real property
6 other than estimating value.

7 (2) "Appraisal report" means any communication, written or oral, of
8 an appraisal, except that all appraisal reports in federally related
9 transactions are required to be written reports.

10 (3) "Appraisal assignment" means an engagement for which an
11 appraiser is employed or retained to act, or would be perceived by
12 third parties or the public as acting, as a disinterested third party
13 in rendering an unbiased analysis, opinion, or conclusion relating to
14 the nature, quality, value, or utility of specified interests in, or
15 aspects of, identified real estate. The term "appraisal assignment"
16 may apply to valuation work and analysis work.

17 (4) (~~("Board" means the certified real estate appraiser~~
18 ~~certification board.~~

19 ~~(5))~~) "Certified appraisal" means an appraisal prepared or signed
20 by a state-certified real estate appraiser. A certified appraisal
21 represents to the public that it meets the appraisal standards defined
22 in this chapter.

23 (5) "Committee" means the real estate appraiser advisory committee
24 of the state of Washington.

25 (6) "Department" means the department of licensing.

26 (7) "Director" means the director of the department of licensing.

27 (8) "Licensed appraisal" means an appraisal prepared or signed by
28 a state-licensed real estate appraiser. A licensed appraisal
29 represents to the public that it meets the appraisal standards defined
30 in this chapter.

31 (9) "Real estate" means an identified parcel or tract of land,
32 including improvements, if any.

33 (~~(9))~~) (10) "Real property" means one or more defined interests,
34 benefits, or rights inherent in the ownership of real estate.

35 (~~(10))~~) (11) "Specialized appraisal services" means all appraisal
36 services which do not fall within the definition of appraisal
37 assignment. The term "specialized appraisal service" may apply to
38 valuation work and to analysis work. Regardless of the intention of
39 the client or employer, if the appraiser would be perceived by third

1 parties or the public as acting as a disinterested third party in
2 rendering an unbiased analysis, opinion, or conclusion, the work is
3 classified as an appraisal assignment and not a specialized appraisal
4 service.

5 ~~((11))~~ (12) "State-certified general real estate appraiser" means
6 a person certified by the director to develop and communicate real
7 estate appraisals of all types of property. A state-certified general
8 real estate appraiser may designate or identify an appraisal rendered
9 by him or her as a "certified appraisal."

10 (13) "State-certified residential real estate appraiser" means a
11 person ~~((who))~~ certified by the director to develop~~((s))~~ and
12 communicate~~((s))~~ real estate appraisals ~~((and who holds a valid~~
13 ~~certificate issued to him or her for either general or residential real~~
14 ~~estate under this chapter))~~ of all types of residential property of one
15 to four units without regard to transaction value or complexity and
16 nonresidential property having a transaction value as specified in
17 rules adopted by the director. A ~~((state-certificated))~~ state
18 certified residential real estate appraiser may designate or identify
19 an appraisal rendered by him or her as a "certified appraisal." ~~((and~~
20 ~~indicate which type of certification is held.))~~

21 (14) "State-licensed real estate appraiser" means a person licensed
22 by the director to develop and communicate real estate appraisals of
23 noncomplex one to four residential units and complex one to four
24 residential units and nonresidential property having transaction values
25 as specified in rules adopted by the director.

26 **Sec. 3.** RCW 18.140.020 and 1989 c 414 s 4 are each amended to read
27 as follows:

28 (1) No person, other ~~((that [than]))~~ than a state-certified or
29 state-licensed real estate appraiser, may assume or use that title or
30 any title, designation, or abbreviation likely to create the impression
31 of certification or licensure as a real estate appraiser by this state.
32 A person who is not certified or licensed under this chapter shall not
33 describe or refer to any appraisal ~~((or))~~ of real estate located in
34 this state by the term "certified" or "licensed."

35 (2) This section does not preclude a person who is not certified or
36 licensed as a state-certified or state-licensed real estate appraiser
37 from appraising real estate in this state for compensation, except in

1 federally related transactions requiring licensure or certification to
2 perform appraisal services.

3 **Sec. 4.** RCW 18.140.030 and 1989 c 414 s 7 are each amended to read
4 as follows:

5 The director shall have the following powers and duties:

6 (1) To adopt rules in accordance with chapter 34.05 RCW necessary
7 to implement this chapter;

8 (2) To receive and approve or deny applications for certification
9 or licensure as a state-certified or state-licensed real estate
10 appraiser under this chapter; to establish appropriate administrative
11 procedures for the processing of such applications; to issue
12 certificates or licenses to qualified applicants pursuant to the
13 provisions of this chapter; and to maintain a register of the names and
14 addresses of individuals who are currently certified or licensed under
15 this chapter;

16 (3) To establish, provide administrative assistance ~~((to))~~, and
17 appoint the members for the real estate appraiser ~~((certification~~
18 ~~board))~~ advisory committee to enable the ~~((board))~~ committee to ~~((carry~~
19 ~~out its responsibilities under this chapter))~~ act in an advisory
20 capacity to the director;

21 (4) To solicit bids and enter into contracts with educational
22 testing services or organizations for the preparation of questions and
23 answers for certification or licensure examinations;

24 (5) To administer or contract for administration of certification
25 or licensure examinations at locations and times as may be required to
26 carry out the responsibilities under this chapter;

27 (6) To enter into contracts for professional services determined to
28 be necessary for adequate enforcement of this chapter;

29 (7) To consider recommendations by the real estate appraiser
30 ~~((certification board))~~ advisory committee relating to the experience,
31 education, and examination requirements for each classification of
32 state-certified appraiser and for licensure;

33 ~~((+7))~~ (8) To impose continuing education requirements as a
34 prerequisite to renewal of certification or licensure;

35 ~~((+8))~~ (9) To consider recommendations by the real estate
36 appraiser ~~((certification board))~~ advisory committee relating to
37 standards of professional appraisal practice in the enforcement of this
38 chapter;

1 (~~(9)~~) ~~To issue an annual statement describing the receipts and~~
2 ~~expenditures in the administration of this chapter during each fiscal~~
3 ~~year;~~)

4 (10) To investigate all complaints or reports of unprofessional
5 conduct as defined in this chapter and to hold hearings as provided in
6 this chapter;

7 (11) To establish appropriate administrative procedures for
8 disciplinary proceedings conducted pursuant to the provisions of this
9 chapter;

10 (~~(11)~~) (12) To compel the attendance of witnesses and production
11 of books, documents, records, and other papers; to administer oaths;
12 and to take testimony and receive evidence concerning all matters
13 within their jurisdiction. These powers may be exercised directly by
14 the director or the director's authorized representatives acting by
15 authority of law;

16 (~~(12)~~) (13) To take emergency action ordering summary suspension
17 of a license or certification pending proceedings by the director;

18 (14) To employ such professional, clerical, and technical
19 assistance as may be necessary to properly administer the work of the
20 director;

21 (~~(13)~~) (15) To establish forms necessary to administer this
22 chapter; (~~and~~

23 ~~(14)~~) (16) To adopt standards of professional conduct or practice;
24 and

25 (17) To do all other things necessary to carry out the provisions
26 of this chapter and minimally meet the requirements of federal
27 guidelines regarding state certification or licensure of appraisers
28 that the director determines are appropriate for state-certified and
29 state-licensed appraisers in this state.

30 **Sec. 5.** RCW 18.140.040 and 1989 c 414 s 8 are each amended to read
31 as follows:

32 The director(~~(, members of the board,)~~) or individuals acting on
33 (~~their~~) behalf of the director are immune from suit in any action,
34 civil or criminal, based on any acts performed in the course of their
35 duties except for their intentional or willful misconduct.

36 **Sec. 6.** RCW 18.140.060 and 1989 c 414 s 10 are each amended to
37 read as follows:

1 (1) Applications for examinations, original certification or
2 licensure, and renewal certification or licensure shall be made in
3 writing to the department on forms approved by the director.
4 Applications for original and renewal certification or licensure shall
5 include a statement confirming that the applicant shall comply with
6 applicable rules and regulations and that the applicant understands the
7 penalties for misconduct.

8 (2) The appropriate fees shall accompany all applications for
9 examination, reexamination, original certification or licensure, and
10 renewal certification or licensure.

11 **Sec. 7.** RCW 18.140.070 and 1989 c 414 s 11 are each amended to
12 read as follows:

13 There shall be one category of state-licensed real estate
14 appraisers and two categories of state-certified real estate appraisers
15 as follows:

16 (1) The ~~((state-certified residential))~~ state-licensed real estate
17 appraiser ~~((classification shall consist of those persons meeting the~~
18 ~~requirements for appraisal of residential real property of one to four~~
19 ~~units.))~~i

20 (2) The state-certified ~~((general))~~ residential real estate
21 appraiser ~~((classification shall consist of those persons meeting the~~
22 ~~requirements for certification relating to the appraisal of all types~~
23 ~~of real property))~~i

24 (3) The state-certified general real estate appraiser.

25 **Sec. 8.** RCW 18.140.080 and 1989 c 414 s 12 are each amended to
26 read as follows:

27 ~~((1))~~ As a prerequisite to taking ~~((the))~~ an examination for
28 certification ~~((as a state-certified general real estate appraiser))~~ or
29 licensure, an applicant shall present evidence satisfactory to the
30 director that he or she has successfully completed the education
31 requirements adopted by the director.

32 ~~((2) As a prerequisite to taking the examination for certification~~
33 ~~as a state-certified residential real estate appraiser, an applicant~~
34 ~~shall present evidence satisfactory to the director that he or she has~~
35 ~~successfully completed the education requirements adopted by the~~
36 ~~director.~~

1 ~~(3) The education requirements of subsections (1) and (2) of this~~
2 ~~section may be waived by the director if the applicant presents~~
3 ~~evidence to the satisfaction of the director that the applicant was~~
4 ~~practicing as a real estate appraiser in the state of Washington on~~
5 ~~July 1, 1990.)~~)

6 **Sec. 9.** RCW 18.140.090 and 1989 c 414 s 13 are each amended to
7 read as follows:

8 As a prerequisite to taking ~~((the))~~ an examination for
9 certification ~~((as a state-certified real estate appraiser))~~ or
10 licensure, an applicant must meet the experience requirements adopted
11 by the director.

12 **Sec. 10.** RCW 18.140.100 and 1989 c 414 s 14 are each amended to
13 read as follows:

14 An original ~~((certification as a state-certified real estate~~
15 ~~appraiser))~~ license or certificate shall be issued to persons who have
16 satisfactorily passed ~~((a))~~ the written examination as endorsed by the
17 Appraiser Qualifications Board of the Appraisal Foundation and as
18 adopted by the director.

19 **Sec. 11.** RCW 18.140.110 and 1989 c 414 s 15 are each amended to
20 read as follows:

21 Every applicant for licensing or certification who is not a
22 resident of this state shall submit, with the application for licensing
23 or certification, an irrevocable consent that service of process upon
24 him or her may be made by service on the director if, in an action
25 against the applicant in a court of this state arising out of the
26 applicant's activities as a state-licensed or state-certified real
27 estate appraiser, the plaintiff cannot, in the exercise of due
28 diligence, obtain personal service upon the applicant.

29 **Sec. 12.** RCW 18.140.120 and 1989 c 414 s 16 are each amended to
30 read as follows:

31 An applicant for licensure or certification who is currently
32 licensed or certified and in good standing under the laws of another
33 state may obtain a license or certificate as a Washington state-
34 licensed or state-certified real estate appraiser without being
35 required to satisfy the examination requirements of this chapter if:

1 The director determines that the licensure or certification
2 requirements are substantially similar to those found in Washington
3 state; and that the other state has a written reciprocal agreement to
4 provide similar treatment to holders of Washington state licenses
5 and/or certificates.

6 **Sec. 13.** RCW 18.140.130 and 1989 c 414 s 17 are each amended to
7 read as follows:

8 (1) Each original and renewal license or certificate issued under
9 this chapter shall ((be for a period of two years)) expire on the
10 applicant's second birthday following issuance of the license or
11 certificate.

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

18 (3) If a person fails to renew a license or certificate prior to
19 its expiration and no more than two years have passed since the person
20 last held a valid license or certificate, the person may obtain a
21 renewal license or certificate by satisfying all of the requirements
22 for renewal and paying late renewal fees.

23 The director shall cancel the license or certificate of any person
24 whose renewal fee is not received within two years from the date of
25 expiration. A person may obtain a new license or certificate by
26 satisfying the procedures and qualifications for initial licensure or
27 certification, including the successful completion of any applicable
28 examinations.

29 **Sec. 14.** RCW 18.140.140 and 1989 c 414 s 18 are each amended to
30 read as follows:

31 (1) A license or certificate issued under this chapter shall bear
32 the signature or facsimile signature of the director and a license or
33 certificate number assigned by the director.

34 (2) Each state-licensed or state-certified real estate appraiser
35 shall place his or her certificate number adjacent to or immediately
36 below the title "state-licensed real estate appraiser," "state-
37 certified residential real estate appraiser," or "state-certified

1 general real estate appraiser" when used in an appraisal report or in
2 a contract or other instrument used by the licensee or certificate
3 holder in conducting real property appraisal activities.

4 **Sec. 15.** RCW 18.140.150 and 1989 c 414 s 19 are each amended to
5 read as follows:

6 (1) The term "state-licensed" or "state-certified real estate
7 appraiser" may only be used to refer to individuals who hold the
8 license or certificate and may not be used following or immediately in
9 connection with the name or signature of a firm, partnership,
10 corporation, or group, or in such manner that it might be interpreted
11 as referring to a firm, partnership, corporation, group, or anyone
12 other than an individual holder of the license or certificate.

13 (2) No license or certificate may be issued under this chapter to
14 a corporation, partnership, firm, or group. This shall not be
15 construed to prevent a state-licensed or state-certified appraiser from
16 signing an appraisal report on behalf of a corporation, partnership,
17 firm, or group practice.

18 NEW SECTION. **Sec. 16.** A new section is added to chapter 18.140
19 RCW to read as follows:

20 (1) A real estate appraiser from another state who is licensed or
21 certified by another state may apply for registration to receive
22 temporary licensing or certification in Washington by paying a fee and
23 filing a notarized application with the department on a form provided
24 by the department.

25 (2) Licensing and certification privileges granted under the
26 provisions of this section shall expire ninety days from issuance.
27 Licensing or certification shall not be renewed, nor shall an applicant
28 receive more than two registrations within any twelve-month period.

29 (3) Persons granted temporary licensing or certification privileges
30 under this section shall not advertise or otherwise hold themselves out
31 as being licensed or certified by the state of Washington.

32 (4) Persons granted temporary licensure or certification are
33 subject to all provisions under this chapter.

34 **Sec. 17.** RCW 18.140.160 and 1989 c 414 s 20 are each amended to
35 read as follows:

1 An application for licensure or certification ((or
2 recertification)) may be denied(~~(, and the certification of any state-~~
3 ~~certified real estate appraiser may be revoked, suspended,~~)). The
4 director may impose any one or more of the following sanctions against
5 state-licensed or state-certified appraisers: Suspend, revoke, or levy
6 a fine not to exceed one thousand dollars for each offense and/or
7 otherwise ((disciplined)) discipline in accordance with the provisions
8 of this chapter, for any of the following acts or omissions:

9 (1) Failing to meet the minimum qualifications for state licensure
10 or certification established by or pursuant to this chapter;

11 (2) Procuring or attempting to procure state licensure or
12 certification under this chapter by knowingly making a false statement,
13 knowingly submitting false information, or knowingly making a material
14 misrepresentation on any application filed with the director;

15 (3) Paying money other than the fees provided for by this chapter
16 to any employee of the director or the ((~~board~~)) committee to procure
17 state licensure or certification under this chapter;

18 (4) Obtaining a license or certification through the mistake or
19 inadvertence of the director;

20 (5) Conviction of any gross misdemeanor or felony or the commission
21 of any act involving moral turpitude, dishonesty, or corruption whether
22 or not the act constitutes a crime. If the act constitutes a crime,
23 conviction in a criminal proceeding is not a condition precedent to
24 disciplinary action. Upon such a conviction, however, the judgment and
25 sentence is conclusive evidence at the ensuing disciplinary hearing of
26 the guilt of the license or certificate holder or applicant of the
27 crime described in the indictment or information, and of the person's
28 violation of the statute on which it is based. For the purposes of
29 this section, conviction includes all instances in which a plea of
30 guilty or nolo contendere is the basis for the conviction and all
31 proceedings in which the sentence has been deferred or suspended.
32 Nothing in this section abrogates rights guaranteed under chapter 9.96A
33 RCW;

34 (6) Failure or refusal without good cause to exercise reasonable
35 diligence in developing an appraisal, preparing an appraisal report, or
36 communicating an appraisal;

37 ((+5)) (7) Negligence or incompetence in developing an appraisal,
38 preparing an appraisal report, or communicating an appraisal;

1 ~~((6))~~ (8) Continuing to act as a state-licensed or state-
2 certified real estate appraiser when his or her license or certificate
3 is on an expired status;
4 ~~((7))~~ (9) Failing, upon demand, to disclose any information
5 within his or her knowledge to, or to produce any document, book, or
6 record in his or her possession for inspection of the director or the
7 director's authorized representatives acting by authority of law; ~~((and~~
8 ~~(8))~~ (10) Violating any provision of this chapter or any lawful
9 rule or regulation made by the director pursuant thereto;
10 (11) Advertising in a false, fraudulent, or misleading manner;
11 (12) Suspension, revocation, or restriction of the individual's
12 license or certification to practice the profession by competent
13 authority in any state, federal, or foreign jurisdiction, with a
14 certified copy of the order, stipulation, or agreement being conclusive
15 evidence of the revocation, suspension, or restriction;
16 (13) Failing to comply with an order issued by the director;
17 (14) Committing any act of fraudulent or dishonest dealing or a
18 crime involving moral turpitude, with a certified copy of the final
19 holding of any court of competent jurisdiction in such matter being
20 conclusive evidence in any hearing under this chapter; and
21 (15) Issuing an appraisal report on any real property in which the
22 appraiser has an interest unless his or her interest is clearly stated
23 in the appraisal report.

24 **Sec. 18.** RCW 18.140.170 and 1989 c 414 s 21 are each amended to
25 read as follows:

26 The director may investigate the actions of a state-licensed or
27 state-certified real estate appraiser or an applicant for licensure or
28 certification or relicensure or recertification. Upon receipt of
29 information indicating that a state-licensed or state-certified real
30 estate appraiser under this chapter may have violated this chapter, the
31 director shall cause one or more of the staff investigators to make an
32 investigation of the facts to determine whether or not there is
33 admissible evidence of any such violation. If technical assistance is
34 required, a staff investigator may consult with ~~((not))~~ one or more
35 ~~((than one))~~ of the ~~((appraiser))~~ members of the ~~((board.~~ If an
36 ~~appraiser member of the board is consulted and renders assistance in an~~
37 ~~investigation, the appraiser member is excused from service on the~~

1 ~~board in connection with any administrative hearing that may result~~
2 ~~from such investigation))~~ committee.

3 In any investigation made by the director's investigative staff,
4 the director shall have the power to compel the attendance of witnesses
5 and the production of books, documents, records, and other papers, to
6 administer oaths, and to take testimony and receive evidence concerning
7 all matters within the director's jurisdiction.

8 If the director determines, upon investigation, that a state-
9 licensed or state-certified real estate appraiser under this chapter
10 has violated this chapter, a statement of charges shall be prepared and
11 served upon the state-licensed or state-certified real estate
12 appraiser. This statement of charges shall require the accused party
13 to file an answer to the statement of charges within twenty days of the
14 date of service.

15 In responding to a statement of charges, the accused party may
16 admit to the allegations, deny the allegations, or otherwise ((plea))
17 plead. Failure to make a timely response shall be deemed an admission
18 of the allegations contained in the statement of charges and will
19 result in a default whereupon the director may enter an order under RCW
20 34.05.440. If a hearing is requested, the time of the hearing shall be
21 scheduled but the hearing shall not be held earlier than thirty days
22 after service of the charges upon the accused. A notice of hearing
23 shall be issued at least twenty days prior to the hearing, specifying
24 the time, date, and place of hearing.

25 NEW SECTION. Sec. 19. A new section is added to chapter 18.140
26 RCW to read as follows:

27 (1) The director may issue a cease and desist order to a person
28 after notice and hearing and upon a determination that the person has
29 violated a provision of this chapter or a lawful order or rule of the
30 director.

31 (2) If the director makes a written finding of fact that the public
32 interest will be irreparably harmed by delay in issuing an order, the
33 director may issue a temporary cease and desist order. Before issuing
34 the temporary cease and desist order, whenever possible, the director
35 shall give notice by telephone or otherwise of the proposal to issue a
36 temporary cease and desist order to the person. Every temporary cease
37 and desist order shall include a provision that a hearing will be held
38 upon request to determine whether the order will become permanent.

1 At the time the temporary cease and desist order is served, the
2 person shall be notified that he or she is entitled to request a
3 hearing for the sole purpose of determining whether the public interest
4 requires that the temporary cease and desist order be continued or
5 modified pending the outcome of the hearing to determine whether the
6 order will become permanent. The hearing shall be held within thirty
7 days after the department receives the request for hearing, unless the
8 person requests a later hearing. A person may secure review of any
9 decision rendered at a temporary cease and desist order review hearing
10 in the same manner as an adjudicative proceeding.

11 **Sec. 20.** RCW 18.140.180 and 1989 c 414 s 22 are each amended to
12 read as follows:

13 The administrative hearing on the allegations in the statement of
14 charges may be heard by ~~((the board or))~~ an administrative law judge
15 appointed under chapter 34.12 RCW at the time and place prescribed by
16 the director and in accordance with the provisions of the
17 administrative procedure act, chapter 34.05 RCW. If the ~~((board or
18 the))~~ administrative law judge determines that a state-licensed or
19 state-certified real estate appraiser is guilty of a violation of any
20 of the provisions of this chapter, a formal decision shall be prepared
21 that contains findings of fact and recommendations to the director
22 concerning the appropriate disciplinary action to be taken.

23 In such event the director shall enter an order to that effect and
24 shall file the same in his or her office and immediately mail a copy
25 thereof to the affected party at the addresses of record with the
26 department. Such order shall not be operative for a period of ten days
27 from the date thereof. Any ~~((licensee or applicant))~~ party aggrieved
28 by a final decision by the director in an adjudicative proceeding
29 whether such decision is affirmative or negative in form, is entitled
30 to a judicial review in the superior court under the provisions of the
31 administrative procedure act, chapter 34.05 RCW.

32 **Sec. 21.** RCW 18.140.190 and 1989 c 414 s 23 are each amended to
33 read as follows:

34 The attorney general shall render to the director ~~((and board))~~
35 opinions upon all questions of law relating to the construction or
36 interpretation of this chapter, or arising in the administration
37 thereof that may be submitted by the director ~~((or board))~~, and shall

1 act as attorney for the director ((and board)) in all actions and
2 proceedings brought by or against the director ((and board)) under or
3 pursuant to any provisions of this chapter.

4 **Sec. 22.** RCW 18.140.900 and 1989 c 414 s 2 are each amended to
5 read as follows:

6 This chapter may be known and cited as the ((certified)) real
7 estate appraiser act.

8 NEW SECTION. **Sec. 23.** The department shall identify and notify
9 all holders of state-certified residential appraiser certificates that
10 their certificates will be converted to the designation of state-
11 licensed real estate appraiser if they have not met the educational
12 requirements for state-certified residential appraiser as prescribed by
13 the director and the Appraiser Qualifications Board of the Appraisal
14 Foundation. The department shall issue licenses with the new
15 designation which reflects the person's qualifications as prescribed by
16 the director.

17 NEW SECTION. **Sec. 24.** RCW 18.140.911 and 1989 c 414 s 27 are each
18 repealed.

--- END ---