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SENATE BILL 6642

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State of Washington

56th Legislature

2000 Regular Session

By Senators Benton, Heavey, Shin and Oke

Read first time 01/21/2000. Referred to Committee on Commerce, Trade, Housing & Financial Institutions.

1 AN ACT Relating to grounds for disciplinary action against a  
2 licensed or certified real estate appraiser; and amending RCW  
3 18.140.160.

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

5 **Sec. 1.** RCW 18.140.160 and 1996 c 182 s 9 are each amended to read  
6 as follows:

7 The director may deny an application for licensure or certification  
8 and may impose any one or more of the following sanctions against a  
9 state-licensed or state-certified appraiser: Suspend, revoke, or levy  
10 a fine not to exceed one thousand dollars for each offense and/or  
11 otherwise discipline in accordance with the provisions of this chapter,  
12 for any of the following acts or omissions:

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

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

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

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

6 (5) Conviction of any gross misdemeanor or felony or the commission  
7 of any act involving moral turpitude, dishonesty, or corruption whether  
8 or not the act constitutes a crime. If the act constitutes a crime,  
9 conviction in a criminal proceeding is not a condition precedent to  
10 disciplinary action. Upon such a conviction, however, the judgment and  
11 sentence is conclusive evidence at the ensuing disciplinary hearing of  
12 the guilt of the license or certificate holder or applicant of the  
13 crime described in the indictment or information, and of the person's  
14 violation of the statute on which it is based. For the purposes of  
15 this section, conviction includes all instances in which a plea of  
16 guilty or nolo contendere is the basis for the conviction and all  
17 proceedings in which the sentence has been deferred or suspended.  
18 Nothing in this section abrogates rights guaranteed under chapter 9.96A  
19 RCW. However, RCW 9.96A.020 does not apply to a person who is required  
20 to register as a sex offender under RCW 9A.44.130;

21 (6) Failure or refusal without good cause to exercise reasonable  
22 diligence in developing an appraisal, preparing an appraisal report, or  
23 communicating an appraisal;

24 (7) Negligence or incompetence in developing an appraisal,  
25 preparing an appraisal report, or communicating an appraisal;

26 (8) Continuing to act as a state-licensed or state-certified real  
27 estate appraiser when his or her license or certificate is on an  
28 expired status;

29 (9) Failing, upon demand, to disclose any information within his or  
30 her knowledge to, or to produce any document, book, or record in his or  
31 her possession for inspection of the director or the director's  
32 authorized representatives acting by authority of law;

33 (10) Violating any provision of this chapter or any lawful rule  
34 (~~or regulation~~) made by the director pursuant thereto;

35 (11) Advertising in a false, fraudulent, or misleading manner;

36 (12) Suspension, revocation, or restriction of the individual's  
37 license or certification to practice the profession by competent  
38 authority in any state, federal, or foreign jurisdiction, with a

1 certified copy of the order, stipulation, or agreement being conclusive  
2 evidence of the revocation, suspension, or restriction;  
3 (13) Failing to comply with an order issued by the director;  
4 (14) Committing any act of fraudulent or dishonest dealing or a  
5 crime involving moral turpitude, with a certified copy of the final  
6 holding of any court of competent jurisdiction in such matter being  
7 conclusive evidence in any hearing under this chapter; and  
8 (15) Issuing an appraisal report on any real property in which the  
9 appraiser has an interest unless his or her interest is clearly stated  
10 in the appraisal report.

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