

Proposed 2011 TALCB Legislative Agenda Items

1. Require Appraisal Management Companies to be licensed and regulated in Texas as per the federal requirements and guidelines and consistent with consumer protection goals
2. Amend 5% audit requirement of certification candidates to 100% to conform to federal rule
3. Repeal or limit issue of 2 year (currently renewable to 5 years) “provisional” licenses, with one 2 year renewal and only to applicants in counties with populations of 25,000 or less
4. Clarify “purpose clause” issues to cover jurisdiction over all appraisal work done in Texas, not just “implement FIRREA”; and as between TALCB and TREC for “appraisals” done by brokers; and clarify distinctions between BPO and similar tools vs. appraisals
5. Add disciplinary authority to probate and place conditions on license issue or continuation, including emergency suspension authority with appropriate SOAH hearing to challenge
6. Change “reciprocal” license issue provisions to conform to new federal law and change expiration date to NOT be based on reciprocity state expiration; substitute 2 year standard
7. Accept “anonymous” complaints if a felony offense is alleged; refer these to Texas Mortgage Fraud Task Force for investigation
8. Prohibit reapplication within 5 years of felony conviction, plea, revocation, surrender of license
9. Apply 3 times exam taking limit to all license types; provide for additional education to retest
10. Add authority requiring appraisers to track all appraisal work on forms approved by the agency
11. Require licensees to provide and maintain current primary email address and phone to agency
12. Amend law to reflect electronic delivery of licenses, such as “custody”; “surrender”; “delivery”
13. Obtain 6 month “late renewal” rights for all appraiser license types
14. Repeal authority for ALJ to impose confidentiality terms via PFD on Final Orders

15. Add “ASC required” language to allow automatic 90 extension of 6 month temporary license
16. Obtain authority for a committee of the Board to approve the immediate suspension of a licensee or certification holder if the person is believed to present immediate risks, provided that the matter is set for an expedited hearing before SOAH.
17. Obtain the authority to enter a default order if the holder of a license or certification does not respond to charges and request a hearing.
18. Obtain authority for Board to delegate authority to Commissioner to sign “Agreed Orders”
19. Obtain the authority for Board to apply for, accept, administer and expend gifts or grant funds
20. Hire additional enforcement attorney to handle increasing complaint workload (FWP & LAR))
21. Create a “Sponsoring Appraiser” license category for those certified appraisers who choose to train and sponsor appraiser trainees, with appropriate education incentives recognized (defer)