



Ohio Revised Code

Section 4768.06 Applicants for appraisal management company license.

Effective: December 14, 2018

Legislation: House Bill 213 - 132nd General Assembly

(A) To obtain an appraisal management company license, each applicant shall submit all of the following to the superintendent of real estate and professional licensing:

- (1) A completed application on a form the superintendent provides;
- (2) The name of a controlling person who will be the main contact between the appraisal management company and the division of real estate and professional licensing and the real estate appraiser board;
- (3) Payment of the fee established for initial licensure under division (A)(2) of section 4768.03 of the Revised Code;
- (4) A list of all owners and controlling persons of the appraisal management company;
- (5) A statement that each owner and controlling person of the appraisal management company satisfies the requirements set forth in divisions (B)(1) to (4) of this section;
- (6) A completed consent to service of process in this state as prescribed by rule of the real estate appraiser board;
- (7) A statement that the applicant understands the grounds for any disciplinary action that may be initiated under this chapter;
- (8) The name of each state in which the appraisal management company holds an appraisal management company license, certificate, or registration and affirmation that the applicant is in good standing in each state where the applicant holds a license, certificate, or registration;
- (9) A statement that the applicant acknowledges that a system or process must be in place to verify



that any appraiser added to the appraisal management company's appraiser panel for the purpose of performing real estate appraisal services in this state holds a license or certificate under Chapter 4763. of the Revised Code and is in good standing with this state;

(10) A statement that the applicant acknowledges that a system or process must be in place to review the work of appraisers who are performing real estate appraisal services for compliance with the uniform standards of professional appraisal practice;

(11) A statement that the applicant acknowledges that a system or process must be in place to verify that any employee of, or independent contractor to, the appraisal management company that performs an appraisal review shall be an appraiser licensed or certified pursuant to Chapter 4763. of the Revised Code, provided the property that is the subject of the appraisal is located in this state;

(12) A statement that the applicant acknowledges that the controlling person who will be the main contact between the appraisal management company and the division of real estate and professional licensing and the real estate appraiser board described in division (A)(2) of this section has successfully completed fifteen hours of uniform standards of professional appraisal practice and thereafter must complete seven hours of instruction in uniform standards of professional appraisal practice at least once every two years;

(13) A statement that the applicant acknowledges that a system or process must be in place to disclose to its client the actual fees paid to an appraiser for appraisal services separately from any other fees or charges for appraisal management services;

(14) A statement that the applicant acknowledges that a system or process must be in place to disclose the license, certificate, or registration number of the appraisal management company on each engagement letter used in assigning an appraisal request for real estate appraisal assignments within the state;

(15) A statement that the applicant acknowledges that it is required to report suspected violations of Chapter 4763. of the Revised Code by a person licensed, registered, or certified under that chapter;

(16) A statement that the applicant acknowledges that the real estate appraiser board or the



superintendent may require the applicant to submit to an audit, conducted by staff of the division of real estate and professional licensing, of the applicant's operations or books;

(17) A statement that the applicant acknowledges that it is required to comply with section 129e of the "Truth in Lending Act," 82 Stat. 146, 15 U.S.C. 1639e.

(B) Each owner and controlling person of an appraisal management company shall satisfy all of the following criteria:

(1) Be an individual who is at least eighteen years of age;

(2) Have graduated the twelfth grade or received a certificate of high school equivalence as defined in section 4109.06 of the Revised Code;

(3) Be honest, truthful, and of good moral character;

(4) Have not had a license, certificate, or registration to act as an appraiser that has been refused, denied, canceled, surrendered, or revoked in this state or in any other state for a substantive reason. A designated controlling person may have had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of revocation in a state for a nonsubstantive reason if the license or certificate was subsequently granted or reinstated;

(5) Submit to a criminal records check in accordance with this section and any rule that the superintendent adopts under division (A)(1) of section 4768.03 of the Revised Code.

(C) Upon receiving an application under this section, the superintendent shall request the superintendent of the bureau of criminal identification and investigation, or a vendor approved by the bureau, to conduct a criminal records check based on the fingerprint impressions of each owner and controlling person of the applicant in accordance with division (A)(15) of section 109.572 of the Revised Code. Notwithstanding division (K) of section 121.08 of the Revised Code, the superintendent of real estate and professional licensing shall request that the superintendent of the bureau of criminal identification and investigation obtain criminal record information from the federal bureau of investigation be obtained as part of the criminal records check. Any fee required



under division (C)(3) of section 109.572 of the Revised Code shall be paid by the applicant.

(D)(1) Subject to section 4768.08 of the Revised Code and except as provided in division (D)(2) of this section, the superintendent shall issue a license to the applicant if the applicant and each owner and controlling person of the applicant satisfies the requirements of this section.

(2) The superintendent shall not issue a license to an applicant if any owner or controlling person of the applicant has been convicted of or pleaded guilty or no contest to a felony. However, if an owner or controlling person of the applicant has pleaded guilty or no contest to or been convicted of a felony, the superintendent shall not consider the conviction or plea if the person has proven to the superintendent, by a preponderance of the evidence, that the person's activities and employment record since the conviction or plea show that the person is honest, truthful, and of good moral character, and there is no basis in fact for believing that the person will commit a felony again.

(E) A license issued under this section shall be valid for one year after the date of issue.