

West's Florida Administrative Code

Title 61. Department of Business and Professional Regulation

Chapter 61-6. Biennial Licensing

Rule 61-6.043, F.A.C.  
Fla. Admin. Code r. 61-6.043

61-6.043. Renewal Process for Appraisal Management Company.

Currentness

(1) Each registration of an appraisal management company shall be renewed on a biennial basis. The schedule for biennial renewal shall be as established in subsection 61-6.001(4), F.A.C.

(2) When the total period of inactive status exceeds 4 years, the registration shall automatically expire per [Section 475.619\(2\), F.S.](#) and the appraisal management company must meet all the requirements for initial registration. If automatic expiration has occurred pursuant to [Section 475.619\(2\), F.S.](#), the appraisal management company shall be required to meet all requirements for initial licensure. Two years prior to the expiration, the Department of Business and Professional Regulation shall give notice by mail to the last known address of the registrant.

(3) Inactive Registration.

(a) At any time after obtaining registration as an appraisal management company, the registrant may request inactive status by submitting Form DBPR FREAB-2, "Appraisal Management Company -- Maintenance", effective April 2012, adopted and incorporated herein, which may be found at [https://www.myfloridalicense.com/CheckListDetail.asp?SID=&xactCode=8001&clientCode=6410&XACT\\_DEFN\\_ID=14050](https://www.myfloridalicense.com/CheckListDetail.asp?SID=&xactCode=8001&clientCode=6410&XACT_DEFN_ID=14050) or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-01979>. The fee to change licensure status is found in [Rule 61J1-2.001, F.A.C.](#)

(b) An appraisal management company, whose registration is designated inactive pursuant to subsection (1), (2) or (3) above, may request an active registration on DBPR FREAB-2, "Appraisal Management Company -- Maintenance", effective April 2012. The fee to change licensure status is found in [Rule 61J1-2.001, F.A.C.](#)

(4) Current biennial renewal fees specified in subsection 61J1-2.001(2), F.A.C. and late fees set forth in subsection

61J1-2.001(6), F.A.C., shall be collected for each period of inactivity through the elected or automatic inactive date.

**Credits**

Adopted Sept. 3, 2013.

Authority: [455.271\(3\)](#), [475.619\(2\)](#), [475.6147](#), [475.6235\(7\)](#) FS. Law Implemented [455.271\(3\)](#), [475.619\(2\)](#), [475.6147](#), [475.6235\(7\)](#) FS.

Current with amendments available through February 1, 2016.

Rule 61-6.043, F.A.C., 61 FL ADC 61-6.043

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West's Florida Administrative Code

Title 61. Department of Business and Professional Regulation

Chapter 61-35. Departmental Forms

Rule 61-35.026, F.A.C.  
Fla. Admin. Code r. 61-35.026

61-35.026. Florida Real Estate Appraisal Departmental Forms.

Currentness

The following Florida Real Estate Appraisal forms can be obtained at [www.myfloridalicense.com/dbpr/](http://www.myfloridalicense.com/dbpr/) or by contacting the Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, FL 32399-0790, (850) 487-1395.

(1) APPRAISAL MANAGEMENT COMPANIES --

(a) Persons applying to register an Appraisal Management Company shall use Form DBPR FREAB 1, Application for Registering an Appraisal Management Company, effective April 2012, adopted and incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01978>.

(b) Persons requesting to renew, close, change the address or name, or request a duplicate license shall submit to the Department a completed Form DBPR FREAB 2, Appraisal Management Company -- Maintenance, effective April 2012, adopted and incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01979>.

(c) Persons applying to add or remove an officer, director, general partner, manager, managing member, owner, or individuals who, directly or indirectly, owns or controls 10 percent or more of an ownership interest in the appraisal management company shall use Form DBPR FREAB 3, Appraisal Management Company -- Amendment, effective April 2012, adopted and incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01980>.

(2) APPRAISERS --

(a) Persons applying to become licensed as a Residential or General Appraiser shall use Form DBPR FREAB 10,

Application for Initial Certification for Residential or General Appraiser, effective April 2012, is adopted and incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01982>.

(b) Persons applying to become registered as a Trainee Appraiser shall use Form DBPR FREAB 11, Application for Appraiser Trainee Registration, effective April 2012, is adopted and incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01984>.

(c) Persons applying to become licensed as a Residential or General Appraiser and are currently licensed to practice real estate appraisal in another state shall use Form DBPR FREAB 12, Application for Out-of-State Certified Appraiser by Mutual Recognition, effective April 2012, is adopted and incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01985>.

(d) Persons applying for a non-resident temporary practice permit shall use Form DBPR FREAB 13, Application for Non-resident Temporary Practice Permit, effective July 2013, is adopted and incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03051>.

(e) Persons requesting supervisory appraiser designation or termination shall use Form DBPR FREAB 14, Supervisor Designation/Termination Form, effective April 2012, is adopted and incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01987>.

(f) Persons requesting a duplicate or address/name change of their appraiser license shall use Form DBPR FREAB 15, Appraiser License Maintenance Form, effective April 2012, is adopted and incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01988>.

(g) Persons requesting a change of status of their appraiser license shall use Form DBPR FREAB 16, Appraiser Change of Status Form, effective April 2012, is adopted and incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01989>.

(h) Persons applying to register or remove an additional business location shall use Form DBPR FREAB 17, Business/Firm Registration or Change Form, effective April 2012, is adopted and incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01990>.

(i) Persons requesting to change a business location name or business location address shall use Form DBPR FREAB

18, Change Business/Firm Information Form, effective April 2012, is adopted and incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01991>.

(j) Persons applying to become licensed as a Appraiser Instructor shall use Form DBPR FREAB 19, effective April 2012, is adopted and incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01992>.

### Credits

Adopted Dec. 23, 2012. Amended Sept. 25, 2013.

Authority: [455.2035](#), [455.213 FS](#). Law Implemented [455.213](#), [455.275](#), [475.615](#), [475.6221](#), [475.623](#), [475.6235](#) [475.630 FS](#).

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Rule 61-35.026, F.A.C., 61 FL ADC 61-35.026

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[West's Florida Administrative Code](#)  
[Title 61. Department of Business and Professional Regulation](#)  
[Subtitle 61j1. Division of Real Estate Florida Real Estate Appraisal Board](#)  
[Chapter 61J1-2. Registration Details and Fee Structure](#)

Rule 61J1-2.001, F.A.C.  
Fla. Admin. Code r. 61J1-2.001

61J1-2.001. Fees.

Currentness

(1) The application fee shall be as follows:

Registered Trainee Appraiser	\$50.00
Certified Residential Appraiser	\$100.00
Certified General Appraiser	\$100.00
Appraisal Management Company	\$150.00

(2) The biennial fee shall be:

Registered Trainee Appraiser	\$175.00
Licensed Appraiser	\$175.00

Certified Residential Appraiser \$175.00

Certified General Appraiser \$175.00

Appraisal Management Company \$300.00

(3) The fee for appraisal course instructors shall be:

Application \$50.00

Biennial Permit \$50.00

(4) Fees for appraisal course related categories shall be:

For each sponsor application for evaluation for approval of education offering \$200.00

For each sponsor biennial education offering renewal \$100.00

For each evaluation of a previously nonaccredited education course \$50.00

(5) Temporary Practice fee \$50.00

(6)	Late Renewal of an inactive registration, license or certification	\$25.00
(7)	Biennial Registry fee for licensed and certified appraisers as required by the Appraisal Subcommittee	\$80.00
(8)	Duplicate registration, license or certification	\$20.00
(9)	Checks returned insufficient funds or account closed or an amount up to 5% of the face amount of the check, whichever is greater	\$15.00
(10)	Examination Review	\$35.00
(11)	Unlicensed activity fee for initial licensure and license renewal	\$5.00
(12)	The fee for request for a change of examination date, which must be in writing, shall be:	
(a)	Requests received by the examination vendor 3 or more days prior to the scheduled date	No fee
(b)	Requests received by the examination vendor less than 3 days prior to the scheduled date	\$15.00
		\$61.00



- (13) Application fee for a registered trainee, licensed or certified appraiser to obtain a different status when such application is received by the department within 180 days prior to or after the renewal period established in Rule 61J1-2.002, Florida Administrative Code \$50.00
- (14) Letter of Good Standing \$25.00

### Credits

Adopted Oct. 15, 1991; Amended June 7, 1992, May 6, 1993; Transferred from 21VV-2.001; Amended Sept. 22, 1993, July 5, 1994, May 22, 1995, Aug. 20, 1996, Nov. 11, 1997, Oct. 1, 1998, Oct. 29, 1998, Jan. 7, 1999, Nov. 15, 1999, Nov. 10, 2003, Feb. 21, 2006, Sept. 21, 2006, Dec. 4, 2006, Mar. 13, 2007, Dec. 4, 2007. Amended July 17, 2011; July 16, 2012; May 8, 2013.

Authority: [475.614 FS](#). Law Implemented [215.34](#), [455.217](#), [455.2281](#), [455.271\(6\)\(b\)](#), [475.6147](#), [475.615](#), [475.618 FS](#).

Current with amendments available through February 1, 2016.

Rule 61J1-2.001, F.A.C., 61 FL ADC 61J1-2.001

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West's Florida Administrative Code

Title 61. Department of Business and Professional Regulation

Subtitle 61j1. Division of Real Estate Florida Real Estate Appraisal Board

Chapter 61J1-2. Registration Details and Fee Structure

Rule 61J1-2.003, F.A.C.  
Fla. Admin. Code r. 61J1-2.003

61J1-2.003. Inactive Renewal.

Currentness

(1) An inactive registrant, licensee or certificate holder may elect to renew as active by submitting a request, proof of continuing education and the fees established in [Rule 61J1-2.001, Florida Administrative Code](#). The education requirement for renewal does not apply to appraisal management company registrations.

(2) When the total period of inactive status exceeds 4 years, the registration, license or certification shall automatically expire per [Section 475.619\(2\), F.S.](#) Two years prior to the expiration, the Department of Business and Professional Regulation shall give notice by mail to the last known address of the registrant, licensee or certificate holder.

### Credits

Adopted Oct. 15, 1991; Transferred from 21VV-2.003. Amended Jan. 16, 2012.

Authority: [475.614 FS](#). Law Implemented [475.619 FS](#).

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Rule 61J1-2.003, F.A.C., 61 FL ADC 61J1-2.003

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West's Florida Administrative Code

Title 61. Department of Business and Professional Regulation

Subtitle 61j1. Division of Real Estate Florida Real Estate Appraisal Board

Chapter 61J1-7. Operation and Business

Rule 61J1-7.004, F.A.C.  
Fla. Admin. Code r. 61J1-7.004

61J1-7.004. Office.

Currentness

(1) All appraisers who have an active registration, license or certification pursuant to Part II, Chapter 475, F.S., shall furnish in writing to the Department of Business and Professional Regulation each business name, trade name, or firm name and address from which he or she operates in the performance of appraisal services. All appraisal management companies who have an active registration pursuant to Part II, Chapter 475, F.S., shall furnish in writing to the Department of Business and Professional Regulation each firm or business name, mailing address, street address, and telephone number of the appraisal management company's principal business location from which the appraisal management company operates in the performance of appraisal management services.

(2) Each such appraiser or appraisal management company must notify the Department of any change of business name, trade name, or firm name and address within 10 days of the change of name or address in such a manner as determined by the Department.

(3) In instances when an appraiser has registered more than one (1) business address, the appraiser must designate the primary business address.

**Credits**

Adopted Oct. 15, 1991; Transferred from 21VV-7.004; Amended Feb. 16, 2004, Dec. 4, 2006. Amended Jan. 16, 2012.

Authority: [475.614 FS](#). Law Implemented [475.623](#), [475.6235 FS](#).

Current with amendments available through February 1, 2016.

Rule 61J1-7.004, F.A.C., 61 FL ADC 61J1-7.004

West's Florida Administrative Code
Title 61. Department of Business and Professional Regulation
Subtitle 61j1. Division of Real Estate Florida Real Estate Appraisal Board
Chapter 61J1-8. Disciplinary Guideline

Rule 61J1-8.002, F.A.C.  
Fla. Admin. Code r. 61J1-8.002

61J1-8.002. Disciplinary Guidelines.

Currentness

(1) Pursuant to [Section 455.2273, F.S.](#), the Florida Real Estate Appraisal Board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon licensees guilty of violating Chapter 455 or Part II, Chapter 475, F.S. (For purposes of this rule, the term licensee shall refer to registrants, license holders, certificate holders, or appraisal management companies.) The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which normally will be imposed for each count following a [Section 120.57, F.S.](#), hearing. The brief description of each violation is provided for quick reference and is not meant to convey all elements of any given statutory provision; the full language of each statutory provision cited must be consulted in order to determine the conduct involved. For purposes of this rule, the order of penalties, ranging from lowest to highest, is: reprimand, fine, probation, suspension, and revocation or denial. Pursuant to [Section 475.624 or 475.6245, F.S.](#), combinations of these penalties are permissible by law. All penalties at the upper range of the sanctions set forth in the guidelines, i.e., suspension, revocation, etc., include lesser penalties [FN1], i.e., fine, probation or reprimand, which may be included in the final penalty at the Board's discretion. Nothing in this rule shall preclude any discipline imposed upon a licensee pursuant to a stipulation or settlement agreement, nor shall the ranges of penalties set forth in this rule preclude the probable cause panel from issuing a letter of guidance in lieu of a finding of probable cause, where appropriate.

(2) As provided in [Section 475.624 or 475.6245, F.S.](#), the Florida Real Estate Appraisal Board may, in addition to other disciplinary penalties, place a licensee on probation. The placement of the licensee on probation shall be for such a period of time and subject to such conditions as the Board may specify. Standard probationary conditions may include, but are not limited to, requiring the licensee: to attend pre-licensure courses; to satisfactorily complete a pre-licensure course; to attend and satisfactorily complete continuing education courses; to submit to reexamination through the state-administered examination, which must be successfully completed; to be subject to periodic inspections and interviews by an investigator of the Department of Business and Professional Regulation.

(3) The penalties are as listed unless aggravating or mitigating circumstances apply pursuant to subsection (4):

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<b>VIOLATION</b>	<b>PENALTY RANGE</b>
	<b>FIRST VIOLATION</b>
	<b>SECOND AND SUBSEQUENT VIOLATIONS</b>

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(a)Section 475.622(1), F.S.	Up to 30 days suspension and an administrative fine of \$500.	Up to 90 days suspension and an administrative fine of \$1,000.
Failed to place the registration, license or certification number adjacent to or immediately beneath the state designation.		
(b) Section 475.622(1), F.S.	Up to 30 days suspension and an administrative fine of \$500.	Up to 90 days suspension and an administrative fine of \$1,000.
Failed to include the appropriate designation and number in an advertisement.		
(c) Section 475.622(2), F.S.	Up to 30 days suspension and an administrative fine of \$500.	Up to 90 days suspension and an administrative fine of \$1,000.
Failed to use the state registration, license or certification designation in any appraisal report.		
(d) Section 455.227(1)(g), F.S., Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department against another licensee.	Revocation and an administrative fine up to \$5,000.	Revocation and an administrative fine of \$5,000.
(e) Section 475.624(2) or 475.6245(1)(b), F.S.	In the case of fraud, misrepresentation and dishonest dealing, revocation	Revocation and an administrative fine of \$5,000.

and an administrative fine up to \$5,000.

Guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest dealing by trick, scheme or device, culpable negligence or breach of trust, or Section 455.227(1)(m), F.S.

In the case of concealment, false promises and false pretenses, 3 to 5 year suspension and an administrative fine of \$1,000.

Revocation and an administrative fine of \$5,000.

In the case of culpable negligence and breach of trust, \$1,000 fine to a 1 year suspension.

Revocation and an administrative fine of \$5,000.

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(f) Section 475.624(3) or 475.6245(1)(c), F.S.

\$1,000 fine to a 1 year suspension.

Revocation and an administrative fine of \$5,000.

False, deceptive or misleading advertising, or Section 455.227(1)(a), F.S.

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(g) Section 475.624(4) or 475.6245(1)(d), F.S.

Revocation and an administrative fine up to \$5,000.

Revocation and an administrative fine of \$5,000.

Violated any of the provisions of this section or any lawful order or rule issued under the provisions of this section or Chapter 455, F.S., or Section 455.227(1)(b), F.S.

(h) Section 475.624(5) or 475.6245(1)(e), F.S.

Suspension to revocation and an administrative fine up to \$2,500.

Revocation and an administrative fine of \$5,000.

Convicted or found guilty of a crime related to appraising or appraisal management company activities involves moral turpitude or fraudulent or dishonest dealing, or Section 455.227(1)(c), F.S.

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(i) Section 475.624(6) or 475.6245(1)(f), F.S.

Imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida or suspension of the license until the license is unencumbered in the jurisdiction, in which the disciplinary action was originally taken, and an administrative fine of \$1,000.

Revocation and an administrative fine of \$5,000.

Has license disciplined or acted against or an application denied by another jurisdiction, or Section 455.227(1)(f), F.S.

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(j) Section 475.624(7) or 475.6245(1)(g), F.S.

Suspension for the period of incapacity and an administrative fine up to \$1,000.

Revocation and an administrative fine of \$5,000.

Impairment by drunkenness, or use of drugs or temporary mental derangement.

(k) Section 475.624(8) or 475.6245(1)(h), F.S.

Suspension and an administrative fine up to \$1,000.

Revocation and an administrative fine of \$5,000.

Confined in jail, prison or mental institution; or through mental disease can no longer practice with skill or in a confidential capacity.

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(l) Section 475.624(9) or 475.6245(1)(i), F.S.

5 year suspension to revocation and an administrative fine of \$1,000.

Revocation and an administrative fine of \$5,000.

Failed to give the Board written notice within 30 days after a guilty or nolo contendere plea or having been convicted of any felony.

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(m) Section 475.624(10) or 475.6245(1)(j), F.S.

Suspension to revocation and an administrative fine up to \$5,000.

Revocation and an administrative fine of \$5,000.

Guilty for the second time of misconduct in the practice of real estate appraisal that demonstrates incompetent dishonest or negligent dealings with those persons with whom the licensee sustains a confidential relationship.

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(n) Section 475.624(11) or 475.6245(1)(k), F.S.

Suspension to revocation and an administrative fine up to \$2,500.

Revocation and an administrative fine of \$5,000.



Has made or filed a report or record which the licensee knows to be false or willfully failed to file a report or record or willfully impeded such filing as required by state or federal law, or Section 455.227(1)(l), F.S.

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(o) Section 475.624(12) or 475.6245(1)(l), F.S.

Revocation.

Revocation.

Obtained a license by fraud, misrepresentation or concealment, or Section 455.227(1)(h), F.S.

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(p) Section 475.624(13) or 475.6245(1)(m), F.S.

Revocation.

Revocation.

Has paid money or other consideration to a member of the Board or employee of the Board to obtain a license registration or certification, or Section 455.227(1)(h), F.S.

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(q) Section 475.624(14) or 475.6245(1)(n), F.S.

Probation up to a 1 year suspension.

Up to 5 year suspension to revocation and an administrative fine of \$5,000.

Has violated any standard for the development or communication of a real estate appraisal or other provision of the Uniform Standards of Professional Appraisal

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Practice.

(r) Section 475.624(15) or 475.6245(1)(o), F.S.	1 year Probation to revocation and an administrative fine of \$1,000.	Up to 5 year suspension to revocation and an administrative fine of \$5,000.
Has failed or refused to exercise reasonable diligence in developing or preparing an appraisal report.		
(s) Section 475.624(16) or 475.6245(1)(p), F.S.	\$1,000 fine to a 1 year suspension.	Up to 5 year suspension to revocation and an administrative fine of \$5,000.
Has failed to communicate an appraisal without good cause.		
(t) Section 475.624(17) or 475.6245(1)(q), F.S.	30 day suspension up to revocation.	Revocation.
Has accepted an appraisal assignment contingent upon the licensee reporting a predetermined result, analysis or opinion.		
(u) Section 475.624(18) or 475.6245(1)(r), F.S.	Up to 90 days suspension and an administrative fine of \$500.	Up to 6 month suspension and an administrative fine of \$1,000.
Has failed to timely notify the department of any change in business location, or has failed		

to fully disclose all business locations from which he operates as an appraiser.

(v) Section 475.626(1)(a), F.S.

5 year suspension to revocation and an administrative fine of \$1,000.

Revocation and an administrative fine of \$5,000.

Has practiced without a valid and current license, registration or certification.

(w) Section 475.626(1)(b), F.S.

Revocation and an administrative fine of \$1,000.

Revocation and an administrative fine of \$5,000.

Has violated any order or rule of the Board.

(x) Section 475.626(1)(d), F.S.

Up to 5 years suspension to revocation and an administrative fine of \$1,000.

Revocation and an administrative fine of \$5,000.

Made a false affidavit or affirmation or gave false testimony before the Board.

(y) Section 475.626(1)(e), F.S.

Up to 5 years suspension to revocation and an administrative fine of \$1,000.

Revocation and an administrative fine of \$5,000.

Failed to comply with subpoena issued by the Department of Business and Professional Regulation, or

Section 455.227(1)(q), F.S.

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(z) Section 475.626(1)(f), F.S.

Up to 5 years suspension to revocation and an administrative fine of \$1,000.

Revocation and an administrative fine of \$5,000.

Obstructed or hindered the enforcement of Part II of Chapter 475, F.S., or Section 455.227(1)(r), F.S.

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(aa) Section 475.626(1)(g), F.S.

Up to 90 days suspension and an administrative fine of \$1,000.

Up to 5 year suspension and an administrative fine of \$5,000.

Knowingly concealed information relating to violations of Chapter 475, F.S., Part II

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(bb) Section 475.6221(3), F.S.

Revocation and an administrative fine of \$5,000.

Revocation and an administrative fine of \$5,000.

Supervisory appraiser employed by a trainee appraiser.

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(cc) Section 475.6222, F.S.

Revocation and an administrative fine of \$5,000.

Revocation and an administrative fine of \$5,000.

Failure to provide direct supervision or training of trainee appraiser.

(dd) Section 455.227(1)(j), F.S. Aiding unlicensed activity	Revocation and an administrative fine of \$5,000.	Revocation and an administrative fine of \$5,000.
(ee) Section 455.227(1)(k), F.S. Failure to perform any statutory or legal obligation.	Up to 5 years suspension and an administrative fine of \$5,000.	Revocation and an administrative fine of \$5,000.
(ff) Section 455.227(1)(n), F.S. Exercising influence on client for licensee's or third party's financial gain.	Up to 5 years suspension and an administrative fine of \$5,000.	Revocation and an administrative fine of \$5,000.
(gg) Section 455.227(1)(o), F.S. Practicing or offering to practice beyond permitted scope.	Up to a 5 year suspension and an administrative fine of \$1,000.	Revocation and an administrative fine of \$5,000.
(hh) Section 455.227(1)(p), F.S. Delegating beyond permitted scope.	Up to a 5 year suspension and an administrative fine of \$1,000.	Revocation and an administrative fine of \$5,000.
(ii) Section 455.227(1)(t), F.S. Failure to timely report being convicted or found guilty of, or entering a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction (more than 30 days late).	Reprimand and an administrative fine of \$1,000.	Revocation and an administrative fine of \$5,000.
(jj) Section 475.6245(1)(s), F.S. Has influenced or attempted to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, inducement, intimidation, bribery, or other means.	Revocation and an administrative fine of \$5,000.	Revocation and an administrative fine of \$5,000.
(kk) Section 475.6245(1)(t), F.S. Has altered, modified, or otherwise changed a completed appraisal report submitted by an appraiser to an appraisal management company.	Revocation and an administrative fine of \$5,000.	Revocation and an administrative fine of \$5,000.

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(l) Section 475.6245(1)(u), F.S. Has employed, contracted with, or otherwise retained an appraiser whose registration, license, or certification is suspended or revoked to perform appraisal services or appraisal management services.

Up to revocation and an administrative fine of \$5,000.

Revocation and an administrative fine of \$5,000.

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(4)(a) When either the petitioner or respondent is able to demonstrate aggravating or mitigating circumstances to the Board by clear and convincing evidence, the Board shall be entitled to deviate from the above guidelines in imposing discipline upon a licensee. Whenever the petitioner or respondent intends to introduce such evidence to the Board in a [Section 120.57\(2\), F.S.](#), hearing, advance notice of no less than seven (7) days shall be given to the other party or else the evidence can be properly excluded by the Board.

(b) Aggravating or mitigating circumstances may include, but are not limited to, the following:

1. The degree of harm to the consumer or public.
2. The number of counts in the administrative complaint.
3. The disciplinary history of the licensee.
4. The status of the licensee at the time the offense was committed.
5. The degree of financial hardship incurred by a licensee as a result of the imposition of a fine or suspension of the license.

6. Violation of the provision of Part II of Chapter 475, F.S., wherein a letter of guidance as provided in [Section 455.225\(3\), F.S.](#), previously has been issued to the licensee.

### Credits

Adopted Jan. 7, 1992; Transferred from 21VV-8.002; Amended Jan. 9, 1994, Aug. 17, 1997, June 8, 2003, Dec. 4, 2006, Nov. 25, 2007. Amended Jan. 11, 2011; Jan. 30, 2012; Dec. 23, 2012.

Authority: [455.2273](#), [475.614 FS](#). Law Implemented [455.227](#), [475.622](#), [475.6221\(3\)](#), [475.624](#), [475.626](#), [475.6245 FS](#).  
[FN1]

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Rule 61J1-8.002, F.A.C., 61 FL ADC 61J1-8.002

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West's Florida Administrative Code

Title 61. Department of Business and Professional Regulation

Subtitle 61j1. Division of Real Estate Florida Real Estate Appraisal Board

Chapter 61J1-9. Standards of Appraisal Practice

Rule 61J1-9.002, F.A.C.  
Fla. Admin. Code r. 61J1-9.002

61J1-9.002. Standards of Professional Practice for Appraisal Management Companies; Development and Communications of Real Estate Appraisals.

Currentness

(1) Upon issuance of a registration number by the Department, an appraisal management company shall disclose its issued registration number on each solicitation for engagement and each engagement letter utilized in assigning an appraisal request for real estate appraisal assignments in Florida.

(2) An appraisal management company shall verify that an appraiser being added to its appraiser panel to appraise properties in Florida holds a license in good standing in Florida. The appraisal management company shall verify the status of the appraiser by contacting the Department or utilizing the National Registry of the Appraisal Subcommittee.

(3) Before or at the time an appraiser accepts an assignment, the appraisal management company shall require the appraiser to declare in writing or via electronic means that the appraiser receiving the assignment is a competent appraiser for the performance of the appraisal being assigned.

(4) An appraisal management company must include instructions to appraisers in letters of engagement to decline the assignment in the event the appraiser is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.

(5) An appraisal management company cannot:

(a) Require that an appraiser prepare an appraisal if the appraiser, in the appraiser's own independent professional judgment believes that she or he does not have the necessary expertise for the assignment or for the specific geographic area and has notified the appraisal management company and declined the assignment;



(b) Require that an appraiser prepare an appraisal within a time frame that the appraiser, in the appraiser's own professional judgment believes does not afford he or she the ability to meet all the relevant legal and professional obligations, and the appraiser has notified the appraisal management company and declined the assignment; or

(c) Require that an appraiser provide the appraisal management company with the appraiser's digital signature or seal.

(6) An appraisal management company that has a reasonable basis to believe an appraiser has failed to comply with the Uniform Standards of Professional Appraisal Practice or any applicable laws or rules in connection with an appraisal, shall refer the matter to the Board if the failure to comply is likely to significantly affect the opinion of value.

(7) In complying with [Section 475.629, F.S.](#), all appropriate records may be maintained in printed electronic form. Such records shall include:

(a) For appraisals ordered, the name of the appraiser who performs the appraisal, the physical address or legal identification of the subject property, the name of the appraisal management company's client for the appraisal and the amount paid to the appraiser.

(b) Accounts, correspondence, memoranda, papers, books, and other records related to services provided by the appraisal management company.

(c) Records documenting any notices provided to appraisers removed from the appraisal management company's panel.

(8) When removing an appraiser from an appraisal management company's appraiser panel, the appraisal management company shall:

(a) Document the appraisal report or communication, appraisal review report or communication, or consulting assignment report or communication, supporting such action, if applicable;

(b) Document the provision of the appraiser with prior written notice as to the reasons for the appraiser's removal, in compliance with [Section 475.6245\(1\)\(s\)](#) 8., F.S.; and

(c) Provide the appraiser the opportunity to respond to such notice prior to removal.

(9) Each solicitation for engagement by an appraisal management company for an appraiser's services must include the following items:

(a) The name of the AMC;

(b) Appraisal management company's registration number;

(c) If the assignment is retrospective the effective date must be provided;

(d) The specific intended use;

(e) Type of value;

(f) A description of the reporting level expected;

(g) The identification of the subject to include the property address, county, property type and property rights as requested by the client;

(h) Point of contact for discussion of conditions and scope of work;

(i) Other assignment conditions;

(j) The expected delivery date; and

(k) The terms of payment to the appraiser unless otherwise in a contract.

### **Credits**

Adopted June 26, 2013.

Authority: [475.614](#), [475.6235 FS](#). Law Implemented [475.614](#), [475.6235 FS](#).

Current with amendments available through February 1, 2016.

Rule 61J1-9.002, F.A.C., 61 FL ADC 61J1-9.002

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West's Florida Administrative Code

Title 61. Department of Business and Professional Regulation

Subtitle 61j1. Division of Real Estate Florida Real Estate Appraisal Board

Chapter 61J1-11. Definitions

Rule 61J1-11.001, F.A.C.  
Fla. Admin. Code r. 61J1-11.001

61J1-11.001. Definitions.

Currentness

(1) "Address of record" means the mailing address of the appraisal management company.

(2) "Authorized representative" means any person who possesses the authority, directly or indirectly, to direct the management or policies of the appraisal management company, whether through ownership, by contract, or otherwise, as provided in [Section 475.6235\(2\)\(f\), F.S.](#)

### Credits

Adopted July 16, 2012.

Authority: [475.614 FS](#). Law Implemented [455.275\(1\)](#), [475.613](#), [475.6235](#), [475.624 FS](#).

Current with amendments available through February 1, 2016.

Rule 61J1-11.001, F.A.C., 61 FL ADC 61J1-11.001

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