

By: Representative Guice

To: Judiciary A

## HOUSE BILL NO. 1065

1 AN ACT TO AMEND SECTION 73-34-129, MISSISSIPPI CODE OF 1972,  
2 TO REMOVE THE NINETY DAY EXEMPTION PERIOD WHEN REMOVING AN  
3 APPRAISER FROM THE APPRAISER PANEL OF AN APPRAISAL MANAGEMENT  
4 COMPANY; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 73-34-129, Mississippi Code of 1972, is  
7 amended as follows:

8 73-34-129. (1) \* \* \* An appraisal management company may  
9 not remove an appraiser from its appraiser panel, or otherwise  
10 refuse to assign requests for real estate appraisal services to an  
11 independent appraiser without:

12 ( \* \* \* a) Notifying the appraiser in writing of the  
13 reasons why the appraiser is being removed from the appraiser  
14 panel of the appraisal management company;

15 ( \* \* \* b) If the appraiser is being removed from the  
16 panel for illegal conduct, violation of USPAP, or a violation of  
17 state licensing standards, notifying the appraiser of the nature  
18 of the alleged conduct or violation;



19 ( \* \* \*c) Providing an opportunity for the appraiser to  
20 respond to the notification of the appraisal management company.

21 (2) An appraiser who is removed from the appraiser panel of  
22 an appraisal management company for alleged illegal conduct,  
23 violation of USPAP, or violation of state licensing standards, may  
24 file a complaint with the board for a review of the decision of  
25 the appraisal management company. The scope of the commission's  
26 review in any such case is limited to determining whether the  
27 appraisal management company has complied with subsection (1) and  
28 whether illegal conduct, a violation of USPAP, or a violation of  
29 state licensing standards has occurred.

30 (3) If an appraiser files a complaint against an appraisal  
31 management company under subsection (2), the commission shall  
32 adjudicate the complaint within one hundred eighty (180) days.

33 (4) If after opportunity for hearing and review, the  
34 commission determines that an appraisal management company acted  
35 improperly in removing the appraiser from the appraiser panel, or  
36 that the appraiser did not commit a violation of law, a violation  
37 of USPAP, or a violation of state licensing standards, the  
38 commission shall:

39 (i) Provide written findings to the involved  
40 parties;

41 (ii) Provide an opportunity for the appraisal  
42 management company and/or the appraiser to respond to the  
43 findings; and



44 (iii) Make recommendations for action.

45 **SECTION 2.** This act shall take effect and be in force from  
46 and after its passage.

