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A fresh start to the legislative year for MBREA - by Cohen and Sousa

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The Massachusetts Legislature launched the 191st General Court on January 2. The senate will be led by Karen Spilka while the house will be led by Robert DeLeo. Committee leaderships and assignments have not been announced.

The MBREA remains an active advocate for the appraisal profession. Each two-year legislative session we bring forth bills that will advance the cause of all appraisers in the Commonwealth. It's

no different with the new legislative session as three bills have been filed on our and the profession's behalf. The bills are:

- **Appraisal Management Licensing:** This is a refile of a bill that came very close to law last December. Unfortunately, time ran out. With a Dodd-Frank Act deadline of August 10th of this year, we are optimistic the bill will see action early this year.
- **Mandatory Licensing:** Did you know Massachusetts is one of a few states that does not require a license for all appraisals? We see this as a weakness in consumer protection as someone who procures an appraisal for an estate, divorce, charitable tax deduction, etc., that later proves faulty has nowhere to turn for recourse short of the courts. A similar bill passed in the senate last year and we hope that we can now get it across the finish line.
- **Limiting Lawsuits Against Appraisers:** The MBREA believes an appraiser's liability should be limited to: the client and intended user(s), and then only when the report is used for its intended use. Other uses by third parties are commonplace, but they do not establish direct liability between the appraiser and third party. While the courts have generally sided with the appraiser when sued by a third-party and dismissed the case, by then the appraiser has spent considerable sums in defense.

The process of attending committee hearings and providing testimony starts all over again when a new legislative year begins. The MBREA will schedule meetings in advance with committee chairs to review and seek support for the bills. We will attend committee hearings and provide testimony. We invite – encourage – all appraisers to attend and to give either verbal or written statements in support of the bills.

On the regulatory side, the MA Board of Registration of Real Estate Appraisers will be conducting a public hearing in the weeks ahead to receive comments on adopting changes to appraiser licensing requirements. It's anticipated the board is moving to adopt all the changes that were adopted by the Appraiser Qualifications Board last year. We will let you know when the hearing is scheduled and the MBREA will attend to provide our support for adopting the new criteria.

The appraisal profession continues to be well represented by the MBREA. The government affairs committee and staff diligently work to identify those issues that call for our advocacy work. We appreciate the support of our members and encourage appraisers who have not joined to become part of the MBREA. Support your profession through membership and become involved.

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