



CELEBRATING
55 YEARS

nerej

MBREA's government affairs committee returns to Beacon Hill - by Allan Cohen

July 09, 2021 - Appraisal & Consulting

Allan Cohen

Getting a bill passed by the Massachusetts legislature and having it signed by the governor takes Herculean effort. Support at several levels is required starting at grassroots and ending with the Governor. The process is intentionally rigorous, which protects us from flighty ideas being quickly adopted. On the flip side, most bills will take up to two years or do not pass at all. Many great ideas die in committee valley. Each bill sounds good to someone, but most lack enough broad support to favorably pass.

MBREA, like many professional organizations, suggests legislation that promotes appraisers' work environment and adds to consumer protections. MBREA's governmental affairs committee takes an active role in raising the bar for professionalism, client communications, and educational reform. We work with DPL, state senators, and state representatives to enact change within existing laws and to provide new laws.

Appraisal profession sounds to many like that an old school, stodgy career of pencil wielding number crunchers. We are far from that stereotype! Slide rules and 12C's have been replaced with linked, complex spreadsheets, digital imagery, and drop-down tables. Legislation has been needed to keep up with the progression of tools and more efficient ways of doing business.

January 1st, 2021 marked the start of a new two-year cycle of legislation. The state's 192nd General Court opened with 6,404 bills introduced in the House and Senate. Topics ranged from COVID relief to funding sand on state beaches. MBREA's GAC again entered the mix by working with legislators to file four bills on behalf of real estate appraisers.

All four bills will be heard by the Joint Committee on Consumer Protection and Professional Licensure.

House Bill 314

Record keeping and maintaining work files are important responsibilities of appraisers. Appraisal

assignments are often followed with reams of paper and cartons of documents that back up the appraiser's opinion of value, research, and scope of work. Information, reports, and work files must be retained for several years. USPAP provides guidance on the duration. This bill aligns record retention with language in USPAP so that changes to USPAP apply in Massachusetts without the Legislature having to amend state regulations each time USPAP changed.

House Bill 340

State laws, USPAP and appraisal reports are full of definitions. Issues, new ideas, and disagreements leading to a need for clarification. This happens in all professions. Legislation is therefore a need to amend the law. This bill re-sets definitions for Client, Intended Use, Intended User. And with these modifications, clearer relationships emerge between appraisers, clients, and users of appraisals.

House Bill 459

Language in state regulations cannot be changed without legislative action. Even the Division of Professional Licensure cannot change wording in its licensing procedures. DPL and MBREA are therefore working together to update language in DPL's regs. This cooperative effort redefines language pertinent to Appraisal Management Companies.

Senate Bill 178

This bill requires a person performing appraisals to have a license or certification. Currently, Massachusetts is one of a half-dozen states without mandatory licensing. To ensure highest possible quality of work, adherence to USPAP, and assure unbiased report, MBREA supports all appraisers be licensed and maintain a practice of attending continuing education programs.

Each bill will be heard by the Joint Committee this summer or fall. For exact language within each bill, visit the state legislature's website. To support one, or all of the bills, contact your state representative and state senator, and you can always contact me and MBREA.

Allan Cohen, MRA, MAA, is a certified general real estate appraiser.

New England Real Estate Journal - 17 Accord Park Drive #207, Norwell MA 02061 - (781) 878-4540