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Proposed edits to the definition of "Signature"

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The Appraisal Standards Board has issued the second exposure draft of proposed changes to the 2010-11 Edition of the Uniform Standards of Professional Appraisal Practice. The most recent draft was issued on December 10th, 2008 with a deadline for comments of January 16th.

The proposed edits deal with the definition of "Signature," the definition of "Jurisdictional Exception," edits to the Ethics, Competency, and Jurisdictional Exception Rules as well as edits to Standard Rule 3.

In our electronic age, change occurs rapidly. When I started as an appraiser the signature we attached to an appraisal report was accomplished with a pen. Today's technology has allowed us to use digital signatures and send reports through the Internet. However, changing technology does not change our requirements under the Uniform Standards of Professional Appraisal Practice.

The proposed edits would change the definition of "Signature" by removing the present comment section. The requirements for the appropriate use of an appraiser's signature would be added to the Management section of the Ethics Rule. This places the requirements for use of a signature in a specific ethics rule.

The proposed edits states: "An appraiser must affix, or authorize the use of, his or her signature to certify recognition and acceptance of his or her USPAP responsibilities in an appraisal, appraisal review, or appraisal consulting assignments (see Standards Rules 2-3, 3-6, 5-3, 6-9, 8-3, and 10-3). It is unethical for an appraiser to affix the signature of another appraiser without their consent.

Comment: An appraiser is obligated to exercise due care to avoid unauthorized use of his or her signature. An appraiser exercising such care is not responsible for unauthorized use of his or her signature."

These changes indicate the increased recognition of technology on appraisers and the importance of maintaining control of our signatures.

The Mass. Board of Registration of Real Estate Appraisers has proposed amendments to 264 CMR 6.00: Practice of Real Estate Appraisal. A portion of the amendments relate to the use of signatures.

In part, the proposed amendment states that, "An appraiser may not affix a signature of another appraiser to any appraisal report or document in connection with an appraisal assignment without specific authorization in accordance with 265 CMR 6.02(3)(f)."

The amendment goes on to state that the appraiser must give written authorization specific to the assignment to the individual signing for the appraiser, and that the written authorization is to be

included in the workfile and made available to the client.

Part two will appear in the February 13th edition of the NEREJ in the Appraisal & Consulting section.

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