

### **324A.158 Prohibitions against certain conduct by registrants.**

- (1) An employee, director, officer, or agent of an appraisal management company or any other third party acting as a joint venture partner with or as an independent contractor for an appraisal management company shall not improperly influence or attempt to improperly influence the development, reporting, result, or review of a real estate appraisal, including but not limited to the use of intimidation, coercion, extortion, bribery, blackmail, threat of nonpayment or withholding payment for appraisal services, or threat of exclusion from future appraisal work.
- (2) The registrant shall not:
  - (a) Request, allow, or require an appraiser to collect any portion of the fee charged by the appraisal management company, including the appraisal fee, from a borrower, homeowner, or other third party;
  - (b) Require an appraiser to provide the registrant with the appraiser's digital signature or seal;
  - (c) Alter, amend, or change an appraisal report submitted by a licensed or certified appraiser, by the following or any other actions:
    1. Removing the appraiser's signature;
    2. Adding or removing information to or from the appraisal report; or
    3. Altering the final value opinion reported by an appraiser;
  - (d) Remove an appraiser from an appraiser panel without prior written notice to the appraiser. An appraiser may only be removed from an appraiser panel with written notice for:
    1. A violation of the minimum USPAP standards or other applicable statutes or administrative regulations resulting in a suspension or revocation of the appraiser's license in Kentucky; or
    2. Other substandard or otherwise improper performance as may be determined by administrative regulations promulgated by the board;
  - (e) Enter into contracts or agreements with an appraiser for the performance of appraisal services unless the appraiser is licensed or certified in good standing with the board;
  - (f) Request that an appraiser provide an estimated, predetermined, or desired valuation in an appraisal report or provide estimated values or comparable sales at any time before the appraiser completes an appraisal report;
  - (g) Provide to an appraiser an anticipated, estimated, encouraged, or desired value for a property or a proposed or target amount to be loaned or borrowed, except that a copy of the sales contract for purchase transactions may be provided;
  - (h) Commit an act or practice that impairs or attempts to impair an appraiser's independence, objectivity, or impartiality; or
  - (i) Have a direct or indirect interest, financial or otherwise, in the property or transaction involving the appraisal.
- (3) Subsection (1) of this section shall not prohibit an appraisal management

company from requesting that an appraiser:

- (a) Provide additional information about the basis for a valuation;
- (b) Correct objective factual errors in an appraisal report; or
- (c) Provide further detail, substantiation, or explanation for the appraiser's value conclusion.

**Effective:** June 8, 2011

**History:** Created 2011 Ky. Acts ch. 58, sec. 5, effective June 8, 2011.