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**AB-1018 Real estate appraisers.** (2019-2020)

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Date Published: 09/07/2019 04:00 AM

**Assembly Bill No. 1018**

**CHAPTER 267**

An act to amend Section 7196.1 of, and to add Section 7195.7 to, the Business and Professions Code, relating to real estate appraisal.

[ Approved by Governor September 06, 2019. Filed with Secretary of State September 06, 2019. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1018, Frazier. Real estate appraisers.

Existing law, the Real Estate Appraisers' Licensing and Certification Law, establishes the Bureau of Real Estate Appraisers for the licensure, regulation, and discipline of real estate appraisers. Existing law prohibits a person from engaging in federally related real estate appraisal activity governed by the Real Estate Appraisers' Licensing and Certification Law or assuming or using the title of or any title designation or abbreviation as a licensed appraiser in the state without an active license. Existing law provides that a person who willfully violates this provision is guilty of a public offense punishable, as specified.

Existing law defines and regulates the activities of home inspectors and specifies that this law does not exempt a home inspector from other provisions that define and regulate the activities of architects, professional engineers, contractors, and structural pest control operators.

This bill would prohibit a home inspector from giving an opinion of valuation on a property. The bill would specify that the law regulating home inspectors does not exempt a home inspector from law regulating real estate appraisers. The bill would prohibit a licensed real estate appraiser performing a real estate appraisal from acting as a home inspector performing a home inspection except as required to comply with standards set forth in law or regulation.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 7195.7 is added to the Business and Professions Code, to read:

**7195.7.** A home inspector shall not give an opinion of valuation on a property.

**SEC. 2.** Section 7196.1 of the Business and Professions Code is amended to read:

**7196.1.** (a) Nothing in this chapter shall be construed to allow home inspectors who are not registered engineers to perform any analysis of the systems, components, or structural integrity of a dwelling that would constitute the practice of civil, electrical, or mechanical engineering, or to exempt a home inspector from Chapter 3 (commencing with Section 5500), Chapter 7

(commencing with Section 6700), Chapter 9 (commencing with Section 7000), Chapter 14 (commencing with Section 8500) of Division 3, or Part 3 (commencing with Section 11300) of Division 4.

(b) This chapter does not apply to a registered engineer, licensed land surveyor, or licensed architect acting pursuant to their professional registration or license, nor does it affect the obligations of a real estate licensee or transferor under Article 1.5 (commencing with Section 1102) of Chapter 2 of Title 4 of Part 3 of Division 2 of, or Article 2 (commencing with Section 2079) of Chapter 3 of Title 6 of Part 4 of Division 3 of, the Civil Code.

(c) Except as required to comply with standards set forth in law or regulation, a real estate appraiser licensed under Part 3 (commencing with Section 11300) of Division 4, performing a real estate appraisal, shall not engage in the activity of a home inspector performing a home inspection.