

HOUSE No. 340

The Commonwealth of Massachusetts

PRESENTED BY:

Edward F. Coppinger

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act defining client, intended use and intended user in real property appraisal assignments and reports.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>	<i>1/27/2021</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>3/4/2021</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>3/4/2021</i>
<i>Michael P. Kushmerek</i>	<i>3rd Worcester</i>	<i>3/17/2021</i>

HOUSE No. 340

By Mr. Coppinger of Boston, a petition (accompanied by bill, House, No. 340) of Edward F. Coppinger and others relative to the definition of users and intended users in real property appraisal assignments and reports. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 216 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act defining client, intended use and intended user in real property appraisal assignments and reports.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 173 of Chapter 112 of the General Laws is hereby amended by
2 adding the following definitions:-

3 “Client”, the party or parties who engage, by employment or contract, an appraiser in a
4 specific appraisal assignment.

5 “Intended Use”, the use or uses of an appraiser’s reported appraisal or appraisal review
6 assignment opinions and conclusions, as identified by the appraiser based on communication
7 with the client at the time of the assignment.

8 “Intended User”, the client and any other party as identified, by name or type, as users of
9 the appraisal or appraisal review report by the appraiser on the basis of communication with the
10 client at the time of the assignment.

11 SECTION 2. Chapter 112 of the General Laws is hereby amended by adding new Section
12 189A as follows:

13 Section 189A. An appraisal report or appraisal review report, including any data, work
14 papers, opinion of market value, certification, and statement is deemed prepared at the request of
15 and exclusively for the benefit of the appraiser’s client or intended user, and for the intended use,
16 as specified in the appraisal report or appraisal review report. An appraiser shall (i) not be liable
17 in a court of law to any person other than the client or intended user; and (ii) not be subject to
18 disciplinary action stemming from a complaint filed with the Division of Professional Licensure
19 by any person other than the client or intended user.