

OCCUPATIONAL CODE (EXCERPT)
Act 299 of 1980

339.2667 Conditions to licensure; bond.

Sec. 2667.

(1) The department shall not grant a license to a person applying for a license as an appraisal management company under this article unless all of the following are met:

(a) Any person that is a direct or indirect owner of the applicant has not had an appraiser license or certificate refused, denied, canceled, surrendered in lieu of revocation, or revoked for a substantive cause in this state or in any other state, as determined by the department. An applicant is not barred by this subsection if the license or certificate of the appraiser with an ownership interest was not revoked for a substantive cause and has been reinstated by this state or any other states in which the appraiser was licensed or certified.

(b) Any individual who owns more than 10% of the applicant meets all of the following:

(i) Has not had a license or certificate to act as an appraiser refused, denied, canceled, or revoked in this state or in any other state, unless that license or certificate was subsequently granted or reinstated.

(ii) Has not been convicted of, or entered a plea of guilty or nolo contendere to, a felony relating to the practice of appraisal or any crime involving fraud, misrepresentation, or moral turpitude.

(iii) Submits to a background investigation, as determined by the department.

(iv) Certifies to the department that he or she has never had a license or certificate to act as an appraiser refused, denied, canceled, or revoked in this state or in any other state, unless that license or certificate was subsequently granted or reinstated.

(c) The applicant designates an individual to act as the primary contact for all communication between the department and the appraisal management company. The individual designated under this subdivision must be an attorney licensed to practice law in any state or territory of the United States who is designated by the appraisal management company or an individual who meets all of the following:

(i) He or she is a controlling person of the applicant.

(ii) He or she certifies to the department that he or she has never had a certificate or a license issued by this state or any other state to act as an appraiser refused, denied, canceled, or revoked, unless that license or certificate was subsequently granted or reinstated.

(iii) He or she has not been convicted of, or entered a plea of guilty or nolo contendere to, a felony relating to the practice of appraisal or any crime involving fraud, misrepresentation, or moral turpitude.

(iv) He or she submits to a background investigation, as determined by the department.

(v) He or she has a valid license as a certified appraiser.

(d) If applicable, the applicant meets subsection (2).

(2) If an application for a license under this article is made by a person whose license under this article was previously denied, suspended, or revoked as a result of disciplinary action for violation of this article or rules promulgated under this article, the department may require, as a condition to licensure of the applicant or the removal of the suspension, that the applicant provide a surety bond to the department that meets all of the following:

(a) Is issued by a bonding company or insurance company authorized to do business in this state.

(b) Expires after the date the license expires.

(c) Is in a principal amount of not more than \$5,000.00. The department shall determine the principal amount of the bond, based on the size of the applicant's operation in this state.

(d) Is in a form satisfactory to the department, is payable to the department for the benefit of Michigan residents, and secures the performance of the obligations of the applicant in connection with the conduct of its business.

(3) If the department orders the filing of a bond under subsection (2), a person injured by an unlawful act or omission of the applicant may bring an action in a proper court on the bond for the amount of the damage suffered as a result to the extent covered by the bond.

History: Add. 2012, Act 505, Eff. Apr. 1, 2014 ;-- Am. 2020, Act 250, Imd. Eff. Dec. 22, 2020

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