

West's Louisiana Statutes Annotated
Louisiana Revised Statutes
Title 37. Professions and Occupations (Refs & Annos)
Chapter 51. Louisiana Real Estate Appraisers Law (Refs & Annos)

LSA-R.S. 37:3391

§ 3391. Short title

Currentness

This Chapter shall be known and may be cited as the “Louisiana Real Estate Appraisers Law”.

Credits

Added by Acts 1987, No. 472, § 1. Amended by Acts 1995, No. 690, § 2; Acts 2001, No. 833, § 2.

Notes of Decisions (1)

LSA-R.S. 37:3391, LA R.S. 37:3391

The Constitution, Revised Statutes Titles 2 to 4, 6, 8, 9, 11 to 15, 19, 22 to 29, 31, 32,34, 40, and 47, and the Codes are current through the 2023 First Extraordinary, Regular, and Veto Sessions. All other statutes and codes are current through the 2023 First Extraordinary Session.

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LSA-R.S. 37:3392

§ 3392. Definitions

Effective: June 17, 2022

Currentness

As used in this Chapter, the following words have the meaning ascribed to them in this Section:

(1) “Appraisal” or “real estate appraisal” means an analysis, opinion, or conclusion relating to the nature, quality, value, or utility of specified interests in, or aspects, including energy efficiency, of, identified real estate, for or in expectation of compensation.

(2) “Appraisal assignment” means an engagement for which an appraiser is employed or retained to act, or would be perceived by third parties or the public as acting, as a disinterested third party in rendering an unbiased analysis, opinion, or conclusion relating to the nature, quality, value, or utility of specified interests in, or aspects of, identified real estate. Compensation for appraisal assignments may not include any contingency fee based on the results of the appraisal assignment.

(3) “Appraisal report” means any communication, written or oral, of an analysis, opinion, or conclusion relating to the nature, quality, value, or utility of specified interests in, or aspects, including energy efficiency, of, identified real estate.

(4) “AQB” means the Appraiser Qualifications Board of TAF created in accordance with Title XI of FIRREA. The AQB develops, interprets, and amends the Real Property Appraiser Qualification Criteria.

(5) “ASB” means the Appraisal Standards Board of TAF created in accordance with Title XI of FIRREA. The ASB develops, promulgates, interprets, and amends USPAP.

(6) “ASC” means the Appraisal Subcommittee created in accordance with Title XI of FIRREA and organized and subject to the Federal Financial Institutions Examination Council, or its successor, according to the Financial Institutions Regulatory and Interest Rate Control Act of 1978.

(7) “Board” means the Louisiana Real Estate Appraisers Board established pursuant to the provisions of this Chapter.

(8) “Broker price opinion/comparative market analysis” means an analysis of recent sales of similar properties by a real estate salesperson or broker to derive an indication of the probable sales price of a particular property for the salesperson's or broker's principal.

(9) “Certified general appraiser” means any person licensed by the board to appraise all types of real estate regardless of complexity or transaction value.

(10)(a) “Certified residential appraiser” means any person licensed by the board to appraise the following:

(i) One to four residential units without regard to value or complexity.

(ii) All other real or immovable property, which is the subject of an appraisal involving or having a market value of five hundred thousand dollars or less.

(b) The authority of a “certified residential appraiser” includes but is not limited to the authority to appraise vacant or unimproved land utilized for the purposes of one to four family residential units or for which the highest and best use is for one to four family residential units; however, such authority shall not include the authority to appraise any subdivision for which a development analysis or development appraisal is necessary.

(11) “Commission” means the Louisiana Real Estate Commission.

(12) “Complex one to four unit residential property appraisal” means an appraisal in which the property to be appraised, the form of ownership, or the market conditions are atypical.

(13) “Federal financial institutions regulatory agency” means:

(a) The Board of Governors of the Federal Reserve System.

(b) The Federal Deposit Insurance Corporation.

(c) The Office of the Comptroller of the Currency.

(d) The National Credit Union Administration.

(14) “FIRREA” means the Financial Institution Reform, Recovery and Enforcement Act of 1989, as enacted under federal law, and specifically includes but is not limited to Title XI, requiring real estate appraisals used in connection with federally related transactions to comply with uniform standards and to be prepared by credentialed real property appraisers.

(15) “In good standing” means the status of a licensee who has complied with all explicit license obligations thereby having unabated authority to conduct license activities.

(16) “Licensed residential appraiser” means any person licensed by the board whose authority to appraise real property is limited to the appraisal of noncomplex one to four residential units having a transaction value of less than one million dollars and of complex one to four residential units having a transaction value of less than four hundred thousand dollars in accordance with the Real Property Appraiser Qualification Criteria. For the purposes of this Paragraph, “transaction value” means market value for nonfederally related transaction appraisals.

(17) “Licensee” means any person who has been issued a license by the board to participate in any appraisal activity described in this Chapter.

(18) “Market value” means a value stated as an opinion, which presumes the transfer of real property as of a certain date and subject to specific conditions set forth in the value definition identified by an appraiser as applicable to an appraisal.

(19) “PAREA” means or refers to any Practical Applications of Real Estate Appraisal training program created or implemented in accordance with the Real Property Appraiser Qualification Criteria developed and approved by the AQB, to provide an alternate pathway for applicants to obtain licensure as a licensed residential appraiser or as a certified residential appraiser without training as a trainee appraiser, subject to the direct control and supervision of a supervisory appraiser.

(20) “Real property” or “real estate” means immovable property as defined by [Civil Code Article 462 et seq.](#)

(21) “Real Property Appraiser Qualification Criteria” means the qualifying criteria regarding the minimum education, experience, and examination requirements for real estate appraisers, as established by the AQB.

(22) “Supervisory appraiser” means a certified residential appraiser or certified general appraiser registered by the board to supervise one or more trainee appraisers and who satisfies the applicable minimum qualifications required by the Real Property Appraiser Qualification Criteria including but not limited to the following:

(a) The supervisory appraiser shall have been licensed and in good standing with any competent appraisal licensing jurisdiction for at least three years.

(b) The supervisory appraiser shall not have been subject to any disciplinary action within any jurisdiction, that affected the appraiser's legal eligibility to engage in the appraisal practice, within the last three years.

(c) The supervisory appraiser shall not be registered at any one time to supervise more than three trainee appraisers.

(d) Prior to his supervision of any trainee appraiser, the supervisory appraiser shall register on a form and in a manner prescribed by the board for each trainee appraiser supervised.

(23) “TAF” means The Appraisal Foundation created in accordance with Title XI of FIRREA.

(24) “Trainee appraiser” means any person registered by the board and authorized to appraise properties under the supervision of a licensed general real estate appraiser or residential real estate appraiser.

(25) “Transaction value” means the following in accordance with Title XI of FIRREA:

(a) For loans or other extensions of credit, the amount of the loan or extension of credit.

(b) For sales, leases, purchases, and investments in or exchanges of real property, the market value of the real property interest involved.

(c) For the pooling of loans or interests in real property for resale or purchase, the amount of the loan or market value of the real property calculated with respect to each such loan or interest in real property.

(26) “USPAP” means the Uniform Standards of Professional Appraisal Practice, which establishes the minimum requirements applicable to appraisers for the purpose of promoting and maintaining public trust in the appraisal practice, as implemented and periodically amended by the ASB.

Credits

Added by Acts 1987, No. 472, § 1. Amended by Acts 1990, No. 740, § 1; Acts 1991, No. 412, § 1; Acts 1995, No. 690, § 2; Acts 2001, No. 833, § 2; Acts 2001, No. 888, § 1; Acts 2003, No. 341, § 1; Acts 2010, No. 504, § 1; Acts 2014, No. 213, § 1; Acts 2019, No. 37, § 1; Acts 2022, No. 547, § 1, eff. June 17, 2022.

Notes of Decisions (1)

LSA-R.S. 37:3392, LA R.S. 37:3392

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LSA-R.S. 37:3393

§ 3393. License required; penalty for unlicensed real estate appraiser activity

Effective: June 17, 2022

Currentness

A. No person, other than a real estate appraiser registered or licensed by the board, shall assume or use that title or any title, designation, or abbreviation that may create the impression of being registered or licensed as a real estate appraiser in this state.

B. No registered or licensed real estate appraiser shall assume or use any title, designation, or abbreviation that may create the impression of being registered or licensed in a class other than his actual registration or license.

C. It shall be unlawful for any individual, for a fee or other valuable consideration, or with the intention or expectation of receiving or collecting a fee or valuable consideration from another, to do any of the following unless the individual is registered or licensed in accordance with the provisions of this Chapter:

(1) Be employed to perform or perform an appraisal where the subject property of the assignment lies within the borders of the state of Louisiana.

(2) Present himself, or allow himself to be presented, as being able to perform an appraisal for which a registration or license is required in accordance with the provisions of this Chapter.

D. All real estate appraiser registrations or licenses shall be issued in the individual name of the applicant and shall not be issued to a partnership, association, corporation, firm, or group. Nothing

shall preclude a registered or licensed appraiser from performing appraisals for or on behalf of a partnership, association, corporation, firm, or group.

E. Nothing in this Chapter shall preclude a licensed real estate broker or salesperson from performing a broker price opinion/comparative market analysis in the ordinary course of the practice of real estate, provided that the broker or salesperson does not unlawfully represent himself as a registered or licensed appraiser.

F. It shall be unlawful for any individual, for a fee or other valuable consideration, or with the intention or expectation of receiving or collecting a fee or valuable consideration from another, to perform contingent appraisals, or any form of estimated value, based on the fee or valuable consideration pending the estimated value.

G. It shall be unlawful for any individual, person, partnership, association, or corporation to perform any type of review or analysis of a real property appraisal, unless that person is registered or licensed to perform real property appraisals.

H. The provisions of this Chapter shall not apply to the following:

(1) A person, partnership, association, or corporation that performs appraisals of property owned by that person, partnership, association, or corporation.

(2) A court-appointed individual who conducts an appraisal pursuant to a judicially ordered evaluation of the specific real property under litigation.

(3) A director, officer, or salaried employee of a commercial bank, savings bank, credit union, or savings and loan association, when engaged in evaluation activities for and on behalf of such financial institution.

(4) State, parish, or municipal public officers or their salaried employees while performing their duties as such, except when the intended use of the appraisal is for acquisition of real property.

(5) A person appointed by a sheriff to make an appraisal in accordance with [R.S. 13:4364](#) or 4365.

(6) A person or firm contracted by a state, parish, or municipal tax authority to perform mass appraisal assignments.

(7) Employees of the Department of Transportation and Development; however, the provisions of this Chapter shall apply to such employees after June 30, 2010.

(8) A certified public accountant when engaged by a client to perform a business valuation under both of the following conditions:

(a) The valuation of real property must rely on an appraisal report performed by a licensed appraiser.

(b) Such public accountant is licensed pursuant to the Louisiana Accountancy Act.

I. In addition to any other civil remedy or civil penalty provided in this Chapter, the board may issue a subpoena to any person based on the probable cause that he has engaged in real estate appraiser activity without a registration or license. Subpoenas issued by the board shall:

(1) Comply with the notice requirements of [R.S. 49:975](#).

(2) Be personally served upon the person named therein or by any type of mailing that requires a return receipt.

(3) Include a statement that describes the manner in which the person named therein shall respond to the board.

J. In accordance with the provisions of this Chapter and the Administrative Procedure Act, the board may impose a civil penalty not to exceed five thousand dollars and costs and attorney fees upon any person who is found to have engaged in real estate appraisal activity without a registration or license issued by the board.

K. A person engaged in real estate appraisal activity without a registration or license issued by the board shall not have the right to receive any compensation for services so rendered in this state. In addition to any other penalties authorized by this Chapter, the board may require any person engaged in real estate appraisal activity without a registration or license to return any fees collected for such activity.

Credits

Added by Acts 1987, No. 472, § 1. Amended by Acts 2003, No. 341, § 1; Acts 2005, No. 188, § 1; Acts 2006, No. 389, § 1; Acts 2009, No. 502, § 1, eff. Jan. 1, 2010; Acts 2019, No. 186, § 1; Acts 2022, No. 547, § 1, eff. June 17, 2022.

Notes of Decisions (5)

LSA-R.S. 37:3393, LA R.S. 37:3393

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LSA-R.S. 37:3394

§ 3394. Louisiana Real Estate Appraisers Board

Effective: June 17, 2022

Currentness

A. There is hereby created within the office of the governor the Louisiana Real Estate Appraisers Board, which shall be comprised as provided in Subsection B of this Section.

B. (1) Ten members shall be appointed by the governor with one member appointed from each congressional district and with four members appointed at large. Of the ten members appointed by the governor:

(a) Two shall be appointed from a list of five names submitted by the Louisiana Bankers Association each of whom shall have been involved in real estate lending for at least five years.

(b) One member shall have been engaged in the business of appraisal management for at least four years and shall be an employee or representative of a Louisiana licensed appraisal management company. Additionally, this member shall be a citizen and qualified elector of Louisiana and licensed in Louisiana as either a certified residential appraiser or certified general appraiser immediately preceding the appointment to the board.

(c) Each of the remaining members shall have been domiciled in Louisiana and licensed as either a certified residential appraiser or certified general appraiser for not less than five consecutive years immediately preceding the appointment.

(2) At least four of the ten members shall be certified general appraisers and at least two of the ten members shall be certified residential appraisers.

C. Each appointment by the governor shall be submitted to the Senate for confirmation.

D. All members shall be appointed for three-year terms. All terms shall commence thirty days after the appointment, and all members shall serve until their successors have been appointed and qualified. Vacancies occurring in the membership of the board for any reason shall be filled by appointment by the governor for the unexpired term. Upon expiration of their terms, members of the board shall continue to hold office until the appointment and qualification of their successors. No person shall be appointed for more than two consecutive terms. The appointing authority may remove a member for cause.

E. The executive director of the commission shall serve as executive director of the board.

F. The board shall meet at least once each calendar quarter to conduct its business. The location in Louisiana of future meetings shall be decided by a vote of the members present at the current meeting. The executive director shall give written notice to each member of the time and place of each meeting of the board at least ten days before the scheduled date of the meeting.

G. The members of the board shall elect a chairperson, vice chairperson, and secretary.

H. Six members of the board shall constitute a quorum for all business.

I. Each member of the board shall be entitled to a per diem allowance of fifty dollars for each meeting of the board at which the member is present. Each member of the board shall be entitled to reimbursement of their actual expenses for travel, meals, and lodging.

Credits

Added by Acts 1987, No. 472, § 1. Amended by Acts 1991, No. 94, § 1, eff. Jan. 13, 1992; Acts 1991, No. 412, § 1; Acts 1993, No. 949, § 1; Acts 1995, No. 690, § 2; Acts 2001, No. 8, § 12, eff. July 1, 2001; Acts 2001, No. 833, § 2; Acts 2003, No. 341, § 1; Acts 2014, No. 347, § 1, eff. May 30, 2014; Acts 2022, No. 547, § 1, eff. June 17, 2022.

Notes of Decisions (1)

LSA-R.S. 37:3394, LA R.S. 37:3394

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LSA-R.S. 37:3395

§ 3395. Powers; duties

Effective: June 17, 2022

Currentness

A. The board shall have the following autonomous powers and duties:

- (1) To regulate the issuance of real estate appraiser registrations and licenses.
- (2) To establish administrative procedures for processing applications and issuing registrations and licenses to real estate appraisers and trainees.
- (3) To adopt any rules and regulations in accordance with the Administrative Procedure Act necessary for the enforcement of this Chapter.
- (4) To require any satisfactory proof it may desire in reference to the honesty, truthfulness, reputation, knowledge, and experience of any applicant for a real estate appraiser registration or license prior to issuance.
- (5) To adopt standards for the development and communication of real estate appraisals and to adopt regulations explaining and interpreting the standards.
- (6) To conduct disciplinary proceedings pursuant to the provisions of this Chapter, to suspend or revoke licenses, and to censure and fine licensees.
- (7) To impose continuing education requirements on licensees.

(8) To adopt a seal by which it shall authenticate its proceedings.

(9) To perform such other functions and duties as may be necessary to carry out the provisions of this Chapter.

B. Notwithstanding any provisions contained in this Chapter to the contrary, the board may adopt such regulations as may be necessary to comply with the minimum requirements of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council, its agent, or its successor.

C. The board shall have authority to require any real estate appraiser registrant or licensee to maintain records, as specified in this Chapter, and to inspect and subpoena such records.

D. The board shall have the authority to subpoena any real estate appraiser registrant, licensee, or witness for the purpose of holding any hearing or in furtherance of an investigation. Failure of a licensee to comply with a subpoena duces tecum shall be punishable by the board in accordance with the provisions of [R.S. 37:3409](#).

Credits

Added by [Acts 1987, No. 472, § 1](#). Amended by [Acts 1991, No. 412, § 1](#); [Acts 1991, No. 695, § 1](#); [Acts 1993, No. 949, § 1](#); [Acts 1995, No. 690, § 2](#); [Acts 2003, No. 341, § 1](#); [Acts 2022, No. 547, § 1, eff. June 17, 2022](#).

[Notes of Decisions \(1\)](#)

LSA-R.S. 37:3395, LA R.S. 37:3395

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LSA-R.S. 37:3395.1

§ 3395.1. Peer Review Committee; powers and duties

Effective: August 15, 2008

Currentness

A. The Louisiana Real Estate Appraisers Board is granted the authority to create as needed a Peer Review Committee, and it shall be referred to hereafter as the “committee”.

B. The committee shall be comprised of certified real estate appraisers and shall provide assistance as necessary to the board regarding the performance of its functions and duties in pre-license and post-license review and regulation. Each member of the committee shall serve without compensation but shall be reimbursed for actual expenses and mileage incurred in carrying out his duties as a committee member in accordance with the state travel regulations promulgated by the division of administration.

C. There shall be no liability on the part of and no action for damages against the board or a member of the committee on any action taken or recommendation made by a member of the committee acting within the scope of his function as a member of or consultant to the committee if such action was taken or recommendation was made without malice.

D. The board shall promulgate rules and regulations subject to the Administrative Procedure Act in order to effectuate this Section.

Credits

Added by Acts 2008, No. 197, § 1.

LSA-R.S. 37:3395.1, LA R.S. 37:3395.1

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LSA-R.S. 37:3396

§ 3396. Applications

Effective: June 17, 2022

Currentness

A. Applications for examination, experience review, registration, licensure, and renewal shall be made on a form prescribed and in a manner required by the board.

B. Appropriate fees, as set forth in [R.S. 37:3407](#), shall accompany all applications for examination, experience review, and license renewal.

C. Each applicant shall sign a pledge to comply with the standards set forth in this Chapter and shall state that he or she understands the types of misconduct for which disciplinary proceedings may be initiated against a state licensed real estate appraiser.

D. (1) Licenses shall be granted only to persons who have satisfied the minimum education, examination, and experience requirements mandated by the Appraiser Qualifications Board (AQB) of the Appraisal Foundation and published in the most current version of the Real Property Appraiser Qualification Criteria, including any subsequent amendments and regulations issued pursuant thereto.

(2) All applicants for a real estate appraiser license shall undergo a background screening as mandated by the Appraiser Qualifications Board (AQB) of the Appraisal Foundation and prescribed by the board.

(3) When an applicant has been convicted of forgery, embezzlement, obtaining money under false pretense, larceny, extortion, conspiracy to defraud, or theft, or has been convicted of a felony or

a crime of moral turpitude in any court of competent jurisdiction, such untrustworthiness of the applicant or the conviction itself may be sufficient grounds for refusal to issue a license.

(4) When an applicant has made a false statement of material fact on his application, such false statement may in itself be sufficient grounds for refusal to issue a license.

E. Suspension or revocation or grounds for suspension or revocation of a real estate appraiser license, or its equivalent, or a real estate salesperson or broker license in any jurisdiction may be grounds for refusal to issue a real estate appraiser license.

F. (1) A real estate appraiser whose license has been revoked as a result of disciplinary action in any jurisdiction shall not be eligible to apply for a Louisiana real estate appraiser license for at least five years following the date on which the license, or its equivalent, was revoked.

(2) An applicant whose license has been revoked shall meet all requirements of an initial applicant and shall present evidence of completion of continuing education for each renewal period, or portion thereof, following the date on which the license was revoked.

Credits

Added by Acts 1987, No. 472, § 1. Amended by Acts 1991, No. 412, § 1; Acts 1993, No. 949, § 1; Acts 1995, No. 690, § 2; Acts 2001, No. 888, § 1; Acts 2003, No. 341, § 1; Acts 2014, No. 213, § 1; Acts 2022, No. 547, § 1, eff. June 17, 2022.

LSA-R.S. 37:3396, LA R.S. 37:3396

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LSA-R.S. 37:3397

§ 3397. License and registration classifications; criteria

Effective: June 17, 2022

Currentness

A. (1) There are three classes of licenses for real estate appraisers:

(a) Licensed residential appraiser.

(b) Certified residential appraiser.

(c) Certified general appraiser.

(2) The license classes enumerated in Paragraph (1) of this Subsection shall conform in all respects with the Financial Institutions Reform, Recovery and Enforcement Act of 1989, [P.L. 101-73](#), and any subsequent amendments and regulations issued pursuant thereto.

B. There are two classes of registrations for real estate appraisers:

(1) Trainee appraiser.

(2) Supervisory appraiser.

C. (1) A supervisory appraiser and a trainee appraiser shall each maintain an appraisal experience log and shall be independently obligated to ensure the appraisal experience log is accurate, current,

and complies with the provisions of this Chapter. At a minimum, the appraisal log shall include the following:

(a) Type of property.

(b) Date of report.

(c) Address of appraised property.

(d) Description of work performed by the trainee appraiser and scope of the review and supervision of the supervisory appraiser.

(e) Number of actual work hours by the trainee appraiser on the assignment.

(f) The signature and state certification number of the supervisory appraiser. Separate appraisal logs shall be maintained for each supervisory appraiser if applicable.

(2) Prior to applying for registration with the board, a trainee appraiser or supervisory appraiser shall meet the minimum qualifications required under this Chapter and the Real Property Appraiser Qualification Criteria including but not limited to satisfactory completion or submission of the following:

(a) A course that complies, at a minimum, with the specifications of course content established by the AQB, including submission of an official course completion certificate to the board. The course shall be oriented toward the requirements and responsibilities of supervisory and trainee appraisers.

(b) The registration form that is prescribed by the board.

(3) The trainee appraiser shall be entitled to obtain copies of appraisal reports that he prepared in full or in part. The supervisory appraiser shall keep copies of the trainee appraisal reports prepared by the trainee appraiser for a period of at least five years.

Credits

Added by Acts 1987, No. 472, § 1. Amended by Acts 1993, No. 949, § 1; Acts 1995, No. 690, § 2; Acts 2003, No. 341, § 1; Acts 2006, No. 389, § 1; Acts 2012, No. 429, § 1, eff. May 31, 2012; Acts 2014, No. 213, § 1; Acts 2016, No. 259, § 1; Acts 2022, No. 547, § 1, eff. June 17, 2022.

LSA-R.S. 37:3397, LA R.S. 37:3397

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KeyCite Red Flag - Severe Negative Treatment

KeyCite Red Flag Negative Treatment § 3397.1. Repealed by Acts 2022, No. 547, § 2, eff. June 17, 2022

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LSA-R.S. 37:3397.1

§ 3397.1. Repealed by Acts 2022, No. 547, § 2, eff. June 17, 2022

Effective: June 17, 2022

Currentness

LSA-R.S. 37:3397.1, LA R.S. 37:3397.1

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LSA-R.S. 37:3398

§ 3398. Examination

Effective: June 17, 2022

Currentness

A. A license as a real estate appraiser shall not be issued in any class, unless the applicant has passed a qualifying examination approved by the Appraiser Qualifications Board (AQB) of the Appraisal Foundation for such license.

B. Any applicant not licensed within two years after passing an examination given pursuant to the provisions of this Chapter shall be required to retake and pass the examination.

C. An applicant who has failed an examination may reapply for examination by submitting an application fee within ninety days of the last examination date.

D. Repealed by Acts 2014, No. 213, § 2.

E. Repealed by Acts 2003, No. 341, § 3.

Credits

Added by Acts 1987, No. 472, § 1. Amended by Acts 1993, No. 949, § 1; Acts 1997, No. 1363, § 1, eff. July 15, 1997; Acts 1999, No. 158, § 1; Acts 2001, No. 888, § 1; Acts 2003, No. 341, § 1; Acts 2014, No. 213, § 1; Acts 2022, No. 547, § 1, eff. June 17, 2022.

LSA-R.S. 37:3398, LA R.S. 37:3398

The Constitution, Revised Statutes Titles 2 to 4, 6, 8, 9, 11 to 15, 19, 22 to 29, 31, 32,34, 40, and 47, and the Codes are current through the 2023 First Extraordinary, Regular, and Veto Sessions. All other statutes and codes are current through the 2023 First Extraordinary Session.

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LSA-R.S. 37:3399

§ 3399. Practical Applications of Real Estate Appraisal (PAREA); legislative intent; licensure

Effective: June 17, 2022

Currentness

A. (1) The legislature hereby recognizes the present shortage and declining number of registered and licensed appraisers in Louisiana and hereby declares its intent to reduce any unnecessary barriers to licensure as a real property appraiser, including but not limited to the practical barriers caused by the related shortage of supervisory appraisers in the state.

(2) Further, the legislature recognizes that the AQB has created and authorized implementation of Practical Applications of Real Estate Appraisal (PAREA) training programs, which shall utilize simulated experience training to provide an alternative path to licensure as a real property appraiser without the necessity of obtaining experience or supervision directly from a supervisory appraiser.

B. (1) Accordingly, nothing in this Chapter shall be construed to prohibit an applicant from submitting an official PAREA program completion certificate to evidence satisfactory completion of all experience necessary for licensure as either a licensed residential appraiser or a certified residential appraiser in accordance with the qualifications required by the Real Property Appraiser Qualification Criteria.

(2) An applicant who has fully completed an authorized PAREA program shall apply for licensure either as a licensed residential appraiser or as a certified residential appraiser on a form prescribed by the board and obtain board approval of the application prior to conducting appraisal activity in this state.

Credits

Added by [Acts 2022, No. 547, § 1, eff. June 17, 2022](#).

LSA-R.S. 37:3399, LA R.S. 37:3399

The Constitution, Revised Statutes Titles 2 to 4, 6, 8, 9, 11 to 15, 19, 22 to 29, 31, 32,34, 40, and 47, and the Codes are current through the 2023 First Extraordinary, Regular, and Veto Sessions. All other statutes and codes are current through the 2023 First Extraordinary Session.

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LSA-R.S. 37:3400

§ 3400. Term of licenses

Currentness

All licenses issued under this Chapter shall be issued for two years and shall expire on the second December thirty-first following the date on which it was issued.

Credits

Added by [Acts 1987, No. 472, § 1](#). Amended by [Acts 2003, No. 341, § 1](#).

LSA-R.S. 37:3400, LA R.S. 37:3400

The Constitution, Revised Statutes Titles 2 to 4, 6, 8, 9, 11 to 15, 19, 22 to 29, 31, 32,34, 40, and 47, and the Codes are current through the 2023 First Extraordinary, Regular, and Veto Sessions. All other statutes and codes are current through the 2023 First Extraordinary Session.

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LSA-R.S. 37:3401

§ 3401. Nonresident license; temporary registration; reciprocity

Effective: August 1, 2014

[Currentness](#)

A. Every nonresident applicant for a license issued under this Chapter shall submit an irrevocable consent that service of process in any action against the applicant arising out of the applicant's activities as a licensed real estate appraiser may be made by delivery of the process to the secretary of state, if the plaintiff cannot, in the exercise of due diligence, effect personal service upon the applicant.

B. An applicant who has complied with the provisions of Subsection A of this Section may apply for a license as a real estate appraiser in this state in accordance with Subsection (b) of Section 1122 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

C. A nonresident real estate appraiser certified or licensed in another jurisdiction may make appraisals on a temporary basis only if all of the following conditions are met:

(1) Repealed by [Acts 2003, No. 341, § 3](#).

(2) The Appraisal Subcommittee of the Federal Financial Institutions Examination Council, or its successor, has approved the state, commonwealth, or territory program under which the nonresident appraiser is licensed or certified.

(3) The nonresident appraiser has registered with the board on the prescribed form and has provided the board with payment of the temporary registration fee specified in [R.S. 37:3407\(A\)\(7\)](#).

D. Repealed by Acts 2014, No. 213, § 2.

Credits

Added by Acts 1987, No. 472, § 1. Amended by Acts 1991, No. 412, § 1; Acts 1993, No. 949, § 1; Acts 1995, No. 690, § 2; Acts 2003, No. 341, § 1; Acts 2012, No. 429, § 1, eff. May 31, 2012; Acts 2014, No. 213, § 1.

LSA-R.S. 37:3401, LA R.S. 37:3401

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KeyCite Red Flag - Severe Negative Treatment

KeyCite Red Flag Negative Treatment § 3402. Repealed by Acts 2003, No. 341, § 3

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LSA-R.S. 37:3402

§ 3402. Repealed by Acts 2003, No. 341, § 3

Currentness

LSA-R.S. 37:3402, LA R.S. 37:3402

The Constitution, Revised Statutes Titles 2 to 4, 6, 8, 9, 11 to 15, 19, 22 to 29, 31, 32, 34, 40, and 47, and the Codes are current through the 2023 First Extraordinary, Regular, and Veto Sessions. All other statutes and codes are current through the 2023 First Extraordinary Session.

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LSA-R.S. 37:3403

§ 3403. Renewal of license

Currentness

A. (1) Each license issued under this Chapter shall be issued for a period of two years and shall expire on the second December thirty-first following the date on which it is issued. A license which is not renewed by January first shall be considered to be expired, and any appraisal practice that is conducted in this state after expiration of the license shall be deemed a violation of this Chapter.

(2) Any licensee who submits a renewal application which is received by the board after the expiration date shall pay the delinquent fee provided for in [R.S. 37:3407\(A\)](#).

B. Any licensee who fails to renew timely may thereafter renew during the six-month period immediately following the last date on which the licensee held a valid license. Former licensees who are not eligible for renewal because of delay beyond the six-month delinquent renewal period shall apply as initial applicants.

Credits

Added by [Acts 1987, No. 472, § 1](#). Amended by [Acts 1993, No. 949, § 1](#); [Acts 1995, No. 690, § 2](#); [Acts 2003, No. 341, § 1](#).

LSA-R.S. 37:3403, LA R.S. 37:3403

The Constitution, Revised Statutes Titles 2 to 4, 6, 8, 9, 11 to 15, 19, 22 to 29, 31, 32,34, 40, and 47, and the Codes are current through the 2023 First Extraordinary, Regular, and Veto Sessions. All other statutes and codes are current through the 2023 First Extraordinary Session.



KeyCite Red Flag - Severe Negative Treatment

KeyCite Red Flag Negative Treatment § 3404. Repealed by Acts 2003, No. 341, § 3

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LSA-R.S. 37:3404

§ 3404. Repealed by Acts 2003, No. 341, § 3

Currentness

LSA-R.S. 37:3404, LA R.S. 37:3404

The Constitution, Revised Statutes Titles 2 to 4, 6, 8, 9, 11 to 15, 19, 22 to 29, 31, 32,34, 40, and 47, and the Codes are current through the 2023 First Extraordinary, Regular, and Veto Sessions. All other statutes and codes are current through the 2023 First Extraordinary Session.

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LSA-R.S. 37:3405

§ 3405. Principal place of business for appraiser; contact information

Effective: June 17, 2022

Currentness

A. Each registered or licensed real estate appraiser shall notify the board of any change in the information required for registration, licensure, or renewal including but not limited to the following:

(1) The address of his principal place of business and all other addresses at which he is currently engaged in the business of preparing real property appraisal reports.

(2) The address of his domicile.

(3) Primary telephone number.

(4) Primary electronic mail address.

B. Each registered or licensed appraiser required by Subsection A of this Section to notify the board shall provide such notice in writing within ten days of the change.

Credits

Added by Acts 1987, No. 472, § 1. Amended by Acts 1993, No. 949, § 1; Acts 1995, No. 690, § 2; Acts 2003, No. 341, § 1; Acts 2022, No. 547, § 1, eff. June 17, 2022.

LSA-R.S. 37:3405, LA R.S. 37:3405

The Constitution, Revised Statutes Titles 2 to 4, 6, 8, 9, 11 to 15, 19, 22 to 29, 31, 32,34, 40, and 47, and the Codes are current through the 2023 First Extraordinary, Regular, and Veto Sessions. All other statutes and codes are current through the 2023 First Extraordinary Session.

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LSA-R.S. 37:3406

§ 3406. Issuance of licenses; display; use of term

Effective: August 15, 2006

Currentness

A. A license issued under authority of this Chapter shall bear the signatures or facsimile signatures of the chairperson and secretary of the board and a license number assigned by the board.

B. Each licensed real estate appraiser shall include his classification and license number in all appraisal reports, contracts, or other instruments used by the licensee in conducting real property appraisal activities.

C. Repealed by [Acts 2003, No. 341, § 3](#).

D. Real estate appraisers that use their license for advertising purposes, including but not limited to logos, stationery, and business cards, shall place their license number adjacent to or immediately below their license classification.

Credits

Added by [Acts 1987, No. 472, § 1](#). Amended by [Acts 1991, No. 412, § 1](#); [Acts 1995, No. 690, § 2](#); [Acts 2001, No. 833, § 2](#); [Acts 2003, No. 341, § 1](#); [Acts 2006, No. 389, § 1](#).

LSA-R.S. 37:3406, LA R.S. 37:3406

The Constitution, Revised Statutes Titles 2 to 4, 6, 8, 9, 11 to 15, 19, 22 to 29, 31, 32,34, 40, and 47, and the Codes are current through the 2023 First Extraordinary, Regular, and Veto Sessions. All other statutes and codes are current through the 2023 First Extraordinary Session.

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LSA-R.S. 37:3407

§ 3407. Fees

Effective: August 1, 2014

Currentness

A. The board shall charge and collect fees not in excess of the following:

| | |
|---|-----------|
| (1) License application fee | \$200.00 |
| (2) License history fee | \$ 25.00 |
| (3) Examination processing fee | \$100.00 |
| (4) Experience review | \$100.00 |
| (5) License renewal fee | \$200.00 |
| (6) Delinquent renewal fee: | |
| January 1-February 15 | \$ 25.00 |
| February 16-June 30 | \$100.00 |
| (7) Temporary registration fee | \$ 150.00 |
| (8) Initial qualifying/continuing education provider fee | \$100.00 |
| (9) Annual renewal fee for education provider | \$100.00 |
| (10) Filing fee for additional course offerings submitted by approved education providers | \$ 10.00 |
| (11) Processing fee | \$ 25.00 |

B. (1) In addition to the fees provided for in Subsection A of this Section, the board may charge each applicant, or licensee twenty dollars for each two-year license. The funds shall be included in the research and education fund of the Louisiana Real Estate Commission and shall be dedicated for use by the board to sponsor, conduct, contract for, and underwrite any and all research projects

or real estate appraisal programs having to do with the advancement of the real estate appraisal industry in Louisiana.

(2) Additionally, the board may collect any required federal fees from each applicant or licensee and remit them to the appropriate agency or instrumentality of the federal government as may be required to render Louisiana licensed real estate appraisers eligible to perform appraisals in connection with federally related transactions.

C. All fees shall be paid into the operating account of the board for the purpose of carrying out the provisions of this Chapter.

D. Activities of the board shall be audited in accordance with [R.S. 24:513](#).

Credits

Added by [Acts 1987, No. 472, § 1](#). Amended by [Acts 1991, No. 412, § 1](#); [Acts 1993, No. 949, § 1](#); [Acts 1995, No. 690, § 2](#); [Acts 2003, No. 341, § 1](#); [Acts 2014, No. 200, § 1](#).

LSA-R.S. 37:3407, LA R.S. 37:3407

The Constitution, Revised Statutes Titles 2 to 4, 6, 8, 9, 11 to 15, 19, 22 to 29, 31, 32,34, 40, and 47, and the Codes are current through the 2023 First Extraordinary, Regular, and Veto Sessions. All other statutes and codes are current through the 2023 First Extraordinary Session.

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LSA-R.S. 37:3408

§ 3408. Continuing education requirements

Effective: June 17, 2022

Currentness

A. As a prerequisite to renewal of a real estate appraiser registration or license, all registrants and licensees shall present evidence satisfactory to the board of having met the continuing education requirements set forth in this Chapter.

B. (1) Prior to renewal of a registration or a license, regardless of classification, the renewal applicant shall obtain not less than twenty-eight hours of continuing education credit, or its equivalent, in courses approved by the board.

(2) All appraisers regardless of registration or license class shall obtain a minimum of seven continuing education credit hours regarding the Uniform Standards of Professional Appraisal Practice (USPAP) each renewal period, which shall be credited toward the total continuing education required by Paragraph (1) of this Subsection.

C. In lieu of meeting the requirements of Subsection B of this Section, an applicant for renewal may present evidence of the following:

(1) Completion of courses determined by the board to be equivalent to continuing education courses approved by the board pursuant to Subsection B of this Section.

(2)(a) Participation, other than as a student, in educational processes and programs in real property appraisal theory, practices, or techniques including but not limited to teaching, program

development, and preparation of textbooks, monographs, articles, and other instructional materials, all to be approved by the board.

(b) No more than half of the continuing education credit shall be granted for participation pursuant to this Paragraph.

D. The board shall adopt regulations for implementation of the provisions of this Section to provide registrants and licensees with current knowledge of real property appraisal theories, practices, and techniques. Such regulations shall prescribe the following:

(1) Policies and procedures for obtaining board approval of courses pursuant to Subsection B of this Section.

(2) Standards, policies, and procedures to be applied by the board in evaluating course equivalency as specified in Subsection C of this Section.

(3) Standards, monitoring methods, and systems for recording attendance to be employed by course sponsors as a prerequisite to board approval of courses for credit.

E. In making recommendations pursuant to Paragraph (D)(1) of this Section, the board shall give consideration to courses of instruction, seminars, and other real property appraisal education courses or programs previously or hereafter developed by or under the auspices of professional appraisal organizations and utilized by those associations for purposes of designation, certification, or recertification of the members of the association.

F. No amendment or repeal of a regulation adopted by the board pursuant to this Section shall operate to deprive a registered or licensed real estate appraiser of credit for any course of instruction completed by the applicant prior to the amendment or repeal of the regulation, if the course would have qualified for continuing education credit under the regulation as it existed prior to the repeal or amendment.

Credits

Added by Acts 1987, No. 472, § 1. Amended by Acts 1993, No. 949, § 1; Acts 1995, No. 690, § 2; Acts 2001, No. 888, § 1; Acts 2003, No. 341, § 1; Acts 2014, No. 213, § 1; Acts 2022, No. 547, § 1, eff. June 17, 2022.

LSA-R.S. 37:3408, LA R.S. 37:3408

The Constitution, Revised Statutes Titles 2 to 4, 6, 8, 9, 11 to 15, 19, 22 to 29, 31, 32,34, 40, and 47, and the Codes are current through the 2023 First Extraordinary, Regular, and Veto Sessions. All other statutes and codes are current through the 2023 First Extraordinary Session.

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LSA-R.S. 37:3409

§ 3409. Disciplinary proceedings

Effective: June 17, 2022

Currentness

A. The board may censure a registered or licensed real estate appraiser, conditionally or unconditionally suspend or revoke any registration or license issued in accordance with the provisions of this Chapter, levy fines or impose civil penalties not to exceed five thousand dollars, or impose continuing education requirements on registrants and licensees if, in the opinion of the board, a registrant or licensee is performing, is attempting to perform, has performed, or has attempted to perform any of the following acts:

- (1) Committing any act in violation of this Chapter.
- (2) Violating any rule or regulation adopted by the board in the interest of the public and consistent with the provisions of this Chapter.
- (3) Knowingly making any false representation to any party in developing or communicating an appraisal.
- (4) Accepting an appraisal assignment when the employment itself is contingent upon the appraiser reporting a predetermined analysis or opinion or where the fee to be paid for the performance of this appraisal assignment is contingent upon the opinion, conclusion, or valuation reached or upon the consequences resulting from the appraisal assignment.
- (5) Violating the confidential nature of governmental records to which he gained access through employment or engagement as an appraiser by a governmental agency.

(6) Procuring a registration or license for himself or anyone else by fraud, misrepresentation, or deceit.

(7) Having been convicted of a felony or having entered a plea of nolo contendere to a felony charge.

(8) Failing to make available to the board for its inspection, without prior notice, originals or true copies of all written contracts engaging the person's services to appraise real property and all reports and supporting data assembled and formulated by the appraiser in preparing the reports.

(9) Paying a fee or valuable consideration to any person for acts or services performed in violation of this Chapter.

(10) Acting as a real estate appraiser in an unworthy or incompetent manner that may endanger the public interest.

B. (1) Sole authority for the conduct of adjudicatory proceedings in accordance with the Administrative Procedure Act for violations of this Chapter is vested in the board.

(2) Before censuring any registrant or licensee, or suspending or revoking any license, the board shall notify the registrant or licensee in writing of any charges made at least twenty days prior to the date set for the hearing and shall afford him an opportunity to be heard in person or by counsel.

(3) The written notice shall be satisfied by personal service on the respondent, or by sending the notice by certified mail to the registrant's or licensee's address on file with the board, or by hand delivery from board personnel.

(4) The board shall have the power to subpoena and issue subpoenas duces tecum and to bring before it any person in this state to take testimony by deposition, in the same manner as prescribed by law in judicial proceedings in the courts of this state, or to require production of any records relevant to any inquiry or hearing by the board.

C. (1) The hearing on the charges shall be at a time and place prescribed by the board and in accordance with the Administrative Procedure Act.

(2) The board may make findings of fact and shall deliver or mail such findings to the registrant or licensee charged with an offense under this Chapter. Any finding of fact by the board pursuant to this Subsection shall be conclusive.

(3) Any final decision or determination of the board in adjudicatory proceedings shall be reviewable as to questions of law by the Nineteenth Judicial District Court in the parish of East Baton Rouge. Any application for judicial review made by an aggrieved party shall be filed within thirty days after the final decision of the board.

(4) If a petition to review the final decision of the board is filed, the case shall be specifically fixed for trial within thirty days from the filing of an answer by the board. If the court finds that the board has properly pursued its authority in accordance with the law, is supported by evidence in the record, and has not acted arbitrarily, it shall affirm the decision, order, or ruling of the board.

(5) If an appeal is filed in the Nineteenth Judicial District Court, the court shall receive the entire record of the hearing.

(6) Absent an agreement of counsel for all parties, no stay of enforcement of a decision issued by the board shall be granted during the pendency of an appeal unless the Nineteenth Judicial District Court finds that the applicant has established that the issuance of the stay does not threaten harm to other interested parties.

(7) No stay shall be granted *ex parte*. The court shall schedule a hearing on the request for a stay order within ten days from filing. The decisions shall be rendered within five days after the conclusion of the hearing.

(8) No judicial order staying or enjoining the effectiveness or enforcement of a final decision or order of the board in an adjudication proceeding, whether issued pursuant to R.S. 37:3409 or otherwise, shall be effective, or be issued to be effective, longer than either of the following:

(a) One hundred twenty days from the date on which the board's decision or order was rendered.

(b) The date on which the court enters judgment in a proceeding for judicial review of the board's decision or order pursuant to [R.S. 49:978.1](#), whichever occurs first.

D. The board may also suspend or revoke the registration or license of a real estate appraiser based upon a final civil judgment against the appraiser on grounds of fraud, misrepresentation, or deceit in the making of an appraisal of real property. In a disciplinary proceeding based upon such judgment, the registered or licensed real estate appraiser shall be afforded notice and the opportunity to present matters in mitigation and extenuation but shall not collaterally attack the civil judgment.

E. It shall be the duty of each registered or licensed real estate appraiser to notify the board within ten days by registered or certified mail or by hand delivery of the following actions:

(1) The rendering of a final judgment against the appraiser by a court of competent jurisdiction the subject matter of which involves a real estate appraisal transaction to which the appraiser was a party.

(2) The institution of criminal prosecution by arrest or indictment which involves a real estate appraisal transaction to which the appraiser was a party.

(3) Any conviction of the appraiser by a court of competent jurisdiction for forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, theft, any other felony, or any crime involving moral turpitude.

(4) Any sanction imposed on the appraiser by another jurisdiction.

F. A registered or licensed real estate appraiser shall not participate in the preparation of federally related real estate appraisals during any period in which his registration or license has been suspended by the board pursuant to adjudicatory proceedings.

Credits

Added by Acts 1987, No. 472, § 1. Amended by Acts 1991, No. 412, § 1; Acts 1993, No. 949, § 1; Acts 1995, No. 690, § 2; Acts 1999, No. 158, § 1; Acts 2003, No. 341, § 1; Acts 2014, No. 213, § 1; Acts 2022, No. 547, § 1, eff. June 17, 2022.

LSA-R.S. 37:3409, LA R.S. 37:3409

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LSA-R.S. 37:3410

§ 3410. Standards for the development and communication of real estate appraisals

Effective: June 17, 2022

Currentness

A. (1) A registered or licensed real estate appraiser shall comply with generally accepted standards of professional practice in the development and communication of appraisals of real estate located in this state and with generally accepted ethical rules of conduct as contained in the “Uniform Standards of Professional Appraisal Practice” (USPAP), or its successor, as approved and periodically amended by the Appraisal Standards Board of the Appraisal Foundation or its successor.

(2) Nothing in this Chapter shall prohibit a registered or licensed real estate appraiser from performing an evaluation of real property for a federally insured depository institution if the evaluation is permitted by either federal law, regulation, or the guidelines for evaluations established by the federal financial institutions regulatory agency of the depository institution, or a mortgage servicer approved to service any federally related mortgage loans.

B. The registered or licensed real estate appraiser shall include within the body of the appraisal report the amount of the appraiser's fee for appraisal services.

Credits

Added by Acts 1987, No. 472, § 1. Amended by Acts 1990, No. 740, § 1; Acts 1991, No. 412, § 1; Acts 2003, No. 341, § 1; Acts 2012, No. 429, § 1, eff. May 31, 2012; Acts 2014, No. 213, § 1; Acts 2019, No. 37, § 1; Acts 2022, No. 547, § 1, eff. June 17, 2022.

LSA-R.S. 37:3410, LA R.S. 37:3410

The Constitution, Revised Statutes Titles 2 to 4, 6, 8, 9, 11 to 15, 19, 22 to 29, 31, 32,34, 40, and 47, and the Codes are current through the 2023 First Extraordinary, Regular, and Veto Sessions. All other statutes and codes are current through the 2023 First Extraordinary Session.

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LSA-R.S. 37:3411

§ 3411. Recordkeeping requirements

Effective: June 17, 2022

[Currentness](#)

A registered or licensed real estate appraiser shall retain for five years originals or true copies of contracts engaging the appraiser's services for real property appraisal work, appraisal reports, and supporting data assembled and formulated by the appraiser in preparing reports. The period for retention of the records applicable to each engagement of the services of the appraiser shall run from the date of the submission of the appraisal report to the client. These records shall be made available by the appraiser for inspection and copying by the board on reasonable notice to the appraiser. When litigation is contemplated at any time, reports and records shall be retained for two years from final disposition.

Credits

Added by [Acts 1987, No. 472, § 1](#). Amended by [Acts 1995, No. 690, § 2](#); [Acts 2003, No. 341, § 1](#); [Acts 2016, No. 259, § 1](#); [Acts 2022, No. 547, § 1, eff. June 17, 2022](#).

LSA-R.S. 37:3411, LA R.S. 37:3411

The Constitution, Revised Statutes Titles 2 to 4, 6, 8, 9, 11 to 15, 19, 22 to 29, 31, 32,34, 40, and 47, and the Codes are current through the 2023 First Extraordinary, Regular, and Veto Sessions. All other statutes and codes are current through the 2023 First Extraordinary Session.

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LSA-R.S. 37:3412

§ 3412. False information

Currentness

It shall be unlawful for any person or his agent to file with the board any notice, statement, or other document required under the provisions of this Chapter which is false or contains any material misstatement of fact.

Credits

Added by Acts 1987, No. 472, § 1. Amended by Acts 1995, No. 690, § 2.

LSA-R.S. 37:3412, LA R.S. 37:3412

The Constitution, Revised Statutes Titles 2 to 4, 6, 8, 9, 11 to 15, 19, 22 to 29, 31, 32,34, 40, and 47, and the Codes are current through the 2023 First Extraordinary, Regular, and Veto Sessions. All other statutes and codes are current through the 2023 First Extraordinary Session.

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LSA-R.S. 37:3413

§ 3413. Penalty

Currentness

Any person who violates any provision of this Chapter shall be fined not more than five thousand dollars, imprisoned for not more than six months, or both.

Credits

Added by [Acts 1995, No. 690, § 2](#). Amended by [Acts 2003, No. 341, § 1](#).

LSA-R.S. 37:3413, LA R.S. 37:3413

The Constitution, Revised Statutes Titles 2 to 4, 6, 8, 9, 11 to 15, 19, 22 to 29, 31, 32,34, 40, and 47, and the Codes are current through the 2023 First Extraordinary, Regular, and Veto Sessions. All other statutes and codes are current through the 2023 First Extraordinary Session.