

ASSEMBLY, No. 5185

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED DECEMBER 21, 2020

Sponsored by:

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

SYNOPSIS

Concerns discriminatory appraisals of residential property on basis of race or national origin.

CURRENT VERSION OF TEXT

As introduced.



A5185 MCKNIGHT

2

1 AN ACT concerning real estate appraisals and supplementing
2 P.L.1991, c.68 (C.45:14F-1 et seq.) and chapter 15 of Title 45 of
3 the Revised Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. a. A holder of a license or certification under P.L.1991, c.68
9 (C.45:14F-1 et seq.) or registration under P.L.2017, c.72 (C.45:14F-
10 27 et al.) shall not discriminate in the appraisal of a residential
11 property on the basis of the race, creed, color, or national origin of
12 the property buyer or property seller.

13 b. If the board determines, after appropriate investigation, that
14 the holder of a license, certification, or registration has knowingly
15 engaged in the discriminatory appraisal of a residential property on
16 the basis of the property buyer's or property seller's race, creed,
17 color, or national origin, the board may suspend or revoke the license,
18 certification or registration, levy a fine, or impose a civil penalty.

19 c. Whenever the board finds cause to fine or suspend or revoke
20 the license, certification or registration of a holder, the board shall
21 notify the holder of the reasons therefor, in writing, and provide
22 opportunity for a hearing in accordance with the "Administrative
23 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

24
25 2. a. Prior to the initiation of a residential property appraisal, a
26 holder of a license or certification under P.L.1991, c.68 (C.45:14F-1
27 et seq.) or registration under P.L.2017, c.72 (C.45:14F-27 et al.) shall
28 provide a property seller with a document, in a form and manner
29 prescribed by the board, informing the property seller of the
30 opportunity to report, through the Division of Consumer Affairs'
31 website or telephone number, any suspicion of a discriminatory
32 appraisal by the holder of a license, certification or registration on
33 the basis of a property buyer or seller's race, creed, color, or national
34 origin.

35 b. Information concerning the prohibition of discriminatory
36 appraisals of residential property, including the statutory basis for
37 prohibition, shall be published on the Division of Consumer Affairs
38 website.

39
40 3. Upon first interaction with a property buyer, a licensed real
41 estate broker, broker-salesperson, or salesperson shall provide to the
42 property buyer a document, prescribed by the New Jersey Real Estate
43 Appraiser Board pursuant to section 2 of P.L. .c. (C.)(pending
44 before the legislature as this bill), informing the property buyer of the
45 opportunity to report, through the Division of Consumer Affairs'
46 website or telephone number, any suspicion of a discriminatory
47 appraisal by the holder of a license or certification under P.L.1991,
48 c.68 (C.45:14F-1 et seq.) or registration under P.L.2017, c.72

1 (C.45:14F-27 et al.) on the basis of a property buyer or seller's race,
2 creed, color, or national origin.

3

4 4. This act shall take effect immediately.

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STATEMENT

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9 This bill concerns discriminatory appraisals of residential property
10 on the basis of race or national origin.

11 Under this bill, holders of appraisal licenses or certifications, or
12 appraisal management company registrations, may have their
13 licenses, certifications or registrations revoked or suspended, or be
14 subject to fines, if the board determines, after an appropriate
15 investigation, that the holder of the license, certification or
16 registration has knowingly engaged in a discriminatory appraisal of
17 a residential property on the basis of the property buyer or property
18 seller's race, creed, color, or national origin.

19 If the board finds cause to suspend, revoke or fine a holder of a
20 license, certification or registration, then the board is required to
21 notify the holder of the board's rationale in writing. The board must
22 also provide opportunity for a hearing to be held in accordance with
23 the State's Administrative Procedure Act.

24 Additionally, prior to the initiation of a residential property
25 appraisal, a holder of a license, certification or registration is to
26 provide a property seller with a document, in a form and manner
27 prescribed by the New Jersey Real Estate Appraiser Board, informing
28 the property seller of the opportunity to report, through the Division
29 of Consumer Affairs' website or telephone number, any suspicion of
30 a discriminatory appraisal by the holder of a license, certification or
31 registration on the basis of a property buyer or seller's race, creed,
32 color, or national origin. Information concerning the prohibition of
33 discriminatory appraisals of residential property, including the
34 statutory basis for the prohibition, is to be published on the Division
35 of Consumer Affairs website.

36 Finally, upon first interaction with a property buyer, this bill will
37 require a licensed real estate broker, broker-salesperson, or
38 salesperson to provide to the property buyer a document, prescribed
39 by the New Jersey Real Estate Appraiser Board, informing the
40 property buyer of the opportunity to report, through the Division of
41 Consumer Affairs' website or telephone number, any suspicion of a
42 discriminatory appraisal by the holder of a license, certification or
43 registration on the basis of a property buyer or seller's race, creed,
44 color, or national origin.