

SENATE, No. 777

STATE OF NEW JERSEY 220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

Senator NELLIE POU

District 35 (Bergen and Passaic)

Senator TROY SINGLETON

District 7 (Burlington)

Co-Sponsored by:

Senator Cunningham

SYNOPSIS

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

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 5/26/2022)

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
18 license, certification or registration, levy a fine, or impose a civil
19 penalty.

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

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

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

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

1 license or certification under P.L.1991, c.68 (C.45:14F-1 et seq.) or
2 registration under P.L.2017, c.72 (C.45:14F-27 et al.) on the basis
3 of a property buyer or seller's race, creed, color, or national origin.
4

5 4. This act shall take effect immediately.
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8 STATEMENT
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10 This bill concerns discriminatory appraisals of residential
11 property on the basis of race or national origin.

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

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

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

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