ASSEMBLY, No. 5185

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED DECEMBER 21, 2020

Sponsored by:
Assemblywoman ANGELA V. MCKNIGHT
District 31 (Hudson)
Assemblyman BENJIE E. WIMBERLY
District 35 (Bergen and Passaic)
Assemblywoman BRITNEE N. TIMBERLAKE
District 34 (Essex and Passaic)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 2/22/2021)

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

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

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

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

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

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

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

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

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

4. This act shall take effect immediately.

STATEMENT

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

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

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

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

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