



## 2025 Update to Nebraska Real Property Appraiser Act Summary (REQ00112)

The purpose of REQ00112 is to update the Nebraska Real Property Appraiser Act (“Act”) to implement the use of a contingent dismissal in lieu of disciplinary action. Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (“FIRREA”) requires that real estate appraisals be performed in accordance with generally accepted uniform appraisal standards, known as the Uniform Standards of Professional Appraisal Practice (“USPAP”), and are to be performed by an individual whose competency has been demonstrated, and whose professional conduct is subject to effective state supervision. USPAP consists of up to seventy-three standards (not including advisory opinions) pertaining to professional ethics, appraisal development, and appraisal reporting that a real property appraiser must adhere to when engaged in real property appraisal practice for each assignment. The intent of the Board’s regulatory program is to be educational in practice when possible. The Nebraska Real Property Appraiser Board has no remedy to cure minor unintentional violations of the Act, without a real property appraiser suffering the ramifications of discipline on their record, for violations that do not rise to the level of filing a formal complaint and when a dismissal with a written advisory opinion does not provide adequate oversight to ensure that the issues leading to violations are corrected.

The following language changes are included in REQ00112:

- The following language is stricken from subdivision “c” (*page 2: lines 23-27*) in Neb. Rev. Stat. § 76-2239(1) and reinserted in subdivision “a” (*page 2: lines 6-10*) for clarification:  
  
“Upon receipt of information indicating that a person may have violated any provision of the Real Property Appraiser Act, the board shall make an investigation of the facts to determine whether or not there is evidence of a violation. If technical assistance is required, the board may contract with or use qualified persons.”
- “or, at the board's discretion, enter into a contingent dismissal agreement with remedial measures with a credential holder” is added to Neb. Rev. Stat. § 76-2239(1)(b) to provide authority to the Board to enter into a contingent dismissal with a real property appraiser for violations of the Act (*page 2: lines 14-15*). This language pertains to actions that the Board may take against a real property appraiser for violations of the Act.
- “A successfully completed contingent dismissal agreement is not disciplinary action” is added to Neb. Rev. Stat. § 76-2239(1)(c) to clarify that the successful completion of a contingent dismissal agreement by a real property appraiser is not considered to be disciplinary action reported to the Appraisal Subcommittee (*page 2: lines 14-15*).
- “or enter into contingent dismissal agreements” is added to Neb. Rev. Stat. § 76-2239(2)(a) to provide the Board authority to offer a contingent dismissal agreement when an investigation indicates that a person may have violated a provision of the Act (*page 3: line 1*). This language pertains to when a contingent dismissal agreement may be offered.