

State of Misconsin 2021 - 2022 LEGISLATURE

LRB-3113/1 KRP:cdc&amn

2021 SENATE BILL 341

May 14, 2021 - Introduced by Senator Jacque, cosponsored by Representatives Tittl, Moses, Armstrong, Murphy and Wittke. Referred to Committee on Housing, Commerce and Trade.

- 1 AN ACT to create 893.895 of the statutes; relating to: limitations of actions
- 2 regarding real estate appraisal services.

Analysis by the Legislative Reference Bureau

This bill limits the time a person has to start a lawsuit for damages against a licensed or certified real estate appraiser to five years from the date the real estate appraiser submits the appraisal report to the client for whom real estate appraisal services are performed, unless a shorter limitations period applies. The limitation period created in the bill does not apply to a real estate appraiser who commits fraud or concealment in the performance of real estate appraisal services.

Currently, there is no statute of limitations specifically addressed to real estate appraisal services.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 **Section 1.** 893.895 of the statutes is created to read:
- 4 893.895 Real estate appraisers; limitations of actions. (1) In this section:
- 5 (a) "Appraisal report" has the meaning given in s. 458.01 (3).
- 6 (b) "Client" means a person for whom an appraisal report is prepared.

SENATE BILL 341

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- (2) Except as provided in subs. (3) and (4), an action to recover damages based on tort, contract, or other legal theory against a real estate appraiser licensed or certified under ch. 458 for an act or omission in the performance of real estate appraisal services shall be commenced within 5 years after the date the real estate appraiser submits the appraisal report to the client for whom the services are performed or be barred.
- (3) If a person sustains damages covered under sub. (2) and the statute of limitations applicable to those damages bars commencement of the cause of action before the end of the period specified in sub. (2), then that statute of limitations applies.
- (4) This section does not apply to a real estate appraiser who commits fraud or concealment in the performance of real estate appraisal services.

SECTION 2. Initial applicability.

(1) This act first applies to a cause of action that accrues on the effective date of this subsection.

16 (END)