

WEST VIRGINIA CODE: §30-38A-14

§30-38A-14. Unprofessional conduct.

An appraisal management company commits unprofessional conduct if it:

- (1) Requires an appraiser to modify an aspect of an appraisal which modification is not related to substandard performance or noncompliance with the terms of a contract or agreement;
- (2) Requires an appraiser to prepare an appraisal when the appraiser believes, in his or her own professional judgment and notifies the appraisal management company in a timely manner, that the appraiser does not have the necessary expertise for the specific geographic area or is otherwise not competent to perform the appraisal;
- (3) Requires an appraiser to prepare an appraisal under a certain time frame that the appraiser believes, in his or her own professional judgment and notifies the appraisal management company in a timely manner, that the appraiser does not have the necessary time to meet all the necessary and relevant legal and professional obligations;
- (4) Prohibits or inhibits communication between an appraiser and any other person from whom the appraiser, in the appraiser's own professional judgment, believes information would be relevant;
- (5) Requests an appraiser to do anything that does not comply with:
 - (A) The USPAP; or
 - (B) The requests of the client; or
- (6) Makes any portion of the appraiser's fee or the appraisal management company's fee contingent on a favorable outcome, including:
 - (A) A loan closing; or
 - (B) An appraisal for a specific dollar amount.