

DISCIPLINARY REPORT

March 21, 2013

AB 12-34 On January 24, 2013, the Board approved a Consent Settlement Order with a Certified Residential appraiser where the Licensee received a private reprimand and was assessed an administrative fine of \$875. The violations are as follows: Licensee failed to disclose a manufactured home on the property that could have been considered real property since the tongue, wheels and axels had been removed, tiedowns installed and the manufactured home assessed and taxed as part of the real property by the County Tax Office. These met the guidelines that the Board established to be minimum criteria to be considered real property and that the licensee was appraising the property as vacant land which was contrary to what was known by the licensee, therefore needed a hypothetical condition and made the report misleading without the hypothetical condition. Licensee had large unsupported adjustments to comparable sales in the sales comparison approach to value that were not explained and had no market backed support in the workfile. Licensee failed to verify the comparable sales utilized in the sales comparison approach with a party to the transaction. Licensee made adjustments to sales in the sales comparison approach based on the licensee's opinion and unsupported estimates and failed to use market data to quantify the adjustments. The licensee states in the report that the intended use "is to evaluate the property that is the subject of this appraisal for the client's personal use." but delivered the report by e-mail to the client's attorney the day following the effective date of value to be used in the client's divorce case. Licensee made adjustments to comparable sales in the sales comparison approach based on the licensee's opinion and unsupported estimates and failed to utilize market data as the basis of quantifying adjustments. Licensee reported a value to an attorney by e-mail wherein the value estimate of real property was added to the NADA value of a manufactured home to arrive at a value. An electronic signature followed by "Certified Appraiser" followed the value and there is no written report or work file for this value estimate. **Violation: Record Keeping, Standard Rules: 1-1(a), 1-2(b), 1-2(e)(i), 1-2(g), 1-4(a), 2-1, USPAP, 2012-2013 Edition.**