DISCIPLINARY REPORT

July 16, 2009

AB-08-15

On May 21, 2009 the Board issued a private reprimand to a Certified Residential Real Property Appraiser. Licensee signed a Consent Settlement Order and agreed to pay a \$1000 Administrative fine and take a Board approved URAR course. The violations are: Licensee failed to maintain a true copy of a written appraisal report as required by USPAP and the Alabama Real Estate Appraisers Act. In the Sales Comparison Approach, Licensee made an adjustment for Design of Comparable #1 and failed to make an adjustment for Comparable #3 also a different Design, or explain the reason for the lack of an adjustment to Comparable #3. Licensee failed to make an adjustment to Comparable #3 Design and omitted the reason for the lack of the adjustment. In the Sales Comparison Approach, Licensee made an adjustment for Design of Comparable #1 and failed to make an adjustment for Comparable #3 also a different Design, or explain the reason for the lack of an adjustment to Comparable #3.Licensee failed to provide sufficient information for the intended user of the appraisal report to understand the report properly. Licensee failed to explain the exclusion of the Cost Approach and Income Approach within the appraisal report. Licensee, in the Sales Comparison Approach, made an adjustment for Design of Comparable #1 and failed to make an adjustment for Comparable #3 also a different Design, or explain the reason for the lack of an adjustment to Comparable #3.Licensee stated within the legal description, "See deed" but failed to provide a copy of the deed in the appraisal report so that the intended user of the report could have the legal description of the property being appraised. Licensee provided a sketch in the appraisal report, but failed to include a drawing of the Licensee also failed to provide the complete dimensions of the improvement with the drawing or provide a scale of measurement for the intended user to verify the GLA/square footage of the home. The Lender/Client copy of the report did not contain a location map of the subject and comparables. Licensee failed to explain the exclusions of the Cost Approach and Income Approach within the appraisal report. Licensee failed to include the required certification for a license/certified appraiser in the appraisal report. Violations: Ethics Rule-Record Keeping Standards 1-1(a); 1-1(b); 1-1(c;)1-4(a); 2-1(b);2-2(b)(viii);USPAP 2006 Edition. §34-27A-3(b)(2), Code of **Alabama**, 1975.

AB 08-16; AB 08-56

On May 21, 2009 the Board suspended the license of Charles Robert Jones, III, R01039 for six months. The suspension is stayed and Licensee will be on probation for twelve months or until all fines are paid and education is completed. Licensee signed a Consent Settlement Order and also agreed to complete 60 hours of Board approved basic appraisal principals and procedures courses and pay an administrative fine of \$5000. He will submit logs of all appraisals completed during the probation period to the Board for review. The violations are: **AB 08-16** Licensee failed to provide sufficient information

for the intended user to understand the Map Reference stated was from a Jefferson County, Al Carto-Craft Map. Licensee failed to report that there was a homeowner's association fee for the subject property.

Licensee failed to provide sufficient information for the intended user to identify the neighborhood boundaries of the subject neighborhood.

In the Improvement Section of the appraisal report, Licensee states the home was in average condition inside and outside. In the Sales Comparison Approach, Licensee states the home is in good condition. Licensee did not provide sufficient information for the intended user to understand the condition.

Licensee communicated a misleading appraisal report and/or knowingly permitted another person to communicate a misleading appraisal report by developing the Cost Approach and Sales Comparison Approach using inaccurate sales data, flawed appraisal method. The approaches contain errors that resulted in the value opinions being noncredible rendering the reconciled opinion of market value non-credible. communicated and/or knowingly permitted another person to communicate a misleading appraisal report by including in the scope of work that the Mentor inspected the subject's exterior/interior and the comparable exteriors, when the Mentor did not inspect as stated in the report. Licensee failed to retain a true copy of the appraisal report that was provided to the lender/client. The report obtained from the lender was not the same as the report obtained from Licensee. Licensee included in the scope of work that the Mentor inspected the interior and exterior of the subject and exteriors of the comparable sales. Licensee overstated the scope of work performed by the Mentor. Licensee failed to use recognized methods and techniques to develop the Sales Comparison Approach. Licensee failed to state, analyze and/or adjust for some improvements, amenities and age where the subject and comparables were different. This caused the indicated value to be non-credible.

In developing the Sales Comparison Approach, Licensee used sales from outside of the subject's immediate market. A sale existed across the street from the subject.

Licensee failed to use recognized methods and techniques to develop the Cost Approach. Licensee included site improvements within the dwelling cost calculations and failed to include some dwelling costs. These errors rendered the physical depreciation and total estimate of cost new non-credible.

Licensee stated a Carto-Craft map reference that was not accurate.

Licensee failed to identify the neighborhood boundaries within the report.

Licensee stated the home was on public sewer and public sewer was not available.

Licensee stated the home had a wood stove, when the home did not have a wood stove.

Licensee indicated washer/dryer in the appliance section, there was no washer/dryer, there was a microwave.

Licensee used sales from outside of the subject's market in the Sales Comparison Approach. There was a sale across the street from the subject.

Licensee stated the Homeowner's Association fee is N/A for subject, and there is a Homeowner's Association fee.

Licensee stated an inaccurate Carto-Craft map reference number in the report.

Licensee failed to provide sufficient information in the report for the intended user to understand that the source of the map reference was a Carto-Craft map.

Licensee stated the Homeowner's Association fee is N/A for subject, and there is a Homeowner's Association fee.

Licensee failed to state the neighborhood boundaries within the report.

Licensee stated the subject had public sewer when sewer is not available.

Licensee stated the subject is 1-story when the report is a 2-story.

Licensee stated the subject has a wood stove, when the subject did not have a wood stove. Licensee checked washer/dryer in the appliances, when microwave was the box intended to be checked.

In the Improvement Section comments, Licensee stated the subject was in average condition inside and outside. In the Sales Comparison Approach, Licensee stated the home was in good condition. The report does not provide sufficient information for the intended user to understand the condition statements used the report.

In developing the Sales Comparison Approach, Licensee used sales from outside of the subject's immediate market. A sale existed across the street from the subject.

Licensee failed to adjust for the difference in actual age of Comparable #1 & #3 or state a reason for the failure to make an adjustment.

Licensee reported an attached 2-car garage in Comparable #3. Licensee failed to report the apartment above the garage or state a reason for the failure to make an adjustment.

Licensee failed to adjust for a stocked fish pond in Comparable #3 or state a reason for the failure to make an adjustment.

Licensee failed to provide adequate information for the Lender/Client to replicate the cost data and calculations within the Cost Approach.

Licensee failed to accurately develop the Cost Approach within the appraisal report. Licensee overstated the Scope of Work performed by the Mentor/Supervisor appraiser within the appraisal report, resulting in a lack of credibility in the assignment.

Licensee failed to adjust for the actual age difference in Comparable #1 & #3 or state a reason for the failure to make an adjustment.

Licensee reported an attached 2-car garage in Comparable #3, but failed to report the apartment above the garage or state a reason for the failure to make an adjustment.

Licensee failed to adjust for the stocked fishpond in Comparable #3 or state a reason for the failure to make an adjustment.

In developing the Sales Comparison Approach, Licensee used sales from outside of the subject's immediate market. A sale existed across the street from the subject. In developing the Sales Comparison Approach, Licensee failed to report and analyze the comparable sale within the immediate market.

Licensee included site improvements in the dwelling cost calculations and arrive at a total estimate of cost new that was not credible.

Licensee omitted some of the dwelling cost components from the estimate of cost new. Licensee failed to accurately analyze the accrued depreciation (physical depreciation) by including site improvement cost in the dwelling cost new calculations and omitted other dwelling cost calculations in the Cost Approach.

Licensee stated the subject property was on public sewer. The subject area is not served by a sewer system.

Licensee stated the Homeowner's Association fee is N/A for subject and there is a Homeowner's Association fee.

Licensee reported the subject has a wood stove, when the home did not have a wood stove. Licensee reported the subject has a washer/dryer in appliance section, when microwave was the intended box to be checked.

Licensee indicated the Mentor inspected the interior & exterior of the subject and exterior of the comparables when these tasks were not performed. Violations: Ethics Rule-Conduct; Ethics Rule-Record Keeping; Scope of Work Rule; Standards 1-1(a); 1-1(b); 1-1(c); 1-2(h); 1-4(a); 1-4(b)(ii); 1-4(b)(iii); 2-1(a); 2-1(b); 2-2(b)(viii); 2-2(b)(viii), USPAP, 2006 Ed.

Ab 08-56 Licensee communicated a misleading appraisal report and/or knowingly permitted another person to communicate a misleading appraisal report by developing the Cost Approach and Sales Comparison Approach using inaccurate sales data, flawed appraisal method. The approaches contain errors that resulted in the value opinions being non-credible rendering the reconciled opinion of market value non-credible. Licensee communicated and/or knowingly permitted another person to communicate a misleading appraisal report by including in the scope of work that the Mentor inspected the subject's exterior/interior and the comparable exteriors, when the Mentor did not inspect as stated in the report.

Licensee failed to retain a true copy of the appraisal report that was provided to the lender/client. The report obtained from the lender was not the same as the report obtained from Licensee.

Licensee included in the scope of work that the Mentor inspected the interior and exterior of the subject and exteriors of the comparable sales. Licensee overstated the scope of work performed by the Mentor.

Licensee failed to use the recognized and stated method and technique to develop the GLA and square footage of the home on the subject property. The non-credible GLA and non-credible square footage was then used to develop the cost approach and sales comparison approach. Due to the non-credible data and errors, the indicated value by the cost approach and the adjusted sales price of the comparable in the sales comparison approach were non-credible.

Licensee stated and analyzed, in the sales comparison approach, the above grade room count of the gross living area as 4 bedrooms/3 baths. According to the sketch in the appraisal report, the home was 3 bedrooms/2 baths above grade with an additional bedroom and bath in the finished basement area.

In the Sales Comparison Approach, Licensee stated and analyzed the total of the square footage of the finished basement area and the above grade area as gross living area (GLA).

Licensee did not state and analyze, the unfinished square footage of the basement.

Licensee failed to state and analyze an in-ground pool for Comparable #2 or state a reason for the lack thereof.

Licensee, in developing the Cost Approach, used a GLA (dwelling square footage) that was not credible due to being the total of the above grade square footage and the finished basement square footage.

Licensee, in developing the Cost Approach failed to develop the cost-new of the unfinished or finished basement of the subject home.

Licensee failed to develop the cost-new of the appliances and fireplace within the Cost Approach.

Licensee failed to use a credible square footage to develop the cost-new of the garage in the Cost Approach.

Due to the errors in the estimate of cost-new, Licensee did not analyze a credible accrued depreciation resulting in a non-credible indicated value in the Cost Approach.

Licensee calculated the GLA for the subject as a two (2) story, when the subject was a split foyer with partial finished basement.

Licensee failed to use credible measurements to sketch and calculate the GLA and square footage of the home on the subject property.

Licensee developed the Sales Comparison Approach and Cost Approach with square footage that was not credible.

Licensee failed to develop a credible Sales Comparison Approach.

Licensee failed to develop a credible Cost Approach.

Licensee prepared, developed and communicated an appraisal report that was reconciled from non-credible data resulting in an opinion of market value that was also non-credible.

Licensee overstated the Scope of Work performed by the Mentor/Supervisor Appraiser within the appraisal report, resulting in a lack of credibility in the assignment.

Licensee overstated the Scope of Work performed by the Mentor/Supervisor Appraiser within the appraisal report, resulting in a lack of credibility in the assignment.

Licensee stated and analyzed an incorrect date of sale of Comparable #1.

Licensee failed to state and adjust Comparable #2 pool or state a reason for the lack thereof.

Licensee failed to develop a credible estimate of cost-new of the improvement, due to using a GLA (dwelling square footage) that was not credible.

Licensee failed to develop a credible estimate of cost-new of the improvement, due to a failure to estimate the cost-new of the basement area.

Licensee failed to estimate the cost new of the appliances and fireplace, as stated in the improvement section of the appraisal report.

Licensee failed to develop the cost-new of the garage area with a credible square footage. Licensee failed to analyze an accurate accrued physical depreciation, due to the total estimate of cost-new was developed with data that was not credible.

Licensee provided a Sketch Addendum with a sketch that was not accurate, square footage and area calculations that were not credible. The sketch was misleading and the non-credible calculations were used to develop the appraisal, which resulted in a non-credible misleading appraisal report.

Licensee stated ANSI Standard was used to measure the subject property, when ANSI Standard was not used in the measurement and calculations of the Subject property.

Licensee stated the opinion of site value was from an estimate of sales of similar sites, improved or unimproved in the Subject's market area. The site vale was taken from the courthouse records (tax assessment land value).

Licensee indicated a sump pump, when the intent was to indicate an outside entry/exit in the appraisal report.

Licensee indicated brick & vinyl siding, when the exterior of the home was brick and wood.

Licensee indicated 4 bedrooms/3 baths above grade, when the home had 3 bedrooms/2 baths above grade and a bedroom & bath in the finished basement area.

Due to a typo in Comparable #1, Licensee indicated a date of sale that was not accurate. (9/21/06 for 7/21/06)

Licensee stated no previous transfer of the comparable properties for the prior year to the date of sale. Licensee failed to report Comparable #1 had transferred within this time period.

Licensee indicated in the Multi-Purpose Appraisal Addendum, the estimated market rent and gross rent multiplier was utilized in the Income Approach, when the Income Approach was not developed.

Licensee indicated in the Multi-Purpose Appraisal Addendum, the Subject has not been offered for sale in the past 30 days when the subject was under contract at the time of the appraisal.

Licensee indicated in the Multi-Purpose Appraisal Addendum, the Subject was not currently under contract, when the Subject was under contract at the time of the appraisal. Licensee indicated the Mentor/Supervisor Appraiser inspected the interior and exterior of the Subject and exterior of the comparables, which was not accurate and misleading as to the task the Mentor/Supervisor Appraiser performed.

Licensee's USPAP Compliance Addendum pages are labeled **2005** USPAP Compliance Addendum, when 2006 USPAP was the current edition at the time of the appraisal.

Licensee failed to include the statutory certification accurately within the appraisal report. Licensee failed to provide sufficient information within the appraisal report for the intended user to understand the source of the Map Reference in the Subject section of the appraisal report.

Licensee failed to provide sufficient information within the appraisal report for the intended user to identify the neighborhood boundaries of the Subject property.

Licensee failed to provide sufficient information within the appraisal report for the intended user to understand the GLA for Comparable #1 came from an additional source than stated in the report.

Licensee failed to provide sufficient information for the lender/client to replicate the cost figures and calculations in the Cost Approach.

Licensee represented in the appraisal report the inspection of the interior and exterior of the subject and exterior of the comparables. Licensee overstated the scope of work preformed within the appraisal assignment for the Mentor/Supervisor. The Mentor/Supervisor Appraiser did not inspect.

Violations: Ethics Rule-Conduct; Ethics Rule-Record Keeping; Scope of Work Rule; Standards 1-1(a); 1-1(b); 1-1(c); 1-2(h); 1-4(a); 1-4(b)(ii); 1-4(b)(iii); 2-1(a); 2-1(b); 2-2(b)(vii); 2-2(b)(viii), <u>USPAP</u>, 2006 Ed., §34-27A-3(b)(2), <u>Appraisers Act</u>.

AB 08-17; AB 08-57

On May 21, 2009 the Board suspended the license of Roger M. Pugh, G00162 for six months. The suspension is stayed and Licensee will be on probation for twelve months or until all fines are paid and education is completed. Licensee signed a Consent Settlement Order and also agreed to complete 60 hours of Board approved basic appraisal

principals and procedures courses and pay an administrative fine of \$5000. He will submit logs of all appraisals completed during the probation period to the Board for review. Licensee will not undertake supervision of a Trainee appraiser without obtaining prior approval by the Board. The violations are: **AB 08-17** Licensee failed to provide sufficient information for the intended user to understand the Map Reference stated was from a Jefferson County, Al Carto-Craft Map. Licensee failed to report that there was a homeowner's association fee for the subject property.

Licensee failed to provide sufficient information for the intended user to identify the neighborhood boundaries of the subject neighborhood.

In the Improvement Section of the appraisal report, Licensee states the home was in average condition inside and outside. In the Sales Comparison Approach, Licensee states the home is in good condition. Licensee did not provide sufficient information for the intended user to understand the condition.

Licensee communicated a misleading appraisal report and/or knowingly permitted another person to communicate a misleading appraisal report by developing the Cost Approach and Sales Comparison Approach using inaccurate sales data, flawed appraisal method. The approaches contain errors that resulted in the value opinions being noncredible rendering the reconciled opinion of market value non-credible. communicated and/or knowingly permitted another person to communicate a misleading appraisal report by including in the scope of work that the Mentor inspected the subject's exterior/interior and the comparable exteriors, when the Mentor did not inspect as stated in the report. Licensee failed to retain a true copy of the appraisal report that was provided to the lender/client. The report obtained from the lender was not the same as the report obtained from Licensee. Licensee included in the scope of work that the Mentor inspected the interior and exterior of the subject and exteriors of the comparable sales. Licensee overstated the scope of work performed by the Mentor. Licensee failed to use recognized methods and techniques to develop the Sales Comparison Approach. Licensee failed to state, analyze and/or adjust for some improvements, amenities and age where the subject and comparables were different. This caused the indicated value to be non-credible.

In developing the Sales Comparison Approach, Licensee used sales from outside of the subject's immediate market. A sale existed across the street from the subject.

Licensee failed to use recognized methods and techniques to develop the Cost Approach. Licensee included site improvements within the dwelling cost calculations and failed to include some dwelling costs. These errors rendered the physical depreciation and total estimate of cost new non-credible.

Licensee stated a Carto-Craft map reference that was not accurate.

Licensee failed to identify the neighborhood boundaries within the report.

Licensee stated the home was on public sewer and public sewer was not available.

Licensee stated the home had a wood stove, when the home did not have a wood stove.

Licensee indicated washer/dryer in the appliance section, there was no washer/dryer, there was a microwave.

Licensee used sales from outside of the subject's market in the Sales Comparison Approach. There was a sale across the street from the subject.

Licensee stated the Homeowner's Association fee is N/A for subject, and there is a Homeowner's Association fee.

Licensee stated an inaccurate Carto-Craft map reference number in the report.

Licensee failed to provide sufficient information in the report for the intended user to understand that the source of the map reference was a Carto-Craft map.

Licensee stated the Homeowner's Association fee is N/A for subject, and there is a Homeowner's Association fee.

Licensee failed to state the neighborhood boundaries within the report.

Licensee stated the subject had public sewer when sewer is not available.

Licensee stated the subject is 1-story when the report is a 2-story.

Licensee stated the subject has a wood stove, when the subject did not have a wood stove. Licensee checked washer/dryer in the appliances, when microwave was the box intended to be checked.

In the Improvement Section comments, Licensee stated the subject was in average condition inside and outside. In the Sales Comparison Approach, Licensee stated the home was in good condition. The report does not provide sufficient information for the intended user to understand the condition statements used the report.

In developing the Sales Comparison Approach, Licensee used sales from outside of the subject's immediate market. A sale existed across the street from the subject.

Licensee failed to adjust for the difference in actual age of Comparable #1 & #3 or state a reason for the failure to make an adjustment.

Licensee reported an attached 2-car garage in Comparable #3. Licensee failed to report the apartment above the garage or state a reason for the failure to make an adjustment.

Licensee failed to adjust for a stocked fish pond in Comparable #3 or state a reason for the failure to make an adjustment.

Licensee failed to provide adequate information for the Lender/Client to replicate the cost data and calculations within the Cost Approach.

Licensee failed to accurately develop the Cost Approach within the appraisal report. Licensee overstated the Scope of Work performed by the Mentor/Supervisor appraiser within the appraisal report, resulting in a lack of credibility in the assignment.

Licensee failed to adjust for the actual age difference in Comparable #1 & #3 or state a reason for the failure to make an adjustment.

Licensee reported an attached 2-car garage in Comparable #3, but failed to report the apartment above the garage or state a reason for the failure to make an adjustment.

Licensee failed to adjust for the stocked fishpond in Comparable #3 or state a reason for the failure to make an adjustment.

In developing the Sales Comparison Approach, Licensee used sales from outside of the subject's immediate market. A sale existed across the street from the subject. In developing the Sales Comparison Approach, Licensee failed to report and analyze the comparable sale within the immediate market.

Licensee included site improvements in the dwelling cost calculations and arrive at a total estimate of cost new that was not credible.

Licensee omitted some of the dwelling cost components from the estimate of cost new. Licensee failed to accurately analyze the accrued depreciation (physical depreciation) by including site improvement cost in the dwelling cost new calculations and omitted other dwelling cost calculations in the Cost Approach.

Licensee stated the subject property was on public sewer. The subject area is not served by a sewer system.

Licensee stated the Homeowner's Association fee is N/A for subject and there is a Homeowner's Association fee.

Licensee reported the subject has a wood stove, when the home did not have a wood stove. Licensee reported the subject has a washer/dryer in appliance section, when microwave was the intended box to be checked.

Licensee indicated the Mentor inspected the interior & exterior of the subject and exterior of the comparables when these tasks were not performed. Violations: Ethics Rule-Conduct; Ethics Rule-Record Keeping; Scope of Work Rule; Standards 1-1(a); 1-1(b); 1-1(c); 1-2(h); 1-4(a); 1-4(b)(ii); 1-4(b)(iii); 2-1(a); 2-1(b); 2-2(b)(viii); USPAP, 2006 Ed.

Ab 08-57 Licensee communicated a misleading appraisal report and/or knowingly permitted another person to communicate a misleading appraisal report by developing the Cost Approach and Sales Comparison Approach using inaccurate sales data, flawed appraisal method. The approaches contain errors that resulted in the value opinions being non-credible rendering the reconciled opinion of market value non-credible. Licensee communicated and/or knowingly permitted another person to communicate a misleading appraisal report by including in the scope of work that the Mentor inspected the subject's exterior/interior and the comparable exteriors, when the Mentor did not inspect as stated in the report.

Licensee failed to retain a true copy of the appraisal report that was provided to the lender/client. The report obtained from the lender was not the same as the report obtained from Licensee.

Licensee included in the scope of work that the Mentor inspected the interior and exterior of the subject and exteriors of the comparable sales. Licensee overstated the scope of work performed by the Mentor.

Licensee failed to use the recognized and stated method and technique to develop the GLA and square footage of the home on the subject property. The non-credible GLA and non-credible square footage was then used to develop the cost approach and sales comparison approach. Due to the non-credible data and errors, the indicated value by the cost approach and the adjusted sales price of the comparable in the sales comparison approach were non-credible.

Licensee stated and analyzed, in the sales comparison approach, the above grade room count of the gross living area as 4 bedrooms/3 baths. According to the sketch in the appraisal report, the home was 3 bedrooms/2 baths above grade with an additional bedroom and bath in the finished basement area.

In the Sales Comparison Approach, Licensee stated and analyzed the total of the square footage of the finished basement area and the above grade area as gross living area (GLA).

Licensee did not state and analyze, the unfinished square footage of the basement.

Licensee failed to state and analyze an in-ground pool for Comparable #2 or state a reason for the lack thereof.

Licensee, in developing the Cost Approach, used a GLA (dwelling square footage) that was not credible due to being the total of the above grade square footage and the finished basement square footage.

Licensee, in developing the Cost Approach failed to develop the cost-new of the unfinished or finished basement of the subject home.

Licensee failed to develop the cost-new of the appliances and fireplace within the Cost Approach.

Licensee failed to use a credible square footage to develop the cost-new of the garage in the Cost Approach.

Due to the errors in the estimate of cost-new, Licensee did not analyze a credible accrued depreciation resulting in a non-credible indicated value in the Cost Approach.

Licensee calculated the GLA for the subject as a two (2) story, when the subject was a split foyer with partial finished basement.

Licensee failed to use credible measurements to sketch and calculate the GLA and square footage of the home on the subject property.

Licensee developed the Sales Comparison Approach and Cost Approach with square footage that was not credible.

Licensee failed to develop a credible Sales Comparison Approach.

Licensee failed to develop a credible Cost Approach.

Licensee prepared, developed and communicated an appraisal report that was reconciled from non-credible data resulting in an opinion of market value that was also non-credible.

Licensee overstated the Scope of Work performed by the Mentor/Supervisor Appraiser within the appraisal report, resulting in a lack of credibility in the assignment.

Licensee overstated the Scope of Work performed by the Mentor/Supervisor Appraiser within the appraisal report, resulting in a lack of credibility in the assignment.

Licensee stated and analyzed an incorrect date of sale of Comparable #1.

Licensee failed to state and adjust Comparable #2 pool or state a reason for the lack thereof.

Licensee failed to develop a credible estimate of cost-new of the improvement, due to using a GLA (dwelling square footage) that was not credible.

Licensee failed to develop a credible estimate of cost-new of the improvement, due to a failure to estimate the cost-new of the basement area.

Licensee failed to estimate the cost new of the appliances and fireplace, as stated in the improvement section of the appraisal report.

Licensee failed to develop the cost-new of the garage area with a credible square footage. Licensee failed to analyze an accurate accrued physical depreciation, due to the total estimate of cost-new was developed with data that was not credible.

Licensee provided a Sketch Addendum with a sketch that was not accurate, square footage and area calculations that were not credible. The sketch was misleading and the non-credible calculations were used to develop the appraisal, which resulted in a non-credible misleading appraisal report.

Licensee stated ANSI Standard was used to measure the subject property, when ANSI Standard was not used in the measurement and calculations of the Subject property.

Licensee stated the opinion of site value was from an estimate of sales of similar sites, improved or unimproved in the Subject's market area. The site vale was taken from the courthouse records (tax assessment land value).

Licensee indicated a sump pump, when the intent was to indicate an outside entry/exit in the appraisal report.

Licensee indicated brick & vinyl siding, when the exterior of the home was brick and wood.

Licensee indicated 4 bedrooms/3 baths above grade, when the home had 3 bedrooms/2 baths above grade and a bedroom & bath in the finished basement area.

Due to a typo in Comparable #1, Licensee indicated a date of sale that was not accurate. (9/21/06 for 7/21/06)

Licensee stated no previous transfer of the comparable properties for the prior year to the date of sale. Licensee failed to report Comparable #1 had transferred within this time period.

Licensee indicated in the Multi-Purpose Appraisal Addendum, the estimated market rent and gross rent multiplier was utilized in the Income Approach, when the Income Approach was not developed.

Licensee indicated in the Multi-Purpose Appraisal Addendum, the Subject has not been offered for sale in the past 30 days when the subject was under contract at the time of the appraisal.

Licensee indicated in the Multi-Purpose Appraisal Addendum, the Subject was not currently under contract, when the Subject was under contract at the time of the appraisal. Licensee indicated the Mentor/Supervisor Appraiser inspected the interior and exterior of the Subject and exterior of the comparables, which was not accurate and misleading as to the task the Mentor/Supervisor Appraiser performed.

Licensee's USPAP Compliance Addendum pages are labeled **2005** USPAP Compliance Addendum, when 2006 USPAP was the current edition at the time of the appraisal.

Licensee failed to include the statutory certification accurately within the appraisal report. Licensee failed to provide sufficient information within the appraisal report for the intended user to understand the source of the Map Reference in the Subject section of the appraisal report.

Licensee failed to provide sufficient information within the appraisal report for the intended user to identify the neighborhood boundaries of the Subject property.

Licensee failed to provide sufficient information within the appraisal report for the intended user to understand the GLA for Comparable #1 came from an additional source than stated in the report.

Licensee failed to provide sufficient information for the lender/client to replicate the cost figures and calculations in the Cost Approach.

Licensee represented in the appraisal report the inspection of the interior and exterior of the subject and exterior of the comparables. Licensee overstated the scope of work preformed within the appraisal assignment for the Mentor/Supervisor. The Mentor/Supervisor Appraiser did not inspect.

Violations: Ethics Rule-Conduct; Ethics Rule-Record Keeping; Scope of Work Rule; Standards 1-1(a); 1-1(b); 1-1(c); 1-2(h); 1-4(a); 1-4(b)(ii); 1-4(b)(iii); 2-1(a); 2-1(b); 2-2(b)(viii); 2-2(b)(viii), <u>USPAP</u>, 2006 Ed., §34-27A-3(b)(2), <u>Appraisers Act</u>.

AB 08-128

On May 21, 2008, the Board publicly reprimanded Sean Garrison, L00125. Licensee signed a Consent Settlement Order and agreed to pay a \$500 administrative fine. Licensee appraised real property in October, 2008 without first renewing his appraiser

License. Violation: Violation: Rule 780-X-14-.10(a) of the <u>Alabama Real Estate</u> <u>Appraisers Board Administrative Code</u>, Dec. 2007 Ed.; §§ 34-27A-3(a)(1) and 34-27A-20(9), <u>Code of Alabama</u> 1975.

AB 08-132; AB 08-133; AB 08-134; AB 08-135; AB 08-136

On May 21, 2009, the Board approved the Voluntary Surrender of License from Martha Garrett, Certified Residential Appraiser R00642. Licensee chose to surrender her license in lieu of the Board conducting an investigation of the complaints in the referenced cases. Licensee is eligible to apply for a reinstatement of the license after a period of two years.