

DISCIPLINARY REPORT

September 22, 2022

AB-20-10 On July 28, 2022, the Board considered the Recommendation of the Administrative Law Judge from a hearing on February 14, 2022 in the case of Judith E. Haney, Certified Residential Real Property Appraiser R00660. After considering the Recommendation and the evidence in the case, the Board issued a private reprimand for the following:

"The respondent made a dollar-for-dollar adjustment for sales concessions which is not in accordance with FHA guidelines. Adjustments to the comparable sales must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs, which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. " in violation of Code of Alabama (1975), §34-27A-20 (a)(6) through (8) and USPAP.

The appraiser shall "not render appraisal services in a careless or negligent manner, such as by making a series of errors that, although individually might not significantly affect the results of an appraisal in the aggregate affects the credibility of those results. USPAP Standards Rule 1-1(c). Ms. Haney did not use due diligence nor due care in her rendering of the appraisal services. Accordingly, Ms. Haney is in violation of Code of Alabama (1975), §34-27A-23 which states that "a licensed real estate appraiser shall comply with the current Uniform Standards of Professional Appraisal Practice approved by the board."

Letters of Warning were issued on the following investigations for the discrepancies indicated. This disciplinary action will be considered in any future discipline proceedings:

AB 21-03: The appraiser does not appropriately analyze or address the four criteria relative to the highest and best use of the property. The highest and best use should contain a more thorough explanation. There is no consistency nor support in the application of the fireplace adjustment in the Sales Comparison Approach. The appraiser has indicated MVS as the source of the cost for the improvements. However, there is no support in the appraisal or work file. More explanation supporting the reconciled final estimate of value is needed. The appraisal lacks discussion and explanation for adjustments as well as support and reasoning for the reconciled final opinion of value. **Violation: SR 1-3 (b), 1-4(a), 1-4(b)(ii), and 2-2 (a)(x)(3), USPSP, 2020-21 Ed.**

AB 21-21: The report contains adjustments to the comparable sales that Licensee says are from his knowledge of the market. Licensee is required to have the data, information and documentation to back up the report in the workfile. **Violation: Record Keeping Rule, USPAP 1920-21 Ed.**