

# Enforcement Actions

March 17, 2008

*According to Neb. Rev. Stat. §§ 76-2239 and 76-2240, the Nebraska Real Property Appraiser Board may revoke or suspend the credential or otherwise discipline a credential holder or deny any application for any of the acts or omissions set forth in section 76-2238. Upon receipt of information indicating that a credential holder may have violated any provision of the act, the Board shall make an investigation of the facts to determine whether or not there is evidence of a violation. If a formal complaint is filed, the matter may proceed to formal hearing, determination and order by the Board. The Board may enter into a consent agreement instead of a proceeding to a formal determination of violation. A formal complaint for which a consent agreement or formal determination of violation is entered is reported to the Appraisal Subcommittee of the Federal Financial Institutions Examining Council, and is reported here in a format as adopted by the Board. Violation of the act or the rules and regulations during a period of probation shall cause immediate execution of a suspension penalty.*

*The Nebraska Real Property Appraiser Board adopted a motion for format for publishing of enforcements. The following motion was adopted February 21, 2007. The motion reads as follows: "All disciplinary actions will be published . . . using the agreed upon format of case number, name, items of agreement or order and include any fees paid by the respondent with the effective date of the disciplinary action as of January 1, 2006.*

*The following actions have been taken:*

## **02-28 Michael Raasch (CG920269), by agreed settlement dated November 16, 2006.**

The appraiser agreed to be placed on probation for a period of one year based on the following terms and conditions: return his original credential and be issued a pocket card marked probationary; notify the Board in writing once per quarter of all work covered by his credential and performed by him during the prior quarter; the Board may select up to ten reports for external review and the appraiser shall pay for each appraisal reviewed; no supervision or training of any appraiser; and pay attorney fees and expenses incurred by the Board in the amount of \$2,500.

## **03-18 Betty Holliday (CR980116), by agreed settlement dated May 24, 2006.**

The appraiser agreed to no longer perform mass appraisals governed by Standard 6 of the Uniform Standards of Professional Appraisal Practice and shall restrict appraisal practice to those appraisals governed by Standard 1 through Standard 5; and to not accept any assignments for any mass appraisal in any county in the state. No legal fees were assessed.

## **05-05 Donald F. Lloyd (L920240), by agreed settlement dated April 21, 2006.**

The appraiser agreed to surrender his credential to the Board and never reapply for a credential in the State of Nebraska.

## **05-14 Timothy Rounds (CR940262), by agreed settlement dated June 21, 2006.**

The appraiser agreed to not perform commercial appraisals; to be placed on probation for a period of four months; at his own expense, successfully complete a two-day tested National Uniform Standards of Professional Appraisal Practice Course, a Sales Comparison Approach class (15- hours), an Income Approach class (15-hours); and pay attorney's fees and expenses incurred by the Board in the amount of \$899.

**05-15 Jeanne McDonald (CR940255), by Board Order, dated August 30, 2006.**

Case 05-15 proceeded to formal hearing. The Nebraska Real Property Appraiser Board ordered: suspension of appraiser's credential for a period of sixty (60) days; upon completion of the suspension period, complete a probationary period of six (6) months consisting of notification of the Board in writing at least once each month of all work performed by her or under her supervision during the prior calendar month; submit, at the Board's request up to 12 reports for external review with review fees to be paid by the Appraiser; at her expense, successfully complete a minimum two-day National Uniform Standards of Professional Appraisal Practice class; a Sales Comparison Approach class (15-hours); and pay attorney's fees and expenses and hearing officer fees incurred in the amount of \$3,470.69.

**05-25 Patrick Morrissey (CG920553), by agreed settlement, dated November 16, 2006.**

The appraiser agreed to successfully complete, at his own expense, the National Uniform Standards of Professional Appraisal Practice Course (two-day) and a Narrative Report Writing Class (in excess of twenty (20) hours) within six months of the settlement; and to pay attorney's fees and expenses incurred in the amount of \$1,108.00.

**05-29 Thomas Slack (CG250270R), by agreed settlement, dated December 19, 2006.**

The reciprocal appraiser from Kansas agreed to surrender his credential and never reapply for a credential in the State of Nebraska, and agrees to pay a portion of the attorney's fees and expenses in the amount of \$3,000.

**06-16 Kenneth Tranel (L260149R), by agreed settlement, dated December 20, 2007.**

The reciprocal appraiser from Colorado agreed to surrender his credential and agreed to not conduct any appraisal practice relating to Nebraska real estate for a period of at least one year and pay attorney fees in the amount of \$3,000. This agreed settlement has not been met to date. The credential has been surrendered but the attorney fees have not been paid as agreed.

**06-18 June Wingate (L240017), by consent agreement, dated August 23, 2007.**

The appraiser agreed to complete a 15-hour Sales Comparison and a 15-hour National Appraisal Foundation USPAP course by December 31, 2007.

**06-24 Stan Wolkins (CG240104R), by agreed settlement, dated January 25, 2007.**

The reciprocal appraiser from Iowa agreed not to make, publish, or distribute materials or otherwise make representations substantially similar to materials which represent that a property owner or any other person or entity for whom the appraiser conducts an appraisal will be paid or otherwise compensated for the appraisal.

**06-26 Scott Hansen (CR230034R), by consent agreement, dated May 22, 2007.**

The reciprocal appraiser from Iowa agreed to complete a 15-hour Residential Report Writing course and an AQB 15-hour Appraisal Foundation's USPAP course by August 31, 2007.

**07-01 Keith Bull (CG940193), by consent agreement, dated May 22, 2007.**

The appraiser agreed to complete a 15-hour narrative report writing course and an AQB 15-hour Appraisal Foundation's USPAP course by August 31, 2007.

**07-05 and 07-17 Thomas Millie (L240089), by consent agreement, dated February 21, 2008**

The appraiser agreed to complete a 15-hour Residential Report Writing and Case Studies course and a 15-hour AQB Approved National USPAP course by July 1, 2008.

**07-16 Dex Peterson (CG920234), by consent agreement, dated February 21, 2008.**

The appraiser agreed to complete a 30-hour Residential Sales Comparison & Income Approach course and an AQB approved 15-hour National USPAP course to be completed by July 1, 2008.

**07-18 Lynn Swanson (L920287), by consent agreement, dated February 21, 2008.**

The appraiser agreed to complete an AQB approved National USPAP course; a 15-hour Residential Market Analysis and Highest and Best Use course; and a 30-hour Residential Sales Comparison and Income Approaches courses by September 1, 2008.