



**FLORIDA REAL ESTATE APPRAISAL BOARD
DISCIPLINARY ACTIVITY REPORT
2009**

CITY	LICENSE	FINAL ORDER # (DBPR-)	NAME	VIOLATION AND DISCIPLINARY ACTION
Apollo Beach	RZ 1788	2009-07025	Edward Peters	EDWARD A. PETERS, state certified general real estate appraiser (RZ0001788). Mr. Edwards in the reports misstated the acreage of the Subject property, failed to note that comparable sales 1, 3, 4 and 5 had pools, failed to note that comparable sale 1, 3 and 4 were waterfront views. Additionally, the workfile lacked documentation to support the age adjustments in the reports and the distance between the Subject property and comparables was understated and incorrect. Violated standard 1-1(a)(b)(c), USPAP (2005), or other provision of the USPAP (2005) in violation of s. 475.624(14), F.S., by failing to be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal, failing to not commit a substantial error of omission or commission that significantly affects an appraisal, and failing to 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; violated standard 1-4(a), USPAP (2005), or other provision of USPAP (2005) in violation of s. 475.624(14), F.S., by failing to analyze such comparable sales data as are available to indicate a value conclusion when using the sales comparison approach; violated standard 2-1(a)(b)(c), USPAP (2005), or other provision of USPAP (2005) in violation of s. 275.624(15), F.S., by failing to clearly and accurately set forth an appraisal report in a manner that will not be misleading, ensure the appraisal report contain sufficient information to enable the intended users of the appraisal to understand the report property and failing to clearly and accurately disclose all assumptions, extraordinary assumptions, hypothetical conditions, and limiting conditions used in the assignment. Penalty: fined \$1000, costs, 1 yr. probation, no trainees during probation, 15 hr. USPAP course, attend one (2-day) FREAB general meeting.
Atlantis	RZ 2766	2009-07303	Carolyn Bohling	Carolyn Bohling, License No. RZ 0002766. Violation: guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest conduct, culpable negligence, or breach of trust in any business transaction in violation of Section 475.624(2), Florida Statutes; violated a standard for the development or communication of real estate appraisal, specifically the Conduct Section of the Ethics Rule, or other provision of the USPAP (2005) in violation of Section 475.624(14), Florida Statutes; violated standard for the development or communication of real estate appraisal, specifically Standards Rule 1-1(a), (b) and (c); 1-4(a); 2-1(a) and (b); 2-2(b)(viii); 2-3, or other provision of the USPAP(2005) in violation of Section 475.624(14), Florida Statutes; guilty of having obstructed or hindered in any manner the enforcement of Chapter 475, Florida Statutes or the performance of any lawful duty by any person acting under the authority of Chapter 475, Florida Statutes in violation of Section 475.626(10)(f), Florida Statutes. Revoked effective 9/2/09.

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Aventura	RD 6661	2009-02141	Fernando Bastidas	<p>Fernando Bastidas, state-certified residential real estate License No. RD 0006661 Violation: violated a standard for the development or communication of a real estate appraisal, specifically the Conduct Section of the Ethics Rule, or other provision of the USPAP in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically the Record Keeping Section of the Ethics Rule; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-1(a), (b) and (c); 1-2(e)(i) and (iii); 1-4 (a), (b), and (g); 1-5 (a) and (b); 1-6(a) and (b); 2-1(a) and (b); 2-2(b)(iii),(viii); 2-3 in violation of Section 475.624(14), Florida Statutes; guilty of failure to retain records for at least five years of any contracts engaging the appraiser's services, appraisal reports, and supporting data assembled and formulated by the appraiser in preparing appraisal reports in violation of Section 475.629, Florida Statutes, and, therefore, in violation of Section 475.624(4), Florida Statutes; guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest conduct, culpable negligence, or breach of trust in any business transaction in violation of Section 475.624(2), Florida Statutes; guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of Section 475.624(15), Florida Statutes; violated Section 475.623, Florida Statutes, by failing to register a firm or business name the Petitioner, from which he operates in the performance of appraisal services and, therefore, is in violation of Section 475.624(1), Florida Statutes; guilty of failing to display proper designation in violation of Rule 61J1-7.001, Florida Administrative Code and Section 475.622, Florida Statutes and , therefore, in violation of Section 475.624(4), Florida Statutes. Penalty: fine \$2,000 plus cost; 30day suspension; 1 year probation; one 2-day Florida Real Estate Appraisal Board Meeting; 30-hrs of continuing education; Respondent shall not supervise any trainee appraisers for period of at least one year.</p>
Boca Raton	RD 7135	2009-07018	Agustin Perret-Gentil	<p>Agustin Perret-Gentil, License No. RD 7135; Violation: Mr. Perret-Gentil developed and communicated an appraisal report on an office condominium in Ft. Lauderdale, Florida. The complaint alleged Respondent committed errors in developing the Report, relied upon Comparable Sales not sufficiently similar, failed to identify characteristics of the property relevant to the type and definition of value, and failed to exercise reasonable diligence. Respondent was disciplined for violation of USPAP Standards Rules 1-1(b), (c); 1-2 (e); 1-4(a), and (c); 2-1(a), in violation of Section 475.624(14), Florida Statutes, and failed to exercise reasonable diligence in violation of Section 475.624(15), Florida Statutes. Penalty: \$1500 fine plus costs, reimburse Petitioner for expert witness fees incurred, 1 year probation with attendance at one (1) 2-day FREAB general meeting and 15 hours of education.</p>

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Cantonment	RD 3059	2009-03711	Cathy Pfieffer	CATHY PFIFFER, state certified residential real estate appraiser (RD0003059); Violation: guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of s. 475.624(15), F.S.; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 2-3, or other provision of the USPAP (2005) in violation of s. 475.624(14), F.S., by failing to include a correct signed certification in the written real property appraisal report. Penalty: fined \$1000; two (2) year probation; complete the fifteen (15) hr. USPAP course.
Cape Coral	RD 3345	2009-01551	Debbie F Grinberg	Debbie F. Grinberg, License No. RZ 3345. Violation: guilty of failure to prepare a work file for each appraisal, which must include:... true copies of any written reports, documented on any type of media;...all other data, information and documentation necessary to support the appraiser's opinions and conclusions and to show compliance with this Rule and all other applicable Standards, or references to the locations of such other documentation, in violation of the Record Keeping Section of the Ethics Rule of USPAP (2008) and therefore in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specially 2008 USPAP Standards Rule 1-1(a)(an appraiser must be aware of, understand and correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal), 1-1(b)(not commit a substantial error of omission or commission that significantly affects an appraisal) and 1-1(c)(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), in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specially 2008 USPAP Standards Rule 1-4(a) (when sales comparison approach is necessary for credible assignment results, an appraiser must analyze such comparable sale data as are available to indicate a value conclusion) in violation of Section 475.624(14), Florida Statutes; and violated a standard for the development and communication of a real estate appraisal, specifically 2008 USPAP Standards Rule 2-2(b)(viii) (describe the information analyzed, the appraisal methods and techniques employed and the reasoning that supports the analyses, opinions and conclusions; exclusion of the sales comparison approach, cost approach or income approach must be explained) in violation of Section 475.624(14), Florida Statutes. Penalty: Fined \$1,500.00 plus costs, attend two (2) two-day FREAB general meetings and complete twenty (20) hours of appraisal education courses, one (1) year probation and thirty (30) day suspension. Effective 03/05/09.

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Cape Coral	RD 6320	2009-03587	Monte L. Mallo	Monte Mallo, License No. RD 6320; Violation: Mr. Mallo developed and communicated an appraisal report on a condominium conversion in a gated community in Tampa, Florida, relying upon sales staff who provided erroneous information on the subject Property and Comparable Sales; Respondent was disciplined for violation of USPAP Standards Rules 1-1(a), (b), (c) 2-1(a); and 2-2(b)(viii), in violation of Section 475.624(14), Florida Statutes and failure to exercise reasonable diligence in violation of Section 475.624(15), Florida Statutes. Penalty: \$1,000 fine plus costs, 1 year probation with attendance at one (1) 2-day FREAB general meeting, education 7-hr condominium appraisal course, 7-hr condominium, co-ops, PUDS, 30-hrs residential sales comparison and income course, Respondent shall have no trainees for 12 months.
Cape Coral	RD 3416	2009-07317	Michael Olsen	Michael Olsen, License No. RD 0003416. Voluntary Surrender of license effective September 3, 2009.
Cape Coral	RI 14698	2009-07324	Michael Papp	Cape Coral: Michael Papp, License No. RI 0014698. Voluntary Surrender of license effective September 3, 2009.
Cape Coral	RD 6823	2009-07296	Carl J. Russell	Carl J. Russell. License No. 6823. revoked effective 9/2/09; voluntarily surrendered his license for permanent revocation.
Cape Coral	RD 3494	2009-07007	David Wittig	David Wittig. License No. RD 3494. Violation: Respondent neither admits nor denies, but consents to the Board's imposition of discipline for failure to exercise reasonable diligence in violation of Section 475.624(14), Florida Statutes; violation of Sections 475.629 and 475.624(4) and the Record Keeping Section of the USPAP Ethics Rule in violation of Section 475.624(14), Florida Statutes; violation of USPAP Standards Rules 1-1(a), (b), and (c), 1-4(a) and (b), 1-5(a), 1-6(b), 2-1(a) and (b), and 2-2(b)(viii) and (ix) in violation of Section 475.624(14), Florida Statutes, relating to 5 appraisals of Subject Properties in Lehigh Acres, Florida in February 2006 and May 2006, involving to the purchase by out-of-state investors of vacant land and home construction contracts thereon. Penalty: \$2500 fine plus \$2300 in costs, reimbursement of \$1700 expert witness expense incurred by the Department, five (5) months license suspension, followed by 1 year probation, with satisfactory completion of another AB II course from a different provider than previously, and attendance at one 2-day FREAB general meeting.
Carrollton, Georgia	RI 20484	2009-01656	David Cole Seaton	David Cole Seaton, License No. RI 20484. Violation: Guilty of failure to furnish in writing to the Department each firm or business name and address from which the registered appraiser operates in the performance of appraisal services in violation of Rule 61J1-7.004(1), F.A.C. and s.475.623, F.S., and therefore, in violation of s.475.624 (4), F.S. Penalty: Fined \$500.00 plus costs, complete a fifteen (15) hours of appraisal education courses and one (1) year probation. Effective 3/9/09.
Clearwater	RD 6522	2009-03704	Timothy Michael Johnson	Timothy Michael Johnson, State Real Estate Appraiser License No. RD 6522. Violation: guilty of failing to disclose and display the appropriate designation in writing in all appraisal reports in violation of Rule 61J1-7.001(1) and (2)(a), FL Admin. Code and Section 475.622, Florida Statutes and, therefore, in violation

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				<p>of Section 475.624(4), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically the Record Keeping Section of the Ethics Rule, or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 2-2(b) (viii)(state the appraisal methods and techniques employed, state the value opinions and conclusions reached, and reference the workfile; exclusion of the sales comparison approach, cost approach, or income approach must be explained), or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specially Standards Rule 1-2(e) (identify the characteristics of the property that are relevant to the type and definition of value and intended use of the appraisal) and Rule 1-2(g) (identify any hypothetical conditions necessary in the assignment), or other provisions of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specially the Scope of Work Rule, or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes. Penalty: fine \$1,500.00 plus costs, attend two (2) two-day FREAB general meetings and complete twenty-five (25) hours of appraisal education courses in report writing, red flags and other applicable courses within one year.</p>
Clearwater	RD 1335	2009-07301	Terry Kaye	<p>TERRY KAYE, state certified residential real estate appraiser (RD0001335); fined \$2000 plus costs; one (1) year probation; forty-five (45) hours of education to include satisfactory completion of the 15 hr USPAP course, attend two (2-day) FREAB general meetings; guilty of failure to retain records for at least five years of any contracts engaging the appraiser's services, appraisal reports, and supporting data assembled and formulated by the appraiser in preparing appraisal reports in violation of Section 475.629, Florida Statutes, and, therefore, in violation of Section 475.624(4), Florida Statutes; violated Standards Rule 1-1(a), (b) and (c), USPAP (2005), by failing to be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible report; by committing a substantial error of omission or commission that significantly affects an appraisal; and rendering 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; violated Standards Rule 1-4(b) and (h)(i), (ii) and (iii), or other provision of the USPAP (2005), by failing to develop an opinion of site value by an appropriate appraisal method or technique, failing to analyze such comparable cost data as are available to estimate the cost new of the improvements and failing to analyze such comparable data as are available to estimate the difference between the cost new and the present worth of the improvements when a cost approach is applicable and by failing to examine and have available for future examination plans, specifications, or other documentation sufficient to identify the scope and character of the proposed</p>

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				<p>improvements, evidence indicating the probable time of completion of the proposed improvements and reasonably clear and appropriate evidence supporting development costs, anticipated earnings, occupancy projections, and the anticipated competition at the time of completion when appraising proposed improvements; violated Standards Rule 1-5(a) and (b), or other provisions of the USPAP (2005), by failing to analyze all agreements of sale, options, or listings of the subject property current as of the effective date of the appraisal and analyze all sales of the subject property that occurred within the three (3) years prior to the effective date of the appraisal in developing a real property appraisal, when the value opinion to be developed is market value; violated Standards Rule 2-1 (a)(b) and (c), or other provisions of the USPAP (2005), by failing to clearly and accurately set forth the appraisal in a manner that will not be misleading, contain sufficient information to enable the intended users of the appraisal to understand the report properly, and clearly and accurately disclose all assumptions, extraordinary assumptions, hypothetical conditions, and limiting conditions used in the assignment</p>
Coconut Creek	RI 16422	2009-03716	Nigel Anthony Bettencourt	<p>Nigel Anthony Bettencourt, state registered trainee appraiser (RI 16422); Violation: guilty of practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities the licensee knows, or has reason to know, the licensee is not competent to perform in violation of s. 455.227(1)(o), F.S.; guilty of failing to perform appraisal services under the direct supervision of a licensed or certified appraiser who is designated as the primary supervisory appraiser in violation of s. 475.6221(1), F.S. and, therefore, in violation of s. 475.624(4), F.S.; guilty of receiving payment directly from the recipient of an appraisal report in violation of s. 475.6221(2), F.S. and, therefore, in violation of s. 475.624(4), F.S.; guilty of misrepresentation, false promises, culpable negligence, or breach of trust in any business transaction in violation of s. 475.624(2), F.S.; guilty of having obstructed or hindered in any manner the enforcement of s. 475, F.S. or the performance of any lawful duty by any person acting under the authority of c. 475, F.S. in violation of s. 475.626(1)(f), F.S.; guilty of failing to communicate an appraisal without good cause in violation of s. 475.624(16), F.S.; guilty of failure to retain records for at least five years of any contracts engaging the appraiser's services, appraisal reports, and supporting data assembled and formulated by the appraiser in preparing appraisal reports in violation of s. 475.629, F.S., and therefore, in violation of s. 475.624(4), F.S.; guilty of having violated a standard for the development or communication of real estate appraisal, specifically the Competency Rule, or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S. Penalty: revoked effective 5/18/09, costs.</p>

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Crystal River	RD 4694	2009-00929	Lawrence Edward Washington	Lawrence Edward Washington, License Number RD 4694; Violation: failure to exercise reasonable diligence in violation of Florida Statutes 475.624(15), violation of USPAP Standards Rule 1-1(a), (b), and (c); 1-5(a), 1-6(a) and (b), 2-1(a), (b), 2-2(b)(viii), and 2-3 and Section 475.624 (14) Florida Statutes. Penalty: investigative costs of \$1,699.50, 1 year probation; 15 hours appraisal course such as the Appraisal Institute Advanced Residential Applications and Case Studies/ Part 1 or similar course with successful completion; attendance at Two 2-day FREAB general meeting.
Cumming, Georgia	RD 5429	2009-02140	Michael Ryan Moore	Michael Ryan Moore, State Real Estate Appraiser License No. RD 5429. Violation: Guilty of failure to furnish in writing to the Department each firm or business name and address from which the registered appraiser operates in the performance of appraisal services in violation of Rule 61J1-7.004(1), Florida Administrative Code and Section 475.623, Florida Statutes, and therefore, in violation of Section 475.624(4), Florida Statutes; guilty of failing to supervise a trainee real estate appraiser in the county where the supervising appraiser's office is registered with the Department, and in any county contiguous to the county where the supervising appraiser's office is registered with the Department in violation of Florida Admin. Code Rule 61J1-4.010(5) and, therefore, in violation of Section 475.624(4), Florida Statutes. Penalty: fine \$1000.00 plus costs; attend two (2) two-day FREAB general meetings and complete twenty (20) hours of appraisal education courses, and one (1) year probation.
Davie	RD 6063	2009-07323	Eduardo A. Pi	Eduardo A. Pi. License No. RD 6063. Violation: violated standard 1-1(a)(b) and (c), USPAP (2006), or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes, by failing to be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal, committing a substantial error of omission or commission that significantly affect the results of an appraisal, in the aggregate affects the credibility of those results; guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of Section 475.624(15), Florida Statutes. Penalty: fined \$1,000, plus costs, 1 yr. probation; 30 hrs of continuing education; attendance at (2) two-day FREAB general meeting.

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Davie	RD 6385	2009-01558	Rosie Sonia Stevenson	Rosie Sonia Stevenson, License No. RD 6385; Violation: violated a standard for the development or communication of a real estate appraisal, specifically the Competency Rule, or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S., violated a standard for the development or communication of real estate appraisal specifically Standards Rule 1-1(a), (b), and (c), or other provision of the USPAP (2006) in violation of s.475.624(14), F.S., violated a standard for the development or communication of a real estate appraisal specifically Standards Rule 1-2(e)(i), or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S., violated a standard for the development or communication or a real estate appraisal specifically Standards Rule 2-1(a), (b), and (c), or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S. Penalty: fined \$1000 plus costs, attend two (2) two-day FREAB general meetings and complete forty-five (45) hours of appraisal education courses.
Delray Beach	RI 16749	2009-07016	Jesús A. Mota	Jesus A. Mota, License No. RI 6401; Voluntary Surrender of License effective 8/26/09.
Delray Beach	RZ 967	2009-07021	Gerald W. Rowley	Gerald W. Rowley, License No. RZ 967; Violation: Failure to retain records for 5 years in violation of Sections 475.629 and 475.624(4), Florida Statutes relating to two appraisal reports in 2005 on a Subject Property in Wellington, Florida; violation of USPAP Standards Rule 1-1(a), (b), and (c) and Section 475.624(14), Florida Statutes, relating to an incorrect sales history of the Subject Property, discrepancies between data sources on Comparable Sales, and support for adjustments; violation of USPAP Standards Rule 1-4(a) and Section 475.624(14), relating to selection of Comparable Sales for said appraisal reports; violation of USPAP Standards Rule 2-1(a) and (b) and Section 475.624(14) relating to said appraisal reports; and violation of USPAP Standards Rule 2-2(b)(viii) and Section 475.624(14), Florida Statutes relating to said appraisal reports. Penalty: \$1000 fine plus costs, 6 months license suspension, no trainees during the one year probation, attendance at one 2-day FREAB meeting and completion of 45 hours of education in addition to that required for licensure.
Englewood	RD 5125	2009-02138	Ronald William Ortiz	Ronald William Ortiz, state-certified residential real estate License No. RD 0005125 Violation: violating a Final Order of the Florida Estate Appraisal Board concerning Respondent's case and which is binding upon Respondent in violation of Section 475.626(1)(b), Florida Statutes. Penalty: \$198.00 in cost.
Ft. Lauderdale	RD 3980	2009-07002	Abu Rahsaan Jannah	Abu Rahsaan Jannah, state-certified residential appraiser License No. RD 0003980; Revocation effective 3/21/08.
Ft. Walton Beach	RD 6948	2009-03722	Daniel J. Miller	Daniel J. Miller, State Real Estate Appraiser License No. RD 6948. Violation: guilty of violating a standard for the development and communication of a real estate appraisal, specifically Standard Rule 1-1 (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), in violation of Section 475.624(14), Florida Statutes. Penalty: fine \$500.00 plus costs, attend one

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Hilliard	RZ 567	2009-03718	William Philip Davis, Jr.	William Philip Davis, Jr., state certified general real estate appraiser (RZ0000567); Violation: guilty of violating a Final Order of the Florida Real Estate Appraisal Board concerning Respondent's case and which is binding upon Respondent in violation of s. 475.626(1)(b), F.S. Penalty: revoked effective 5/18/09.
Homestead	RI 18667	2009-07695	Diana P. Castillo	License No. RI 18667; Violation: In Case No. 2008035535, relating to a 2008 appraisal of a Miami, Florida condominium, Respondent relied on improper comparable sales, failed to recite the listing history of the Subject Property, misstated growth, property value, demand/supply and marketing time trends, misstated the owner of record of the Subject Property, omitted a prior sale of a comparable sale, misstated the borrower's name, made improper adjustments to the comparable sales, and failed to keep supporting documentation. In Case No. 2008044278, relating to a 2007 appraisal of a single family residence in Homestead, Florida, Respondent failed to maintain documentation in the work file, failed to disclose a seller concession, and failed to adjust for differing bedroom/bathroom counts. Respondent's actions were in violation of the USPAP Competency Rule and Record Keeping Section of the Ethics Rule, USPAP Standards Rules 1-1(a), (b), (c), 1-4(a), and 2-1(a), (b), in violation of Section 475.624(14), Florida Statutes, and Section 475.624(15), Florida Statutes. Penalty: \$1500 fine plus costs, 1 year probation, plus attend one 2-day FREAB general meeting.
Homestead	RD 5003	2009-07305	Edwin Castillo	License No. RD 0005003; Violation In Case No. 2008-035542 relating to a 2008 appraisal of a Miami Florida condominium, respondent relied on improper comparable sales, failed to recite the listing history of the Subject Property, misstated growth, property value, demand/supply and marketing time trends, misstated the owner of record of the Subject property, omitted a prior sale of a comparable sale, misstated the borrower's name, made improper adjustments to the comparable sales, and failed to keep supporting documentation. In Case No. 2008-044277, relating to a 2007 appraisal of a single family residence in Homestead, Florida, Respondent failed to maintain documentation in the work file, failed to disclose a seller concession, and failed to adjust for differing bedroom/bathroom count. In Case No. 2008-039274, relating to a 2007 appraisal of a condominium in Miami Beach, Florida, Respondent failed to maintain documentation to support adjustments, failed to disclose the listing history of the Subject property, failed to disclose a seller concession, relied upon improper comparables, and omitted a prior sale of the Subject Property. Respondent's actions were in violation of the Competency Rule and Record Keeping Section of the Ethics Rule, USPAP Standards Rules 1-1(a), (b), (c); 1-4(a) and 2-1(a), (b) in violation of Section 475.624(14), Florida Statutes, and Section 475.624(15), Florida Statutes. Penalty: \$4500 fine plus costs, 1 year probation with no trainees, plus attend (3) two-day FREAB general meetings; 30 day suspension.

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Homestead	RD 5573	2009-07008	Geoffrey Alexander Galindo	<p>ALEXANDER GALINDO. License No. RD 5573. Respondent is guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of s. 475.624(15), F. S.; violated a standard for the development or communication of a real estate appraisal, specifically the Record Keeping of the Ethics Rule, or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S.; violated a standard for the development or communication of a real estate appraisal, specifically the Scope of the Work Rule, or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S.; violated a standard for the development or communication of a real estate review appraisal, specifically Standards Rule 3-1(c), (d), (e), (f) and (g), , or other provision of the USPAP (2006) in violation of s. 475.624(14), F. S., by failing to determine the scope of work necessary to produce credible assignment results in accordance with the Scope of Work Rule; failing to develop an opinion as to the completeness of the material under review, given the reviewer's scope of work; failing to develop an opinion as to the apparent adequacy and relevance of the data and the propriety of any adjustments to the data, given the reviewer's scope of work; failing to develop an opinion as to the appropriateness of the appraisal methods and techniques used given the reviewer's scope of work, and develop the reasons for any disagreement; and failing to develop an opinion as to whether the analyses, opinions, and conclusions are appropriate and reasonable, given the reviewer's scope of work, and develop the reasons for any disagreement; violated a standard for the development or communication of a real estate review appraisal, specifically Standards Rule 3-2(d) and (e), or other provision of the USPAP (2006) in violation of s. 475.624(14), F. S., by failing to state the opinions, reasons, and conclusions required in Standards Rule 3-1(d-g), given the reviewer's scope of work and failing to include all known pertinent information. Penalty: \$2000 fine, costs, 1 yr probation, no trainees during probation, attend two (2-day) FREAB general meetings, and complete seventy-five (75) hrs. of continuing education appraisal courses in the subject areas to include review and condominium appraisals.</p>
Homestead	RD 5573	2009-07008	Geoffrey Alexander Galindo	<p>GEOFFREY ALEXANDER GALINDO. License No. RD 5573. Respondent is guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of s. 475.624(15), F. S.; guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest conduct, culpable negligence, or breach of trust in any business transaction in violation of s. 475.624(2), F.S.; violated a standard for the development or communication of a real estate appraisal, specifically the Conduct Section of the Ethics Rule, or other provision of the USPAP (2008) in violation of s. 475.624(14), F. S.; violated a standard for the development or communication of a real estate appraisal, specifically the Record Keeping of the Ethics Rule, or other provision of the USPAP (2008) in violation of s. 475.624(14), F.S.; violated a standard for the development or communication or a real estate appraisal, specifically the Competency Rule, or other provision of the USPAP (2008) in violation of s. 475.624(14), F. S.; violated a standard for the</p>

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				<p>development or communication of a real estate appraisal, specifically the Scope of the Work Rule, or other provision of the USPAP (2008) in violation of s. 475.624(14), F.S.; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-1(a), (b), (c), or other provision of the USPAP (2008) in violation of s. 475.624(14), F. S., by failing to be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal; by committing a substantial error of omission or commission that significantly affects an appraisal and by rendering 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; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-3(b), or other provision of the USPAP (2008) in violation of s. 475.624(14), F. S., by failing to develop an opinion of the highest and best use of the real estate; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-4(a), or other provision of the USPAP (2008) in violation of s. 475.624(14), F. S., by failing to analyze comparable sales data as are available to indicate a value conclusion when a sales comparison approach is necessary for credible assignment results; violated a standard for the development or communication of a real estate appraisal, specifically Standard Rule 2-1(a) and (b), or other provision of the USPAP (2008) in violation of s. 475.624(14), F. S., by failing to clearly and accurately set forth the appraisal in a manner that will not be misleading and by failing to clearly and accurately disclose all assumptions, extraordinary assumptions, hypothetical conditions, and limiting conditions used in the assignment; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 2-2(b)(viii), or other provision of the USPAP (2008) in violation of s. 475.624(14), F.S., by failing to summarize information sufficient to identify the real estate involved in the appraisal, including the physical and economic property characteristics relevant to the assignment. Penalty: \$2000 fine, costs, 1 yr probation, no trainees during probation, attend two (2-day) FREAB general meetings, and complete seventy-five (75) hrs. of continuing education appraisal courses in the subject areas to include review and condominium appraisals, inclusive of DBPR Case No. 2008056747).</p>
Irwin, PA	RD 5593	2009-03708	Jason Jacob Sheraw	<p>Jason Jacob Sheraw, state certified residential real estate appraiser (RD5593); Violation: guilty of having had a registration suspended, revoked, or otherwise acted against in any jurisdiction in violation of s. 475.624(6), F.S. Penalty: fined \$250, costs, 6 mth probation.</p>

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Jacksonville	RZ 742	2009-07314	Bruce Humphrey	Bruce Humphrey. License No. RZ 742. Violation: Respondent stipulated to pay costs of investigation of \$500, to reimburse the department \$5000 for expert witness services, and to produce proof of having completed fifteen (15) hours of education in report writing relating to general appraising as condition to Nolle Pros the Amended Administrative Complaint.
Jacksonville	RI 14696	2009-07319	Andrew C. Johnson	Andrew Johnson. License No. RI 14696. Violation: Respondent stipulated to costs of investigation of \$500 payable within one year as condition to Nol Pros of the Amended Administrative Complaint.
Land O Lakes	RD 4736	2009-02794	Stephen A. Bobick	Stephen A. Bobick, state certified residential real estate appraiser (RD0004736); Violation: guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of s. 475.624(15), F. S.; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-1(a), (b), and (c), or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S., by failing to be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible report; committing a substantial error of omission or commission that significantly affects an appraisal; and rendering 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; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-5(a), or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S., by failing to analyze all agreements of sale, options, and listings of the subject property current as of the effective date of the appraisal when the value opinion to be developed is market value; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 2-1(a) and (b), or other provision of the USPAP (2006) in violation of s. 475.624(14), F. S., by failing to clearly and accurately setting forth the appraisal in a manner that will not be misleading; by failing to have the appraisal report contain sufficient information to enable the intended users of the appraisal to understand the report properly. Penalty: fined \$2000, costs, 7 day suspension, 1 yr. probation, thirty (30) hours of continuing education in the subject area of the sales comparison approach, attend one (2-day) FREAB general meeting.

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Land O Lakes	RD 7094	2009-01560	Noel G. Lewis	Noel G. Lewis, License No. RD 7094. Violation: Failing to utilize and Display the appropriate appraiser designation in the report in violation of Rule 61J1-7.001(2) (a), F.A.C. and s. 475.622(1), F.S. and, therefore, in violation of s. 475.624(4), F.S.; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-4(b), or other provision of the Uniform Standards of Professional Appraisal Practice (2006) (In developing a real property appraisal, an appraiser must collect, verify, and analyze all information necessary for credible assignment result. When a cost approach is necessary for credible assignment results, an appraiser must: develop an opinion of site value by an appropriate appraisal method or technique; analyze such comparable data as are available to estimate the difference between the improvements (accrued depreciation) in violation of s. 475.624(14), F.S. Penalty: Fined \$500.00 plus costs, attend one (1) two-day FREAB general meeting and complete a twenty (20) hours of appraisal education general knowledge, cost approach and sales comparison courses, and one (1) year probation. Effective 3/5/09.
Merritt Island	RD 1891	2009-07297	Lee A. Rosenthal	Lee A. Rosenthal. License No. 1891. Revoked effective 9/2/09; voluntarily surrendered his license for permanent revocation.
Miami	RD 2111	2009-07304	Juan J. Badell	Juan J. Badell, License No. RD 2111; Violation: Respondent developed and communicated an appraisal report on a subject property in Miami, Florida using a gross living area (resulting from the conversion of a garage); used inappropriate comparable sales; misstated the address of a comparable sales, failed to note the existence of a pool at another comparable sale, and made excessive adjustments to a third comparable sale, in violation of USPAP Standards Rules 1-1(a), (b), and (c), 2-1(a), and (b), and Section 475.624(14), Florida Statutes; and Section 475.624(15), Florida Statutes. Penalty: \$750 fine plus costs, one year probation, attendance at 1 two-day general FREAB meeting.
Miami	RI 16724	2009-07006	J. Arturo Castillo	J. Arturo Castillo, License No. RI 0016724. Voluntary Surrender of license effective 8/25/09.
Miami	RD 2181	2009-01441	Daniel Duval	Daniel Duval, License No. RD 2181; Voluntary surrender or license for permanent revocation. Effective 2/10/09.
Miami	RD 5105	2009-03586	Gabriel Gregorio Hernandez, Jr	Gabriel Gregorio Hernandez, Jr., License No. RD 5105. Voluntary Surrender of license effective 5/12/09.
Miami	RD 6643	2009-07003	Odalys A. Hernandez	Odalys A. Hernandez, License No. RD 6643; Violation: Guilty of failure to retain records for at least five years of any contracts engaging the appraiser's services, appraisal reports, and supporting data assembled and formulated by the appraiser in preparing appraisal reports in violation of Section 475.629, Florida Statutes, and therefore, in violation of Section 475.624(4), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-1(a), (b), and (c), or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-4(a), or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes; violated a

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				standard for the development or communication of a real estate appraisal, specifically Standards Rule 2-2(b)(viii), or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes. Penalty: fine \$2,500.00 plus costs; attend three (3) two-day FREAB general meetings and complete thirty (30) hours of appraisal education courses, one (1) year probation with no trainees; four (4) months suspension.
Miami	RD 3882	2009-02134	Gerardo Iglesias	Gerardo Iglesias, State Real Estate Appraiser License No. RD 3882. Violation: Mr. Iglesias developed and communicated a residential appraisal which utilized commercial building as comparable sales and failed to reconcile square footage and bedroom/bathroom counts when there was a conflict among reported data sources; Guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of Section 475.624(15), Florida Statutes; guilty of failure to retain records for at least five years of any contracts engaging the appraiser's service, appraisal reports, and supporting data assembled and formulated by the appraiser in preparing appraisal reports in violation of Section 475.624(4), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-1(a) and (c), or other provision of the USPAP (2005) in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-4(b), or other provision of the USPAP (2005) in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 2-1(a) and (b), or other provision of the USPAP (2005) in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 2-2(b)(viii), or other provision of the USPAP (2005) in violation of Section 475.624(14), Florida Statutes. Penalty: Fined \$1500.00, plus costs; one (1) year probation; attend two (2) 2-day FREAB general meetings; 30 hours of continuing education appraisal courses in sales comparison approach.
Miami	RD 3577	2008-23108	Beatrice Palomino	Beatrice Palomino. License No. 3577. revoked effective 2/10/09; voluntarily surrendered her license for permanent revocation.
Miami	RD 6956	2009-03588	Jesus Portal	Jesus Portal, License No. RD 6956; Violation: guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest conduct, culpable negligence, or breach of trust in any business transaction in violation of Section 475.624(2), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically the Conduct Section of the Ethics Rule, or other provision of the USPAP in violation of Section 475.624.(14), Florida Statutes; violated a standard for the development or communication of the real estate appraisal specifically Standards Rule 1-1(a), (b) and (c); 1-4(a); 1-5(b); 2-1(a) and (b); 2-2(b)(viii); 2-3, or other provision of the USPAP in violation of Section 475.624(14), Florida Statutes; guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of Section 475.624(15), Florida Statutes. Penalty: \$554.40 in costs; Revocation effective 5/12/09.

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Miami	RD 4120	2009-07395	Jessalyn Rodriguez	Jessalyn Rodriguez. License No. 4120. revoked effective 9/3/09; voluntarily surrendered her license for permanent revocation.
Miami	RI 13942	2009-07022	Yoel Rodriguez	Yoel Rodriguez. License No. RI 13942. Violation: Respondent failed to exercise reasonable diligence in developing an appraisal report on a Subject Property in Miami, by failing to reconcile in the report discrepancies with public records, or by stating incorrect neighborhood boundaries in violation of Section 475.624(15), Florida Statutes. Penalty: \$500 fine plus costs, one year probation with attendance at one 2-day FREAB general meeting.
Miami	RI 16617	2009-01439	Alexis Soris	Alexis Soris, License No RI 16617; Voluntary surrender or license for permanent revocation. Effective 2/10/09.
Miami	RD 5368	2009-01559	William Wood	William Wood, License No. RD 5368. Violation: standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-1(a), and (c) ("In developing an appraisal, an appraiser must: (a) be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal; (b) not commit a substantial error of omission or commission that significantly affects an appraisal; and (c) 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") or other provision of the Uniform Standards of Professional Appraisal Practice (2006) in violation of s. 475.624(14), F.S.. Penalty: Fined \$1500.00 plus costs, attend one (1) two-day FREAB general meeting and one (1) year probation. Effective 2/10/09
Miami Lakes	RD 6375	2009-06999	Daniel Trincado	DANIEL TRINCADO, state certified residential real estate appraiser (RD0006375); fined \$2000 plus costs; eighteen (18) months probation; forty-five(45) hours of education to include satisfactory completion of the 15 hr USPAP course, a site valuation/cost approach course, a residential sales comparison approach course and attend three(2-day) FREAB general meetings; Respondent failed to note or adjust for the boat ramps located on the comparable sales. Respondent failed to verify correct room counts and gross living area on comparable sales when discrepancies existed between workfile documents. Respondent's workfile failed to contain the requisite documentation to support his analyses, adjustments and conclusions noted in the appraisal report. Respondent is guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of Section 475.624(15), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically the Record Keeping Section of the Ethics Rule, or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes; violated a Standard Rule 1-4(a) and (b), or other provision of the USPAP (2006), and, therefore, in violation of Section 475.624(14), Florida Statutes by failing to analyze such comparable sales data as are available to indicate a value conclusion when a sales comparison approach is necessary for credible assignment results and failing to develop an opinion of site value by an appropriate appraisal method or

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				technique, analyzing such comparable cost data as are available to estimate the difference between the cost new and the present worth of the improvements (accrued depreciation) when a cost approach is necessary for credible assignment results; violated a Standard Rule 2-1(a) and (b), or other provision of the USPAP (2006), and, therefore, in violation of Section 475.624(14), Florida Statutes, by failing to clearly and accurately set forth the appraisal in a manner that will not be misleading and contain sufficient information to enable the intended users of the appraisal to understand the report properly; violated a Standard Rule 2-2(b)(viii), or other provision of the USPAP (2006), and, therefore, in violation of Section 475.624(14), Florida Statutes, by failing to ensure that the content of a Summary Appraisal Report must be consistent with the intended use of the appraisal and failing to summarize information sufficient to identify the real estate involved in the appraisal, including the physical and economic property characteristics relevant to the assignment.
Naples	RD 3239	2009-02792	Timothy Grossi	Timothy Grossi, state certified residential real estate appraiser (RD0003239); Violation: guilty of failing to notify the Department of the termination of the relationship with the supervisory appraiser in violation of s. 475.6221(1), F.S. and, therefore, in violation of s. 475.624(4), F.S.; guilty of having obstructed or hindered in any manner the enforcement of Chapter 475, F.S. or the performance of any lawful duty by any person acting under the authority of Chapter 475, F.S. in violation of s. 475.626(1)(f), F.S.; guilty of failure to furnish in writing each business or firm name and address from which the registered appraiser operates in the performance of appraisal services in violation of Rule 61J1-7.004, F.A.C. and, therefore in violation of s. 475.624(4), F.S.; guilty of having had a registration suspended, revoked, or otherwise acted against in any jurisdiction in violation of s. 475.624(6), F.S. Penalty: revoked effective 4/17/09.
Naples	RD 4376	2009-07320	Bryant Lamont Hyde	Bryant Lamont Hyde, License No. RD 0004376. Violation: guilty of violating a Final Order of the Florida Real Estate Appraisal Board concerning Respondent's case and which is binding upon Respondent in violation of Section 475.626(1)(b), Florida Statutes. Revoked effective September 3, 2009.
Naples	RD 3233	2009-03717	Frank LaPlatte	FRANK LAPLATTE, state certified residential real estate appraiser (RD0003233); Violation: violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 2-3, or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S., by failing to include a correct signed certification in the written real property appraisal report. Penalty: fined \$2,500, 6 mth suspension, 3 yr. probation, a USPAP course.

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Naples	RD 3979	2009-03724	Jason Paul Myers	Jason Paul Myers, state-certified residential real estate License No. RD 0003979; Violation: violated a standards for the development or communication of a real estate appraisal, specifically the Conduct Section of the Ethics Rule, or other provision of the USPAP in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-1(a); USPAP Standards Rule 1-2(e)(i) and (h); USPAP Standards Rule 1-3(a) and (b); USPAP Standards Rule 1-4(b)(i); USPAP Standards Rule 1-6(a) and (b); USPAP Standards Rule 2-1(a) and (b); USPAP Standards Rule 2-2(b)(iii),(viii); USPAP Standards Rule 2-3 in violation of Section 475,624(14), Florida Statutes. Penalty: costs of \$818.40.
Naples	RD 7163	2009-03720	Timothy Ryan O'Neill	Timothy Ryan O'Neill, State Real Estate Appraiser License No. RD 7163. Violation: neither admit nor deny: a standard for the development and communication of a real estate appraisal, specifically the Record Keeping Section of Florida Statute 475.629, of Section 475.624(4), Florida Statutes; a standard for the development or communication of a real estate appraisal, specifically Standard Rule 2-1(b) (contain sufficient information to enable the intended users of the appraisal to understand the report properly) of the USPAP (2006) of Section 475.624(14), Florida Statutes; a standard for the development or communication of a real estate appraisal, specially Standards Rule 1-1(c) (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) of the USPAP (2006) of Section 475.624(14), Florida Statutes. Penalty: fine \$1200.00 plus costs, attend one (1) two-day FREAB general meetings and complete twenty (20) hours of appraisal education courses (fifteen (15) hour USPAP course and other applicable courses), one (1)year probation.
Naples	RD 6963	2009-03710	Rhonda R. Prosser	Rhonda R. Prosser, state certified residential real estate appraiser (RD6963); Violation: guilty of having obstructed or hindered in any manner the enforcement of c. 475, F.S. or the performance of any lawful duty by any person acting under the authority of c. 475, F. S. in violation of s. 475.626(1)(f), F.S.; guilty of failure to produce appraisal reports to support the experience claimed in violation of r. 61J1-6.001(6), F.A.C. and, therefore, in violation of s. 475.624(4), F.S. Penalty: revoked effective 5/18/09.
Nokomis	RD 2772	2009-03723	Lee P. Hatin	Lee P. Hatin, State Real Estate Appraiser License No. RD 2772. Violation: Violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 2-1(b), or other provision of the USPAP (2008) in violation of Section 475.624(14), Florida Statutes; guilty of failing to supervise or train real estate appraisers in the county where the supervising appraiser's primary business address is registered with the Department, and in any county contiguous to the county where the supervising appraiser's primary business office is registered with the Department in violation of Florida Admin. Code Rule 61J1-4.010(5) and, therefore, in violation of Section 475.624(4), Florida Statutes; guilty of supervising more than three trainee appraisers at one time in violation of Florida Admin. Code Rule 61J14.010(5)

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				and, therefore, in violation of Section 475.624(4), Florida Statutes; guilty of failing to have the same business address as the trainee appraiser in violation of Section 475.6221, Florida Statutes and, therefore, in violation of Section 475.624(4).Penalty: Fined \$2,500.00 plus costs; attend two (2) two-day FREAB general meetings and complete twenty-five (25) hours of appraisal education courses in supervision of trainees, one (1) year probation, 3 days suspension.
North Miami Beach	RI 14640	2009-02131	Yohanne Seyoum	Yohanne Seyoum, state-registered real estate License No. RI 0014640 Violation: violating a Final Order of the Florida Estate Appraisal Board concerning Respondent's case and which is binding upon Respondent in violation of Section 475.626(1)(b), Florida Statutes. Penalty: Revocation effective March 27, 2009.
Orlando	RI 16598	2009-03710	Jason Vander May	Jason Vander May, state registered trainee appraiser (RI16598); revoked effective 5/18/09, voluntarily surrendered his license for permanent revocation.
Panama City Beach	RD 3500	2009-07023	John D. Ridley	John D. Ridley, state-certified residential appraiser License No. RD 0003500; Voluntary Surrender effective 08/26/09.
Pembroke Pines	RD 5150	2009-07004	Franklin Ferguson	FRANKLIN FERGUSON, state certified residential real estate appraiser (RD0005150); Mr. Ferguson, failed to discuss the listing history of the Subject Property in the reports as well as noted an incorrect contract price of the Subject property in the report. He made adjustments for comparable sales for pools, when the comparables did not have pools located on the property. He used outdated Marshall and Swift data in the cost approach section of the reports. Additionally, his workfile lacked documentation to support the adjustments and conclusions in the reports. The documentation also was not contemporaneous to the effective dates of the reports. Violation: guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of s. 475.624(15), F.S.; violated a standard for the development or communication of a real estate appraisal, specifically the Recordkeeping Section of the Ethics Rule, or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S.; violated standard 1-1(c), USPAP (2006), or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S., by rendering 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; violated standard 1-5(a), USPAP (2006), or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S., by failing to analyze all agreements of sale, options, and listing of the subject property current as of the effective date of the appraisal when the value opinion to be developed is market value; violated standard 2-1(a)(b), USPAP (2006), or other provision of the USPAP (2006)in violation of s. 475.624(14), F.S., by failing to clearly and accurately set forth the appraisal in a manner that will not be misleading and failing to ensure the appraisal report contain sufficient information to enable the intended users of the appraisal to understand the

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				report properly; violated standard 2-2(b)(vi) and (viii), USPAP (2006), or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S., by failing to state the effective date of the appraisal and the date of the report in the content of a Summary Appraisal Report and failing to summarize the information analyzed, the appraisal methods and techniques employed, and the reasoning that supports the analyses, opinions, and conclusions exclusion of the sales comparison approach, cost approach, or income approach. Penalty: fined \$1500, costs, 90 day suspension, 18 mth. probation, no trainees during probation, 90 hrs. continuing education to include 15 hr. USPAP course, attend three (2-day) FREAB general meetings.
Pembroke Pines	RD 6319	2009-02793	Leonardo Javier Ospina	Leonardo Javier Ospina, License No. RD 6319; Violation: guilty of failure to retain records for at least five years of any contracts engaging the appraiser's services, appraisal reports, and supporting data assembled and formulated by the appraiser in preparing appraisal reports in violation of s. 475.629, F.S., and therefore, in violation of s. 475.624(4), F.S., guilty of failing to keep and maintain his experience log and failure to include all of the required information on his appraisal experience log as a Registered Trainee Real Estate Appraiser in violation of F.A.C. Rule 61J1-4.010(6) and, therefore, in violation of s. 475.624(4), F.S., guilty of failing to obtain the supervisor's signature on appraisal experience log in violation of F.A.C. Rule 61J1-4.010(7) and, therefore, in violation of s. 475.624(4), F.S. Penalty: fined \$500 plus costs, sixty (60) days suspension, attend one (1) two-day FREAB general meeting and complete basic appraisal principles of appraisal education courses, and one (1) year probation.
Pembroke Pines	RD 1660	2009-07000	Lee Ann Smith	Lee Ann Smith, License No. RD 1660; Respondent neither admits nor denies a violation of a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-5(a) and (b), or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes; or a violation of a standard for the development or communication of a real estate appraisal, specifically Standards Rule 2-1(a) and (b), or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes. Penalty: \$2000.00 fine and \$561.00 in costs; attend one (1) two-day FREAB general meetings, and complete thirty hours of continuing appraisal education.
Pinellas Park	RD 5424	2009-07302	Denise Burkart	Denise Burkart, License No. RD 5424; Voluntary Surrender of License effective 09/03/09.
Plantation	RD 3559	2005-30191	James Walter O'Neill	James Walter O'Neill, License No. RD 3559; Violation: violation of the Standard(s) Rule 2-1(a) Uniform Standards of Professional Appraisal Practice in violation of Section 475.624(14), Florida Statutes; Penalty: \$750.00 fine plus costs, attendance of two (2-day) FREAB meetings
Ponte Vedra Beach	RD 4649	2009-03705	David S. Brock	David S. Brock, License No. RD 4649. Violation: Guilty of failure to prepare a workfile for each appraisal, which must include:... true copies of any written reports, documented on any type of media;...all other data, information and documentation necessary to support the appraiser's opinions and conclusions and to show compliance with this Rule and all other applicable Standards, or references to the locations of such other documentation, in violation of the

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				Record Keeping Section of the Ethics Rule of USPAP (2008) and therefore in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specially 2008 USPAP Standards Rule 1-1(a)(an appraiser must be aware of, understand and correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal), 1-1(b)(not commit a substantial error of omission or commission that significantly affects an appraisal) and 1-1(c)(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), in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specially 2008 USPAP Standards Rule 2-1(a)(clearly and accurately set forth the appraisal in a manner that will not be misleading) and (b)(contain sufficient information to enable the intended users of the appraisal to understand the report properly) in violation of Section 475.624(14), Florida Statutes. Penalty: Suspension five (5) months; fine \$1,000.00 plus costs, complete thirty (30) hours of appraisal education courses, attend one (1) FREAB meeting, and one (1) year probation with no supervision of trainees.
St. Cloud	RI 15421	2009-07322	Christine L. Sheirburn	Christine L. Sheirburn, licensed appraiser, RI 15421; Violation: violated a standard for the development or communication of a real estate appraisal, specifically the Conduct Section of the Ethics Rule, or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically the Record Keeping Section of the Ethics Rule, or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-1,(a),(b) and (c), 1-5(a), 2-1 (a) and (b), 2-3; guilty of fraud in violation of Section 475.624(2)Florida Statutes; guilty of fraud, misrepresentation, dishonest conduct, culpable negligence, or breach of trust in any business transaction in violation of Section 475.624(2), Florida Statutes. Penalty: Revocation effective 09/03/09.
St. Cloud	RD 5387	2009-07020	Mary C. Sheirburn	Mary C. Sheirburn, state certified residential real estate appraiser, RD 5387; Violation: violated a standard for the development or communication of a real estate appraisal, specifically the Conduct Section of the Ethics Rule, or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically the Record Keeping Section of the Ethics Rule, or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-1,(a),(b) and (c), 1-4(a), 1-5(a)and (b), 2-1 (a) and (b), 2-3; guilty of fraud in violation of Section 475.624(2)Florida Statutes; guilty of accepting an appraisal assignment when the employment itself is contingent upon the appraiser reporting a predetermined results, analysis, or opinion in violation of Section 475.624(17)m Florida Statutes. Penalty: Revocation effective 8/26/09.

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Sarasota	RI 15844	2009-03706	Gail C. Aker	Gail C. Aker, License No. RI 15844. Violation: Guilty of failure to retain records for at least five years of any contracts engaging the appraiser's services, appraisal reports, and supporting data assembled and formulated by the appraiser in preparing appraisal reports in violation of Section 475.629, Florida Statutes, and, therefore, in violation of Section 475.624(4), Florida Statutes. Penalty: Attend one (1) two-day FREAB general meeting.
Sarasota	RD 543	2008-09729	Glenn Richard Greber	Glenn R. Greber, License Number RD 543; Violation: violation of USPAP Standards Rule 1-1(a), (b), and (c); 2-1(a), (b) in violation of Florida Statutes 475.624(14) Florida Statutes; failure to exercise reasonable diligence in violation of Section 47.624(15), Florida Statutes. Penalty: \$3,000.00 plus costs, 1 year probation; ; 40 hours of sales comparison or cost approach analysis; attendance at two 2-day FREAB general meeting.
Sarasota	RD 3178	2009-04010	Heather Kabobel	HEATHER KABOBEL, state certified residential real estate appraiser (RD0003178); fined \$1250 plus costs; one (1) year probation; and complete a fifteen (15) hour USPAP course and an additional seven (7) hours of education. Respondent neither admits nor denies the following allegations: Section 475.624(15), F.S., failure to exercise reasonable diligence in developing an appraisal report; Section 475.629, F.S., and, Section 475.624(4), F.S., failure to retain records for at least five years of any contracts engaging the appraiser's services, appraisal reports, and supporting data assembled and formulated by the appraiser in preparing appraisal reports in violation of; Standards Rule 1-1(a), (b) and (c), USPAP (2005), failure to be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible report; by committing a substantial error of omission or commission that significantly affects an appraisal; and rendering 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; Standards Rule 1-4(a) and (b), USPAP (2005) failure to analyze a sales comparison sales data as is available to indicate a value conclusion when a sales comparison approach is necessary and by failing to develop an opinion of site value b an appropriate appraisal method or technique; failing to analyze such comparable cost data as are available to estimate the cost new of the improvement; and failing to analyze such comparable data as are available to estimate the differences between the cost new and the present worth of the improvements (accrued depreciation) when using a cost approach; Standards rule 2-1(a), (b) and (c), USPAP (2005), failure to clearly and accurately setting forth the appraisal in a manner that will not be misleading; failure to have the appraisal report contain sufficient information to enable the intended users of the appraisal to understand the report properly; and failure to clearly and accurately disclose all assumptions, extraordinary assumptions, hypothetical conditions, and

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				limiting conditions used in the assignment.
Sarasota	RZ 2253	2009-03725	Thomas D. Mullins	Thomas D. Mullins, State Real Estate Appraiser License No. RZ 2253. Violation: Guilty of failure to retain records for at least five years of any contracts engaging the appraiser's services, appraisal reports, and supporting data assembled and formulated by the appraiser in preparing appraisal reports in violation of Section 475.624(4), Florida Statutes. Penalty: fine \$1,500.00 plus costs; attend two (2) two-day FREAB general meetings and complete twenty (20) hours of appraisal education courses in sales comparables, one (1) year probation.
Springfield, MO	RD 3908	2009-07024	Robert Gregory Powell	Robert Gregory Powell, state-certified residential appraiser License No. RD 0003908; Voluntary Surrender effective 8/26/09.
Sorrento	RD 5147	2009-03709	Philip Rawls	PHILIP RAWLS, state certified residential real estate appraiser (RD0005147); fined \$1000 plus costs; one (1) year probation; complete 30 hours of additional education to include the fifteen (15) hour USPAP course; attend two (2-day) FREAB general meetings; violated a standard for the development or communication of a real estate appraisal, specifically the Recordkeeping Section of the Ethics Rule, or other provision of the Uniform Standards of Professional Appraisal Practice (2005) in violation of s. 475.624(14), F.S.; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-4(b)(i), or other provision of the USPAP (2005) in violation of s. 475.624(14), F.S., by failing to develop an opinion of site value by an appropriate appraisal method or technique when a cost approach is necessary for credible assignment results; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-5(a), or other provision of the USPAP (2005) in violation of s. 475.624(14), F.S., by failing to analyze all agreements of sale, options, and listings of the subject property current as of the effective date of the appraisal when the value opinion to be developed is market value.
Southport	RI 13077	2009-03715	Marcia Lynn Croom	Marcia Lynn Croom, state registered trainee appraiser (RI13077); Violation: violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-1(a), (b) and (c), or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S.; violated a standard for development or communication of a real estate appraisal, specifically Standards Rule 1-4(a), or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S.; violated a standard for the development and communication of a real estate appraisal, specifically Standards Rule 2-(b)(viii), or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S.; guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of s. 475.624(15), F.S. Penalty: \$2000 fine, costs, attend two (2-day) FREAB general meetings, thirty (30) hours of appraisal

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				education course, and one (1) year probation
Tamarac	RD 5027	2009-02137	Raul Pimentel	Raul Pimentel, State Real Estate Appraiser License No. RD 5027. Violation: Mr. Pimentel developed and communicated a residential appraisal which failed to report and reconcile the listing history for the subject property; guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of Section 475.624(15), Florida Statutes; guilty of failure to retain records for at least five years of any contracts engaging the appraiser's services, appraisal reports, and supporting data assembled and formulated by the appraiser in preparing appraisal reports in violation of Section 475.629, Florida Statutes, and, therefore, in violation of Section 475.624(4), Florida Statutes; guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest conduct, culpable negligence, or breach of trust in any business transaction in violation of Section 475.624(2), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-1(a), (b), and (c), or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 1-4(a), or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 2-1(a) and (b), or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes. Penalty: Fined \$2000.00, plus costs; thirty (30) days suspension; one (1) year probation; attend two (2) 2-day FREAB general meetings; 25 hours of continuing education appraisal courses.
Tampa	RD 4398	2009-03712	Edward C. Lowery	Edward C. Lowery, state certified residential real estate appraiser (RD04398); Violation: guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of s. 475.624(15), F.S. Penalty: \$500 in costs, attend one (2-day) FREAB general meeting and complete thirty (30) hours of appraisal education courses, one (1) year probation.
Tampa	RD 4398	2009-03712	Edward C. Lowery	Edward C. Lowery, state certified residential real estate appraiser (RD04398); Violation: guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of s. 475.624(15), F.S. Penalty: \$500 in costs, attend one (2-day) FREAB general meeting, one (1) year probation.
Tampa	RD 4648	2009-03721	Glenn Anthony Minardi, Jr	Glenn Anthony Minardi, Jr., State Real Estate Appraiser License No. RD 4648. Violation: violated a standard for the development or communication of a real estate appraisal, specifically the Record Keeping Section of the Ethics Rule, or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specifically Standards Rule 2-2(b) (viii) (state the appraisal methods and techniques employed, state the value opinions and conclusion reached, and reference the workfile; exclusion of the sales comparison approach, cost approach, or income approach must be

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				explained), or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specially Standard Rule 1-2(e) (identify any hypothetical conditions necessary in the assignment), or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes; violated a standard for the development or communication of a real estate appraisal, specially the Scope of Work Rule, or other provision of the USPAP (2006) in violation of Section 475.624(14), Florida Statutes. Penalty: fine \$2,000.00 plus costs, attend three (3) two-day FREAB general meetings and complete thirty (30) hours of appraisal education courses in report writing, red flags, supervision/ trainee and other applicable courses, one (1) year probation.
Tampa	RI 11671	2008-23899	Michael Mock	MICHAEL MOCK, state registered trainee appraiser (RI11671). Mr. Mock, as a trainee appraiser misstated the inspection date and effective date of the appraisal report, used dissimilar comparable sales with respect to the Subject property and failed to analyze the highest and best use of the Subject property. Additionally, the workfile submitted was not contemporaneous to the appraisal report and lacked documentation to support the adjustments and conclusions in the report. Violated a standard for the development or communication of a real estate appraisal, specifically the Recordkeeping Section of the Ethics Rule, or other provision of the USPAP (2006) in violation of s. 475.624(14), F. S.; violated standard 1-1(a) and (c), USPAP (2006), or other provision of the USPAP (2006) in violation of s. 475.624(14), F. S., by failing to be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal and rendering 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; violated standard 1-2(b) and (d), USPAP (2006), or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S., by failing to identify the intended use of the appraiser's opinions and conclusions and failing to identify the effective date of the appraiser's opinions and conclusions; violated standard 2-1 (a) and (b), USPAP (2006), or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S., by failing to clearly and accurately set forth the appraisal in a manner that will not be misleading and failing to ensure the appraisal report contain sufficient information to enable the intended users of the appraisal to understand the report properly. Penalty: fined \$1250, costs, 1 yr. probation, 15 hr. USPAP course, attend two (2-day) FREAB general meetings.
Tampa	RD 3894	2009-07019	Valentina Ohanjannians	VALENTINA OHANJANNIANS, state certified residential real estate appraiser (RD3894). Ms. Ohanjannians, as a supervisory appraiser misstated the inspection date and effective date of the appraisal report, used dissimilar comparable sales with respect to the Subject property and failed to analyze the highest and best use of the Subject property. Additionally, the workfile submitted was not contemporaneous to the appraisal report and lacked documentation to support the adjustments and conclusions In the report.

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				Violated a standard for the development or communication of a real estate appraisal, specifically the Recordkeeping Section of the Ethics Rule, or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S.; violated standard 1-1 (a) and(c), USPAP (2006), or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S., by failing to be aware or, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal and rendering 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; violated standard 1-2(b) and (d), USPAP (2006), or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S., by failing to identify the intended use of the appraiser's opinions and conclusions and failing to identify the effective date of the appraiser's opinions and conclusions; violated standard 2-1(a)and (b), USPAP (2006), or other provision of the USPAP (2006) in violation of s. 475.624(14), F.S., by failing to clearly and accurately set forth the appraisal in a manner that will not be misleading and failing to ensure the appraisal report contain sufficient information to enable the intended users of the appraisal to understand the report properly. Penalty: fined \$2000, costs, 1 yr. probation, no trainees during probation, 30 hrs of continuing education to include 15 hr. USPAP course, attend two (2-day) FREAB general meetings.
Tampa	RD 3902	2009-07321	Keith Rados	Keith Rados. License No. 3902. revoked effective 9/3/09; voluntarily surrendered his license for permanent revocation.
Tampa	RD 5410	2009-03589	Joshua S. Shapiro	Joshua S. Shapiro, License No. RD 5410; Violation: violation of USPAP Standards Rule 1-1(a), and (b) in violation of Section 475.624(14), Florida Statutes. Penalty: \$500 fine plus costs, 1 year probations, attendance at two (2) 2-day FREAB general meetings, no supervision of trainees during the probationary period.
Wesley Chapel	RD 4944	2009-00923	Tony Lee Collings	Tony Lee Collings, License No. RD 0004944. Violation: violated a standard for the development or communication of real estate appraisal, specifically the definition of Signature, or other provision of the USPAP (2005) in violation of Section 475.624(14), Florida Statutes; violated standard for the development or communication of real estate appraisal, specifically Rule 2-3, or other provision of the USPAP(2005) in violation of Section 475.624(14), Florida Statutes; guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest conduct, culpable negligence, or breach of trust in any business transaction in violation of Section 475.624(2), Florida Statutes; guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of Section 475.624 (15), Florida Statutes. Penalty: cost \$1,287; 1 year probation; attend two two-day FREAB general meeting

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<p>West Palm Beach</p>	<p>RD 3819</p>	<p>2009-03707</p>	<p>Christopher Staniszewski</p>	<p>Christopher Staniszewski, state certified residential real estate appraiser (RD0003819); 60 day license suspension, to run concurrent with probationary term; fined \$1500 plus costs; one (1) year probation; thirty (30) hours of education in the area of USPAP and highest and best use; attendance at (2) FREAB meetings; violated s. 475.624(15), F.S. failing to exercise reasonable diligence in developing the appraisal report; violated the Record Keeping section of the Ethics Rule, USPAP (2005), by failing to prepare a workfile for each appraisal that must include the name of the client, and the identity, by name or type, of any of the intended users; true copies of any written reports, documented on any type of media; summaries of any oral reports or testimony, or a transcript of testimony, including the appraiser's signed and dated certification; and all other data, information, and documentation necessary to support the appraiser's opinions, and conclusions and to show compliance with this Rule and all other applicable Standards, or references to the location(s) of such other documentation; violated Standards Rule 1-3(b), USPAP (2005), by failing to develop an opinion of highest and best use of the real estate; violated Standards Rule 1-4(a) and (b), USPAP (2005), by failing, when a sales comparison approach is necessary for credible results, to analyze such comparable sales data as are available to indicate a value conclusion; and by failing, when a cost approach is necessary for credible assignment results, to develop an opinion of site value by an appropriate appraisal method or technique; analyze such comparable cost data as are available to estimate the cost new of the improvements (if any); and analyze such comparable data as are available to estimate the difference between the cost new and the present worth of the improvements (accrued depreciation); violated Standards Rule 2-1(a), (b) and (c), USPAP (2005), by clearly and accurately setting forth the appraisal in a manner that will not be misleading; and by failing to have the appraisal report contain sufficient information to enable the intended users of the appraisal to understand the report properly; and violated Standards Rule 2-2(b)(ix), (x), USPAP (2005), by failing to summarize the information analyzed the appraisal procedures followed, and the reasoning that supports the analyses, opinions and conclusions; and failure to state the use of the real estate existing as of the date of value and the use of the real estate reflected in the appraisal; and, when reporting an opinion of market value, summarize the support and rationale for the appraiser's opinion of the highest and best use of the real estate.</p>
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