



Florida Real Estate Appraisal Board Disciplinary Activity Report 2005

CITY	LICENSE	FINAL ORDER # (BPR-)	NAME	VIOLATION AND DISCIPLINARY ACTION
Bradenton	RZ 252	2004-02778	D. Alan Moore	Bradenton: D. Alan Moore; Certified General; Fined \$2000.00; 60-day suspension; guilty of failing to communicate an appraisal without good cause and guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest conduct, culpable negligence or breach of trust in any business transaction. Effective 8/5/04. Penalty appealed. Decision upheld. Mandate issued 3/18/05.
Clearwater	RD 3340	2005-04285	Terry Gauthier	Clearwater: Terry Gauthier; Certified Residential; Fined \$2000.00; 1-yr probation; 15 hrs. of USPAP and 15-hrs. specialty education; violated a standard for the development or communication of a real estate appraisal, specifically Standards 1 and 2 and Ethics Rule, or other provision of USPAP (2000). Effective 8/11/05.
Dunedin	RD 284	2005-004943	Adam J. Lengyel, II	Dunedin: Adam J. Lengyel, II; Certified Residential; Revoked; effective 9/12/05; guilty of having operated without a valid and current license; guilty of making any false affidavit or affirmation intended for use as evidence by or before the board or any member thereof, or by any of its authorized representatives, or giving false testimony under oath or affirmation to or before the board or any member thereof in any proceeding authorized; obtained or attempted to obtain a registration, license, or certification by means of knowingly making a false statement, submitting false information, refusing to provide complete information in response to an application question, or engaging in fraud, misrepresentation, or concealment; guilty of fraud, misrepresentation, concealment false promises, false pretenses, dishonest conduct, culpable negligence, or breach of trust in any business transaction.

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Jacksonville	RD 4300	2005-01352	Edward Thomas Clark, Jr.	Jacksonville: Edward Thomas Clark, Jr.; Certified Residential; Revoked; effective 3/17/05; 6 instances of being guilty of accepting appraisal assignments from someone other than his primary or secondary supervisory appraiser; 6 instances of being guilty of performing appraisal services without the direct supervision of a licensed or certified appraiser who was designated as his primary appraiser; and 6 instances of being guilty of failing to retain, for at least five years, original or true copies of any contracts engaging the appraiser's services, appraisal reports, and supporting data assembled and formulated by the appraiser in preparing appraisal reports.
Jacksonville	RD 2976	2005-004928	Jeffery J. Conley	Jacksonville: Jeffery J. Conley; Certified Residential; Fined \$1500.00 plus costs; 1-yr. probation; attendance at one two-day FREAB general meeting; violated Standard 1-1(c), USPAP; and failed to exercise reasonable diligence in developing an appraisal report. Effective 9/12/05.
Jacksonville	RZ 50	2005-004942 2005-004941	James C. Johnston	Jacksonville: James C. Johnston; Certified General; Revoked; Effective 8/2/05; Voluntary Surrender of License.
Jacksonville	RD 2626	2005-004930	Mark J. Kardon	Jacksonville: Mark J. Kardon; Certified Residential; Fined \$3500.00 plus costs; 1-yr. probation; 20 hrs. of education; and attendance at one FREAB general meeting; guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of Section 475.624(15), Florida Statute; violated a standard for the development or communication of a real estate appraisal, specifically Ethics-Record Keeping; guilty of failing to retain, for at least five years, original or true copies 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. Effective 8/2/05.

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Jacksonville	RI 8186	2005-04934	Susan M. Renstrom	Jacksonville: Susan M. Renstrom; Registered Trainee; Fined \$1000.00 plus costs; 1-yr. probation; 10 hrs. of education; and attendance at one FREAB general meeting; guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of Section 475.624 (15), Florida Statute; violated a standard for the development or communication of a real estate appraisal, specifically Ethics-Record Keeping; guilty of failing to retain, for at least five years, original or true copies 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 475.614(4), Florida Statutes. Effective 8/2/05.
Madison	RD 2668	2005-004932	Roy F. Milliron	Madison: Roy F. Milliron; Fined \$2000.00 plus costs; 1-yr. probation; 15 hrs. of education; and attendance at one (2-day) FREAB general meeting; guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of Section 475.624(15), Florida Statute; violated a standard for the development or communication of a real estate appraisal, specifically the Department Rule, Standards 1-1(b) and (c), 1-2(e), 2-1(a) and (b), and 2-2(b)(iii), or other provision of USPAP in violation of Section 475.624 (14), Florida Statutes. Effective 8/2/05.
Madison	RI 10600	2004-029231	James W. Nielsen	Madison: James W. Nielsen; Registered Trainee; fined \$1000.00 plus costs; 1-yr. probation; 10-hrs. education; and attendance at one FREAB general meeting; Guilty of having failed to exercise reasonable diligence in developing an appraisal report in violation of Section 475.624(15); violated a standard for the development or communication of a real estate appraisal, specifically the Department Rule, Standards 1-1(b) and (c), 1-2(e), 2-1(a) and (b), and 2-2(b)(iii), or other provision of USPAP in violation of Section 475.624(14), Florida Statutes. Effective 9/12/05.

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Maitland	RD 4504	2005-004931	Mark Robert Lee	Maitland: Mark Robert Lee; Certified Residential; Fined \$1000.00 plus costs; 6-mos. probation; attendance at two (2-day) FREAB general meetings; guilty of having failed to exercise reasonable diligence in developing an appraisal report, violated a standard for the development or communication of a real estate appraisal, specifically Standard 1-1(a), (b) and (c), or other provision of the Uniform Standard for the development or communication of a real estate appraisal, specifically Standard 2-1(a), (b) and (c), or other provision of the Uniform Standards of Professional Appraisal Practice (2004). Effective 9/12/05.
Miami Beach	RD 2398	2005-04289	Albert O. Muxo	Miami Beach: Albert O. Muxo; Certified Residential; Costs; 60-day suspension; attendance at one (1) FREAB general meeting; violated Standards 1 and 2 of USPAP; failed to exercise reasonable diligence in developing an appraisal report; and culpable negligence or breach of trust. Effective 8/11/05.
Miami Lakes	RD 2167	2005-004927	Gary Baldaccini	Miami Lakes: Gary Baldaccini; Certified Residential; Fined \$2000.00 plus costs; 18-mos. probation; one course in report writing; attend one (1) 2-day FREAB general meeting; failure to retain for a least five years original or true copies of any contracts engaging the appraiser's services, appraisal report, and supporting data assembled and formulated by the appraiser in preparing appraisal reports; violated a Standard or Rule of USPAP; and failed to exercise reasonable diligence in developing an appraisal report. Effective 9/12/05.
Neptune Beach	RZ 1741	2005-04284	William H. Faries, Jr.	Neptune Beach: William H. Faries, Jr.; Certified General; Fined \$3000.00; 1-yr. probation; 45 hrs. of education; attend one (1) 2-day FREAB general meeting; violated a standard for the development or communication of a real estate appraisal; and guilty of failure to comply with the disclosure and display of designation requirements. Effective 8/11/05.
Milton	RZ 1233	2005-03094	D. Phil Jones	Milton: D. Phil Jones; Certified General; Fined \$3000.00 plus costs; 30-day suspension; 15 hrs. of USPAP education; violated Sections 475.624(2, (14), and (15), Florida Statutes, and is therefore, guilty of violating a standard for the development or communication of a real estate appraisal or other provision of the USPAP; failing to exercise reasonable diligence in developing an appraisal report; and guilty of a breach of trust and/or culpable negligence.

RI: Registered Trainee

RH: Licensed

RD: Certified Residential

RZ: Certified General

For a copy of the Final Order contact the Agency Clerk's Office at (850) 921-

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Orange Park	RD 4315	2005-004929	Ernest W. Franklin	Orange Park: Ernest W. Franklin; Certified Residential; Fined \$3000.00 plus costs; 1-yr. probation; one continuing education course; attendance at two (2-day) FREAB general meeting; guilty of having failed to exercise reasonable diligence in developing an appraisal report, violated a standard for the development or communication of a real estate appraisal, specifically Standard 1-1(a), (b) and (c), or other provision of the Uniform Standards of Professional Appraisal Practice (2004) and violated Standards for the development or communication of a real estate appraisal, specifically Standard 2-1(a), (b) and (c), or other provision of the Uniform Standards of Professional Appraisal Practice (2004). Effective 9/12/05.
Orlando	RI 9109	2005-01353	Peter Groppi	Orlando: Peter Groppi; Registered Trainee; Fined \$750.00 plus costs; 3-yr. suspension; 4-yr. probation; attendance at two (2) FREAB general meetings; guilty of having been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which involves moral turpitude; guilty of not having informed the FREAB in writing within thirty (30) days of having pled guilty or nolo contendere to, or having been convicted or found guilty of, any felony and is confined in any state or federal prison or mental institution. Effective 3/17/05.
Palm Harbor	RI 10250	2005-04286	Nicole M. Goodwin	Palm Harbor: Nicole M. Goodwin; Registered Trainee; 1-yr. probation; one course in report writing. Effective 8/11/05.
Pensacola	RZ 103	2005-04290	M. Eugene Presley	Pensacola: M. Eugene Presley; Certified General; Fined \$1000.00 plus costs; 1-yr. probation; 15 hrs. of education; failure to exercise reasonable diligence in preparing an appraisal report; and violated Standards 1-1 and 2-1 of USPAP. Effective 8/11/05.
Sarasota	RH 179	2005-004939	Scott West	Sarasota: Scott West; Licensed; Revoked; Effective 9/12/05; guilty of having had a registration suspended, revoked or otherwise acted against in any jurisdiction.

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St. Petersburg	RI 9786	2005-004940	Dominic K. Dema	St. Petersburg: Dominic K. Dema; Registered Trainee; Fined \$500.00 plus costs; 12-mos. probation; 14-hr. valuation technique education course; attend one (1) 2-day FREAB general Meeting; violated a standard for the development or communication of a real estate appraisal, specifically Standard Rule 1-4, or other provision of the USPAP (2003); violated a standard for the development or communication of a real estate appraisal, specifically Standard Rule 1-1, or other provision of the USPAP (2003); and guilty of having failed to exercise reasonable diligence in developing an appraisal report. Effective 9/12/05.
Tampa	RZ 2332	2005-01351	Kevin N. Jackson	Tampa: Kevin N. Jackson; Certified General; Fined \$3000.00 plus costs; 1-yr. probation; attendance at two (2) FREAB general meetings; guilty of misrepresentation; violated Standard 1 and 2 of USPAP; and failed to exercise reasonable diligence in developing an appraisal report. Effective 3/17/05.
Tampa	RI 6850	2005-04288	Donna Anne Martin	Tampa: Donna Anne Martin; Registered Trainee; Revoked; Effective 8/11/05; guilty of misrepresentation in any business transaction; 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; guilty of receiving payment directly from someone other than her supervisory appraiser.